

**Notice of a public meeting of
Cabinet**

To: Councillors Alexander (Chair), Crisp, Gunnell, Levene, Looker, Merrett, Simpson-Laing (Vice-Chair) and Williams

Date: Tuesday, 2 April 2013

Time: 5.30 pm

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

AGENDA

Notice to Members - 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 4 April 2013, if an item is called in *after* a decision has been taken.

Items called in will be considered by the Corporate and 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. Minutes** (Pages 3 - 14)
To approve and sign the minutes of the last Cabinet meeting held on 5 March 2013.
- 3. 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 Thursday 28 March 2013**. 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.
- 4. Forward Plan** (Pages 15 - 26)
To receive details of those items that are listed on the Forward Plan for the next two Cabinet meetings.
- 5. Reinvigorate York: Public Space Improvement Project for Kings Square** (Pages 27 - 62)
This report summarises improvement proposals for Kings Square. Cabinet are asked to approve the preferred design option and proposed allocated project budget out of the already agreed funds of the overall Reinvigorate York programme.
- 6. Waste Services - Service Delivery Options 2012/13 and 2013/14 Following Consultation** (Pages 63 - 92)
A report was brought to Cabinet on 12 February 2013 outlining recommendations for further reducing the annual cost of providing the Councils waste collection service. This report presents the outcome of the consultation on the options for garden waste collections and the opening hours at Towthorpe and makes recommendations for Member consideration.
- 7. Neighbourhood Working** (Pages 93 - 106)
This report proposes a refresh of the Council's approach to Neighbourhood Working, to come into effect in June following the current round of annual meetings. The report draws on learning over the last twelve months to propose an update to the model.
- 8. Horses - Enforcement Policy** (Pages 107 - 130)
This report sets out the proposed policy and route for enforcing the removal of horses from Council land where they are illegally grazing and sets out how the Council can support private land owners where horses are illegally grazing on private land.

9. Embracing Diversity: A Hate Crime Strategy for York
(Pages 131 - 182)

This paper outlines the background to the development of a new Hate Crime Strategy for the City of York and asks Members to approve the strategy and give their commitment to the crucial role that City of York Council plays to provide the support necessary to bring offenders to justice and protect vulnerable victims.

10. Facing the Challenge of Poverty in York (Pages 183 - 198)

This report provides Cabinet with;

- As assessment of the poverty challenge in York
- Sets the ambition for the city in reducing poverty
- Details the main work programmes currently addressing poverty and
 - Identifies the work that needs to be done to bring forward further proposals for tackling poverty in York.

11. Maximising the Opportunities From the Green Deal in York (Pages 199 - 210)

The purpose of this report is to outline the business case for the Leeds City Region (LCR) Green Deal, and to consider City Of York Council's level of participation within the scheme.

12. Urgent Business

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

Democracy Officer:

Name: Jill Pickering

Contact details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@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

Contact details are set out above.

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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business following a Cabinet meeting or publication of a Cabinet Member decision. A specially convened Corporate and Scrutiny Management Committee (CSMC) will then make its recommendations to the next scheduled Cabinet meeting, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

MEETING	CABINET
DATE	5 MARCH 2013
PRESENT	COUNCILLORS SIMPSON-LAING (VICE-CHAIR, IN THE CHAIR), CRISP, LEVENE, LOOKER, MERRETT AND WILLIAMS
APOLOGIES	COUNCILLORS ALEXANDER AND GUNNELL
IN ATTENDANCE	COUNCILLORS BARTON, FUNNELL, HEALEY, RUNCIMAN AND STEWARD

101. DECLARATIONS OF INTEREST

Members were invited 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 they may have in respect of business on the agenda. No additional interests were declared.

102. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 12 February 2013 be approved and signed by the Chair as a correct record.

103. PUBLIC PARTICIPATION/OTHER SPEAKERS

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme, however three Members of Council had requested to speak on the following items:

8. Smarter York

Cllr Barton commended the contents of the Smarter York report to be considered at the meeting. He did however express reservations in respect of paragraph 10 k) which referred to 'community resilience' in relation to flooding . Referring to the serious effects that regular flooding had on the village of Naburn

with 95 dwellings being identified as in danger. Officers had confirmed that, with only a small number of dwellings at risk, Naburn was low down on the list for flood defence works which left the village with no emergency service or public transport access to the village during such times. He asked Members to note the devastating effects such flooding had on the village and not to leave Naburn to 'community resilience'.

Cllr Runciman referred to the comment of the Lib/Dem Group in respect of items on the Cabinet agenda. Particularly in relation to the Smarter York report and the decrease in staff and change in roles which it was felt was not in the best interests of residents. It was also questioned if the data protection breaches surrounding the use of the app, identified by the Information Commissioner, had now been addressed. During a tight budget the cost of rebranding vehicles was also questioned, as was the type of 'wardens' referred to in the report as there only appeared to be a reference to snow wardens.

As the Charter appeared to be a list of things the Council already did it was questioned why there was no frequency or service standards listed in the report and further information on these points was requested.

10. Council Response to Consultation on Police and Crime Plan

Cllr Steward confirmed his wholehearted support for the proposed CYC response to consultation on the Police and Crime Plan. His only concern related to Questions 2 and 3 which provided six priorities/options and requested rankings which had not been fully listed but which, if ranked would provide a better response.

Reference was also made to the role of the Community Safety Overview and Scrutiny Committee in relation to this consultation. Suggesting that gaining the support of the Scrutiny Committee would provide additional backing for the consultation response.

He also referred to the need to make more use of Scrutiny Committees prior to issues being considered at Cabinet meetings.

104. FORWARD PLAN

Members received and noted details of those items listed on the Forward Plan for the next two Cabinet meetings, at the time the agenda was published.

105. SCRUTINY REVIEW OF OUT OF HOURS CHILDCARE

Consideration was given to a report which set out the recommendations arising from the Scrutiny Review into Out of Hours Childcare, with a copy of the full final report attached at Annex 1.

Councillor Runciman, as a member of the Task Group attended the meeting and presented the report to Cabinet. She confirmed that after discussion it had been agreed to slightly move the focus of Cllr Douglas's original proposal to out of hour's childcare and the impact that a lack of this had on those working outside of standard hours.

Members were informed that this had been an interesting, quick review and that some of the changes were already in place. Cllr Runciman thanked the Family Information Service for their valued assistance and she asked Cabinet to support the following recommendations arising from the review:

Recommendation 1 That the Family Information Service Manager, by means of the childcare audit, audit childcare providers to gather more detailed information on their out of hours availability

Recommendation 2 That the Family Information Service Manager update search routes online to:

- Allow families to search for out of hours or flexible childcare
- Introduce an advanced search feature allowing families to specify required windows of time

Recommendation 3 That the Family Information Service Manager ensures that a new page be created on the YorOK website providing parents with advice on finding informal childcare/babysitters

- Recommendation 4 That as the Council has recently taken back in house the work relating to the recruitment of childminders the Family Information Service Manager ensure that future work targets existing and potential childcarers in key areas to highlight the need for some out of hours and flexible childcare
- Recommendation 5 That the Family Information Service Manager incorporates into the Family Information Service's Awareness Strategy support options around out of hours childcare to:
- parents and carers
 - potential providers of flexible childcare
- Recommendation 6 That the Family Information Service promote and market the additional information and search functions on out of hours childcare on its website to parents and carers through press releases and additions to any printed information such as leaflets and posters
- Recommendation 7 That the Family Information Service Manager organise a further event for employers around being family friendly as identified in option 3 at paragraph 16 of this report
- Recommendation 8 That the Family Information Service Manager report back to Economic and City Development Overview and Scrutiny Committee after the next Annual Childcare Audit to give an update on the outcomes of the audit and progress on the implementation of the recommendations arising from this review

The Cabinet Member confirmed that the Task Groups recommendations appeared to be by and large focussed and acceptable. Reference was made to the huge pressure on

families to work hours that were not considered normal and that consideration needed to be given to the effect of this on children, balancing the authorities child safety responsibilities with child care provision.

Officers confirmed their commitment to the 'Childcare Sufficiency Statement' which would highlight the shortfall in provision and enable them to secure additional resources, if required.

The Chair thanked the Task Group members for their work on this review and it was

RESOLVED: That Cabinet agree to:

- i) Note the contents of the final report of the Out of Hours Childcare Scrutiny Review at Appendix 1 of the report.
- ii) The implementation of recommendations 1 to 8, as listed at paragraph 4 of the report.¹

REASON: To fully inform the Cabinet of the outcome of this scrutiny review.

Action Required

1. Proceed with implementation of review recommendations.

NM

106. SCRUTINY REVIEW - END OF LIFE CARE REVIEW - 'THE USE & EFFECTIVENESS OF DNACPR FORMS'

Consideration was given to a report which set out the recommendations arising from the End of Life Care Scrutiny Review, with a copy of the full final report at Appendix 1.

Cllr Funnell, as Chair of the Health Overview and Scrutiny Committee, was in attendance and presented the report detailing the consultation process undertaken with health care partners about the issues facing them. It was confirmed that all had raised concerns about care for older people and end of life care.

Review Members had gone on to identify a focus on the DNACPR Forms to ensure that patients wishes and instructions were acted upon by health care professionals and carers at the end of life. The report and recommendations had involved a considerable amount of work and engagement with all the relevant health partners.

During the course of the review it had been learnt that York Hospital had started to look at a number of work streams that fitted well with the recommendations of the review. This included the setting up of a new York Hospital internal end of life care forum, the development of a new end of life care strategy and work plan and the employment of a lead nurse for end of life care.

Cllr Funnell went on to thank the Scrutiny Officer and colleagues for their hard work and perseverance following changes in staff and bodies responsible for this work arising from the Health and Social Care Act 2012. It was reported that the Vale of York Commissioning Group (VYCG) had confirmed their commitment to continue with the review recommendations.

The Director of Public Health, confirmed that the recommendations had been welcomed, with all health organisations working closely together. With support from the VYCG the recommendations would be shared with other Commissioning Groups.

Members referred to the need for communication with next of kin to ensure that peoples wishes were known at an earlier stage, which also involved additional training for families and health care staff.

Consideration was then given to the following recommendations:

Recommendation 1 – that key health partners, namely York Teaching Hospital NHS Foundation Trust, Yorkshire Ambulance Service, Independent Care Group and York GPs, led and co-ordinated by the Vale of York Clinical Commissioning Group look at ways of better publicising the existence of DNACPR forms and in doing this they make use of the wealth of experience and knowledge that already exists within voluntary organisations such as the Carer's Forum' and LINKs (soon to be HealthWatch) to assist them with holding public events. ¹.

Recommendation 2 - That key health partners namely York Teaching Hospital NHS Foundation Trust, Yorkshire Ambulance Service, Independent Care Group, York GPs and the Out of Hours (OOH) Service led and co-ordinated by the Vale of York Clinical Commissioning Group review whether the redesigned handover forms for the OOH Service GPs have improved the sharing of information around end of life care wishes (including DNACPR forms) and explore whether there are further improvements that can be made in relation to information sharing. ^{2.}

Recommendation 3 – That key health partners ensure that there are appropriate co-ordination arrangements in place to ensure that patients can discuss their end of life care wishes and those wishes are enacted. The Neighbourhood Care Teams should play a pivotal role in responding to this recommendation, in particular in terms of identifying patients most at risk of health problems and looking at ways of talking to patients about their End of Life Care needs, including DNACPR orders. ^{3.}

Recommendation 4 – That the Multi-Agency Workforce Development Group within the city be asked to consider how they can support all care homes within the city to achieve this. ^{4.}

Recommendation 5 – That once a DNACPR form is in place:

- i. there is a known protocol setting out who will undertake the review of the form and when
- ii. the review date should be clearly stated on the front of the form
- iii. there are processes in place within key health partners' internal policies to identify which forms are due for review and how these will be undertaken
- iv. it is ensured that the completion of planned reviews is monitored. ^{5.}

Following further discussion, Members commended an excellent report and it was

RESOLVED: That Cabinet agree to:

- i) Note the contents of the final report of the End of Life Care Review – 'The Use and Effectiveness of DNACPR Forms', at Appendix 1 of the report.

- ii) The implementation of recommendations 1 to 5, as listed at paragraph 4 of the report.

REASON: To fully inform the Cabinet of the outcome of this scrutiny review.

Action Required

1-3. & 5. Inform relevant bodies of review recommendations (to be actioned by external bodies) TW

4. Give consideration to how support can be given to achieve this review recommendation and implement. NB

107. APPROVAL OF THE HOMELESS STRATEGY 2013-18

Consideration was given to a report which presented the proposed homeless strategy and action plan to cover the period 2013-18. The authority had a duty to publish a homeless strategy every five years, with the first being published in 2003.

Key targets of the 2008-13 strategy and the achievements to date were presented at paragraph 4 of the report. Nationally it was reported that rough sleeping had increased by 43% with an increase in York from 2 in 2011 to 8 in 2012, with the use of temporary accommodation increasing to 99 at the end of 2012.

The strategy and action plan had been developed by a multi-agency Homeless Strategy Steering Group in consultation with stakeholders and customers with feedback where appropriate incorporated in the plan.

The Cabinet Member referred to the increase in those presenting themselves as homeless and the need for CYC staff to report any instances of rough sleeping. With an increase in those out of work, increases in the cost of living and changes to the benefits system it was considered that this would be a challenging 5 year Plan.

Consideration was then given to the following options:

Option 1 – To approve the proposed strategy and action plan.

Option 2 – To ask officers to amend the strategy and action plan.

RESOLVED: That Cabinet approve Option 1, to adopt the Homeless Strategy 2013 – 18 and associated action plan. ¹.

REASON: To ensure that the council meet legal requirements and to adopt a framework on which to develop services for customers that are homeless or at risk of homelessness.

Action Required

1. Proceed with implementation of Strategy and action plan

BW

108. SMARTER YORK

Consideration was given to a report which updated Cabinet on progress with Smarter York and proposed two versions of a ‘Smarter Charter’, which set out what the authority encouraged residents and businesses to do, details of which were set out at Annex 1 of the report.

This type of working had been introduced last year to ensure joined up services over a number of areas, with the introduction of a new app and included a large number of projects, detailed at paragraphs 2 to 8 of the report. Key elements of the programme including the reorganisation and streamlining of enforcement roles together with the appointment of a co-ordinator, communication plan and establishment of a project board were set out in paragraphs 9 to 16.

In answer to earlier questions, the Cabinet Member confirmed that the Smarter York branding would only be provided on new vehicles at no additional cost to the authority. It was confirmed that the Information Commissioner was now happy with the proposed technological solutions for the app. The overall proposals would provide and facilitate new ways of working with local communities, whilst recognising the financial issues.

Members raised issues relating to the need to collect litter prior to undertaking grass cutting and the support required to ensure student housing was kept tidy and assistance provided with the end of term clearance.

Following further discussion it was

RESOLVED: That Cabinet agree to:

- i) Note progress to date with Smarter York.
- ii) Approve the “Smarter Charter” as set out at Annex 1 of the report. ¹.

REASON: To make York an even better place to live.

Action Required

1. Proceed with implementation of Charter.

CC

109. STATUTORY REPORT OF THE MONITORING OFFICER

Consideration was given to the statutory report of the Monitoring Officer in respect of the Local Government Ombudsman’s (LGO) finding of maladministration regarding the way the Council managed the provision of assistance in roofing works for a resident.

The full report of the LGO, attached at Annex 1 to the report, found that the provision of assistance with roofing works to a vulnerable women’s home had been inadequate, wrongly included solid insulation in the schedule of works when the loft was already insulated and allowed the works to be signed off.

The authority was now required to consider the report and, within 3 months, notify the Ombudsman of the action the authority had taken or which it proposed to take. It was confirmed that the Council had agreed to pay compensation of £2000, which the LGO had recommended as an appropriate remedy.

Officers confirmed that the recommendations had been noted and practices reviewed, with staff now being involved in providing technical support for the service.

Following further discussion it was

RESOLVED: That Cabinet agree to:

- i) Note the Local Government Ombudsman's findings and recommendations and to endorse the steps already taken by Officers by way of offering a remedy.
- ii) Take no further action in relation to the matters set out in the report.
- iii) Adopt this report as the Council's formal response under section 5A of the Local Government and Housing Act 1989 and section 31 of the Local Government Act 1974 and arrange for it to be sent to every member of the Council and the Ombudsman.¹

- REASON:
- i) To satisfy the legal requirement to consider the report and to confirm the appropriateness of the remedy recommended by the Ombudsman.
 - ii) The steps already taken have been accepted by the Ombudsman as representing an appropriate remedy.
 - iii) To comply with legal requirements.

Action Required

1. Send copy of LGO report to every member of the Council and the Ombudsman.

JP, AD

110. COUNCIL RESPONSE TO CONSULTATION ON POLICE AND CRIME PLAN

Cabinet considered a report which set out details of the draft Police and Crime Plan recently published by the Police and Crime Commissioner for North Yorkshire. The Plan set out the strategic priorities for the force area during the Commissioners term of office.

Draft responses to the consultation questions together with an overall response reflecting the specific relationship between the Council Plan, the Safer York Partnership Community Safety Plan and the draft Police and Crime Plan were set out at Annex A to the report.

The Cabinet Member confirmed that he largely welcomed the Plan as a good first step, pointing out that resident's top priority had been to address crime and anti social behaviour. There were however a couple points that required building on to reflect the importance of the Safer York Partnership. Reference was also made to the valid comments of the earlier speaker regarding the ranking of priorities/additions/changes in questions 2 and 3 but pointed out that it had proved difficult to separate the priorities.

RESOLVED: That Cabinet endorse the draft consultation response to the Draft Police and Crime Plan at Annex A of the report and delegate completion of the final response to the Director of Communities and Neighbourhoods in consultation with the Cabinet Member for Crime and Stronger Communities. ¹.

REASON: To ensure that the Council provides a timely response to the consultation in line with the Council Plan and priorities.

Action Required

1. Prepare final consultation response in conjunction with Cabinet Member.

SW, JM

Cabinet Meeting: 2 April 2013

FORWARD PLAN

Table 1: Items scheduled on the Forward Plan for the additional Cabinet Meeting on 30 April 2013

<p>City of York Local Plan Preferred Options Purpose of Report: The report will ask that Members approve the City of York Local Plan Preferred Options document, subject to the recommendations of the group, for consultation in late April 2013. Members will be asked to approve the Local Plan Preferred Options document for consultation.</p>	<p>Martin Grainger</p>	<p>Cabinet Member for Transport, Planning and Sustainability</p>
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Table 2a: Items scheduled on the Forward Plan for the Cabinet Meeting on 7 May 2013

Title & Description	Author	Portfolio Holder
<p>Business case for Creation of a Warden Call/CELS Social Enterprise Purpose of Report: This Business Plan has been prepared to seek approval from the City of York Council (CYC) Cabinet for the Community Equipment Loan and Telecare Service (CELTAS) to 'spin-out' and become an independent social enterprise, in the form of a Community Interest Company (Company Limited by Guarantee). It covers: •Our vision; •An analysis of the market place we will operate within; •An explanation of the range of services we will offer; •A description of our legal form and our governance arrangements; •An overview of the infrastructure needed to underpin our business; •Our financial forecasts demonstrating the viability of our business; and •An implementation plan outlining how we will establish the new organisation. Our business plan sets out our ambition to build on the established track record of our staff and their outstanding skills and expertise to deliver high quality, professionally delivered Community Equipment Loan and Telecare Services and represents the navigation document for our formation and</p>	<p>Heather Barden/Graham Terry</p>	<p>Cabinet Member for Health, Housing and Adult Social Services</p>

<p>early period of operation. Members will be asked to approve the Integrated Business Plan for the Community Equipment Loan and Telecare Service (CELTAS) to 'spin-out' of City of York Council (CYC) and become an independent social enterprise.</p> <p>The item was slipped to the March Cabinet to allow more time to consult with customers and continue dialogue with staff. The report will now be taken to Cabinet in April as more time is required to continue the consultation with customers and complete further sensitivity analysis in the business plan.</p> <p><i>This report will now be considered by Cabinet at its meeting in May to allow the current consultation with customers of the service to be both fully analysed and then reflected in the body of the cabinet report”</i></p>		
<p>The Future of Derwent Schools Federation and Osbaldwick Primary School</p> <p>Purpose of Report: The report provides Cabinet with details of the responses received during the statutory six-week representation period that followed publication of notices proposing to close Derwent and to expand Osbaldwick to create a two-form of entry school using both of the existing sites.</p> <p>The report describes the issues regarding the future provision of primary education within the catchment areas of Derwent Schools Federation and Osbaldwick Primary School.</p> <p>Cabinet is asked: to consider the responses received during the statutory representation period and to decide whether to proceed with the proposed closure of the Derwent schools and the expansion of Osbaldwick school.</p>	<p>Claire McCormick</p>	<p>Cabinet Member for Education, Children and Young People's Services</p>

<p>West Yorkshire and York Transport Fund</p> <p>Purpose of Report: To provide a progress update on the development of the West Yorkshire & York Transport Fund. Provide details of the York package of schemes; present the results of the York package and the benefits that this will bring. Provide details of the wider West Yorkshire partnership scheme and estimated impact. Provide an update on emerging governance proposals and indicative timeline of key milestones.</p> <p>Members are asked to seek approval for committing to the indicative level of financial contributions that York would need to make to the fund. Approve the governance of Memorandum of Understanding for the interim period.</p>	Richard Wood	Cabinet Member for Planning, Transport and Sustainability
<p>Get York Building - Investment Plan for Growth</p> <p>Purpose of Report is to present a financial investment strategy targeting key stalled sites and the Local Plan Call for Sites "quick wins" for investment to improve viability to allow development to proceed.</p> <p>Members are asked to consider and approve the Investment Plan.</p>	Darren Richardson/Ian Floyd	Cabinet Member for Planning, Transport and Sustainability
<p>Feasibility Report - Cycle Hire Scheme for York</p> <p>Purpose of Report: To outline a case for a full city-wide trial of a public cycle hire scheme within York, based on the Newcastle approach.</p> <p>Cabinet are asked to give approval for Officers to undertake a tendering exercise with interested companies to establish the costs associated with undertaking a full city-wide trial for 12 months, delivered by a third-party. If the tender returns are satisfactory, delegate authority to the Director to award the contract and proceed with the trial.</p> <p><i>This item has been moved from a Cabinet Member Decision to a Cabinet Decision to allow the report to be considered by Cabinet as part of the Tour De France Legacy Strategy.</i></p>	Darren Richardson/Richard Holland	Cabinet Member for Planning, Transport and Sustainability

<p>Early Morning Restriction Orders and Late Night Levy Purpose of Report: To inform Cabinet of the recent changes made to the Licensing Act 2003, following the implementation of Section 119 (Early Morning Restriction Orders) and Chapter 2 (Late Night Levy) of the Police Reform and Social Responsibility Act 2011 (2011 Act), on 31 October 2012 and the potential impact on the Licensing Authority. Members are asked to advise officers if they want the authority to look into adopting either the late night levy or early morning restriction orders or both.</p> <p>This report was slipped to a January decision because the draft report had not been seen by the Cabinet Member in time. The Cabinet Member will now consider the report in February to allow more time for further consultation. The report will now be considered by the Cabinet Member during March as further changes are required to the report.</p> <p><i>This report will now be considered by full Cabinet at its meeting in May due to the nature of the decision.</i></p>	<p>Lesley Cooke</p>	<p>Cabinet Member for Crime and Stronger Communities</p>
<p>Council House Building – Update Purpose of Report: To update members on progress of the Council House building programme.</p> <p>Members are asked to agree potential sites for building and the procurement route.</p>	<p>Paul Landais-Stamp</p>	<p>Cabinet Member for Health, Housing and Adult Social Services</p>

Table 2b: Items scheduled on the Forward Plan for the Cabinet Meeting on 4 June 2013

Title & Description	Author	Portfolio Holder
<p>York Gypsy Roma and Traveller Strategy 2013 – 2018</p> <p>Purpose of Report: To outline the objectives of the Strategy and detailed actions to be delivered by key partner organisations, to improve opportunities and outcomes for members of the Gypsy Roma and Traveller Community across the City.</p> <p>Members are asked to approve the York Gypsy Roma and Traveller Strategy 2013 - 2018 and support its implementation across the City over the period.</p> <p><i>This report has been deferred until June in order that further work can be undertaken.</i></p>	<p>Kate Grandfield</p>	<p>Cabinet Member for Crime and Stronger Communities, Cabinet Member for Health, Housing and Adult Social Services and Cabinet Member for Leisure, Culture and Tourism.</p>
<p>Developing a Thriving Voluntary Sector</p> <p>Purpose of report: To outline the City of York Council's proposed role/obligations as part of a Voluntary Sector Strategy for the City of York.</p> <p>Members are asked to approve the actions identified for CYC within the Citywide strategy.</p> <p><i>This item was slipped from November to the December Cabinet meeting to allow more time for consultation. This report has been slipped to the March 2013 meeting to allow further time for consultation. This item was slipped to the April Cabinet to allow the voluntary sector more time to develop it. This has now been slipped to the Cabinet meeting in June for the same reason.</i></p>	<p>Adam Gray</p>	<p>Cabinet Member for Leisure, Culture & Tourism and Cabinet Member for Crime & Stronger Communities</p>

Table 2b: Items scheduled on the Forward Plan for the Cabinet Meeting on 4 June 2013

Title & Description	Author	Portfolio Holder
<p>Future delivery arrangements for Library and Archives Services</p> <p>Purpose of Report: This report asks the Cabinet to decide whether to establish a social enterprise model for its Library and Archives Services.</p> <p>Cabinet are asked to: consider a draft business plan for a potential social enterprise to operate the Council's Library and Archives services and to decide whether to transfer the Council's services into this model and, if so, on what terms.</p>	<p>Charlie Croft</p>	<p>Cabinet Member for Leisure, Culture & Tourism</p>
<p>Public Toilets</p> <p>Purpose of Report: To agree future arrangements for the management of public toilets in York.</p> <p>Members are asked: To approve the award tender to secure investment in public toilets and new operator arrangements.</p>	<p>Russell Stone/Adele Spencer</p>	<p>Cabinet Member for Environmental Service</p>
<p>Update on the Council's Elderly Persons' Homes (EPH) Modernisation Programme</p> <p>Purpose of Report: On 15 May 2012 Cabinet agreed an EPH modernisation programme, stating its intention for the council to fund build and operate 55 bed care homes in Fulford and Haxby, and to procure a partner to develop a community village for older people at Lowfield in Acomb. Since that decision there have been a number of developments that mean that the timetable and approach agreed in May 2012 has needed to change. These changes need to be revisited by Cabinet and a revised programme and approach needs to be agreed. The report to Cabinet will include an update on the developments that have triggered the changes to the programme, and an updated financial model that reflects the changes to the proposed programme and its</p>	<p>Graham Terry</p>	<p>Cabinet Member for Health, Housing and Adult Social Services</p>

Table 2b: Items scheduled on the Forward Plan for the Cabinet Meeting on 4 June 2013

Title & Description	Author	Portfolio Holder
<p>affordability.</p> <p>The report will ask Members to agree the revised EPH modernisation programme, including: - The proposed funding of the programme - The proposed procurement approach - The proposed timetable and sequence of EPH closures (to decant into the new care home facilities as they become ready)</p> <p>This report includes an annex which may be considered in private as it contains Exempt Information as described in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that the information relates to the financial or business affairs of any particular person (including the authority holding that information).</p> <p>Consideration of this report has been postponed until June to allow officers more time to finalise the details of the procurement and the financial model.</p>		

Table 3: Items slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>York Gypsy Roma and Traveller Strategy 2013 – 2018</p> <p>Purpose of Report: To outline the objectives of the Strategy and detailed actions to be delivered by key partner organisations, to improve opportunities and outcomes for members of the Gypsy Roma and Traveller Community across the City.</p> <p>Members are asked to approve the York Gypsy Roma and Traveller Strategy 2013 - 2018 and support its implementation across the City over the period.</p>	Kate Grandfield	Cabinet Member for Crime and Stronger Communities, Cabinet Member for Health, Housing and Adult Social Services and Cabinet Member for Leisure, Culture and Tourism.	April 13	June 13	This report has been deferred until June in order that further work can be undertaken.
<p>Developing a Thriving Voluntary Sector</p> <p>Purpose of report: To outline the City of York Council's proposed role/obligations as part of a Voluntary Sector Strategy for the City of York.</p> <p>Members are asked to approve the actions identified for CYC within the Citywide strategy.</p> <p>This item was slipped from November to the December Cabinet to allow more time for consultation. This report has been slipped to the March meeting to allow further time for</p>	Adam Gray	Cabinet Member for Leisure, Culture & Tourism and Cabinet Member for Crime & Stronger Communities	Nov 2012	June 2013	To allow the voluntary sector more time to develop it.

<p>consultation. This item has now slipped to the April Cabinet to allow the voluntary sector more time to develop it. This has now been slipped to the Cabinet meeting in June for the same reason.</p>					
<p>Update on the Council's Elderly Persons' Homes (EPH) Modernisation Programme Purpose of Report: On 15 May 2012 Cabinet agreed an EPH modernisation programme, stating its intention for the council to fund build and operate 55 bed care homes in Fulford and Haxby, and to procure a partner to develop a community village for older people at Lowfield in Acomb. Since that decision there have been a number of developments that mean that the timetable and approach agreed in May 2012 has needed to change. These changes need to be revisited by Cabinet and a revised programme and approach needs to be agreed. The report to Cabinet will include an update on the developments that have triggered the changes to the programme, and an updated financial model that reflects the changes to the proposed programme and its affordability. The report will ask Members to agree the revised EPH modernisation programme, including: - The proposed funding of the programme - The proposed procurement approach - The proposed timetable and sequence of EPH closures (to decant into the new care home facilities as they become</p>	<p>Graham Terry</p>	<p>Cabinet Member for Health, Housing and Adult Social Services</p>	<p>April 2013</p>	<p>June 2013</p>	<p>To allow officers more time to finalise the details of the procurement and the financial model.</p>

<p>ready)</p> <p>This report includes an annex which may be considered in private as it contains Exempt Information as described in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that the information relates to the financial or business affairs of any particular person (including the authority holding that information).</p>					
<p>Business case for Creation of a Warden Call/CELS Social Enterprise</p> <p>Purpose of Report: This Business Plan has been prepared to seek approval from the City of York Council (CYC) Cabinet for the Community Equipment Loan and Telecare Service (CELTAS) to 'spin-out' and become an independent social enterprise, in the form of a Community Interest Company (Company Limited by Guarantee). It covers:</p> <ul style="list-style-type: none"> •Our vision; •An analysis of the market place we will operate within; •An explanation of the range of services we will offer; •A description of our legal form and our governance arrangements; •An overview of the infrastructure needed to underpin our business; •Our financial forecasts demonstrating the viability of our business; and •An implementation plan outlining how we will establish the new organisation. Our business plan sets out our ambition to build on the established track record of our staff and their outstanding skills and expertise to 	<p>Heather Barden/Graham Terry</p>	<p>Cabinet Member for Health, Housing and Adult Social Services</p>	<p>Feb 2013</p>	<p>May 2013</p>	<p>To allow the current consultation with customers of the service to be both fully analysed and then reflected in the body of the cabinet report”</p>

<p>deliver high quality, professionally delivered Community Equipment Loan and Telecare Services and represents the navigation document for our formation and early period of operation. Members will be asked to approve the Integrated Business Plan for the Community Equipment Loan and Telecare Service (CELTAS) to 'spin-out' of City of York Council (CYC) and become an independent social enterprise.</p> <p>The item was slipped to the March Cabinet to allow more time to consult with customers and continue dialogue with staff. The report will now be taken to Cabinet in April as more time is required to continue the consultation with customers and complete further sensitivity analysis in the business plan.</p>					
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Cabinet

2 April 2013

Report of the Cabinet Member for Planning, Transport & Sustainability**Reinvigorate York: Public Space Improvement Project for Kings Square****Summary**

1. This report summarises improvement proposals for Kings Square. Design options were developed through an internal CYC working group and in working partnership with local business stakeholders. A public consultation has just finished and the findings of this analysed. The pros and cons of various design options are described and a preferred option proposed. Cabinet are asked to approve the preferred design option and proposed allocated project budget out of the already agreed funds of the overall Reinvigorate York programme.

Background

2. An overriding attribute to the continued success of the York economy is the desirability of the city as a place to live, work and visit. In order to have a strong York economy it is therefore essential to maintain and enhance the quality of our streets and public spaces otherwise people will simply not want to be here and the economy will falter. York must not be complacent- other cities have invested massively over the last 10 years and the competition from these cities is real and growing.
3. To help address these issues on 4th September 2012 Cabinet approved the expenditure of £3.3m for a programme of works to invest in our city streets and spaces over the next 2 ½ years.
4. Kings Square was identified in that programme as being one of six city centre priority improvement projects. The six projects are:
 - Kings Square
 - Parliament Street (including Piccadilly/ Coppergate junction)
 - Exhibition Square/ St. Leonard's Place/ Bootham Bar
 - Fossgate/ Pavement/ Whip-Ma-Whop-Ma Gate
 - Duncombe Place/ Blake Street
 - Micklegate

Reinvigorate York will also deliver improvements to access controls at the gateways into the footstreets, a programme of lighting improvements & a wayfinding initiative, together with opportunities to enhance existing maintenance and capital programme works where agreed suitable.

5. Reinvigorate York has a board chaired by Sir Ron Cooke and a City Design Group working group chaired by David Warburton. The Reinvigorate York programme implementation lead is Andy Binner. The project manager for Kings Square is Guy Hanson.

Consultation

6. A public consultation was held between 4th Feb and 25th Feb 2013. For a full summary please refer to **Annex 1**. Key events were:
 - Guildhall Ward drop in session attended 28th Nov 2012
 - Business users Stakeholder group set up and workshop held 7th December 2012
 - Second business users Stakeholder meeting held 1st Feb 2013
 - Public consultation started 4th Feb 2013.
 - Presentation to CAAP 5th Feb
 - All day public drop in held 8th Feb at York Explore library & learning centre
 - Meeting blind and partially sighted representative 21st Feb
 - Public Consultation ended 25th Feb 2013
7. How the consultation was structured: The two key documents were a leaflet and exhibition boards (still available through a web link embedded in the page www.york.gov.uk/reinvigorateyork). Both of these were readily available in paper and electronic versions. These described what we thought needed improving and how we were proposing to improve them structured under the headings of four themes. A core design proposal was drawn up and described together with two further variation options. Direct questions were asked in the leaflet about trees; the raised burial area; cafe seating. However, the consultation encouraged feedback on any subject. It has been subsequently drawn to the author's attention that disabled parking should have been a direct question. The decision at the time not to do so was because none of the proposals advocate changing the blue badge status of the road in Kings Square.
8. How the consultation was analysed: 196 written replies have been received. These are recorded in two spreadsheets (**Annex 2 & 3**) and then analysed in a further spreadsheet (**Annex 4**). Annex 4 groups the feedback under popular topics. There is too much detail to describe all these topic comments in this text

and so Annex 4 should be referred to separately if required. The summary statistics of the *structured questions* are set out in table 1 below:

Table 1		Structured Question description	people	percentage
Trees:	1a	Remove & replace further out to the road to create a larger square	64	38%
	1b	Leave where they are	73	44%
	1c	neither	18	11%
	1d	No opinion	12	7%
Raised Area	2a	Remove it to create a level ground area to create a larger square	43	26%
	2b	Refurbish it	91	55%
	2c	neither	19	12%
	2d	No opinion	11	7%
Cafe Seating	3a	Support including it in the location shown	70	42%
	3b	Support including it but in another location	2	1%
	3c	Do not want cafe seating anywhere	82	49%
	3d	No opinion	12	8%

9. Comments on structured question results:

- Trees: Analysis of these results show that people were marginally in favour of keeping the street side trees (44% keep; 38% replant). It is worth noting that a question was not asked about removing the trees completely. Whilst some people suggested this idea in their responses it was not a significant proportion.
- Raised Area: A significant proportion of people were in favour of keeping this (55% for; 26% against). The reasons were mostly because it is a feature that makes the square unique; also the way it contributes to the

successful function of the square for performers; and also because of the social & historic link the raised area makes with the pre-existence of the church.

- Cafe Seating: People were marginally in favour of not having a cafe (49% against cafe seating; 42% for). This is significantly different to the overwhelming public opposition to the proposed cafe planning application in summer 2012. This change in opinion is probably because the proposed siting is much more on the fringes of the main space.

Comments on Disabilities:

- Disabilities: 9 people wrote in requesting more disabled parking in the square. The singularly most popular topic for comments were about reducing the impact of vehicles although only 11 people made explicit reference to supporting the proposed disabled parking proposal. 12 people wrote in requesting more a draconian approach to disabled parking (usually removing it). We have had positive feedback from a blind and partially sighted user (YBPSS campaigns group representative) assessing the design proposal from a mobility impaired pedestrian's perspective. We have also checked compliance with York Dementia without walls project guidelines.

Options

10. Option 1: This is the preferred final design. It is illustrated in **Annex 5**. Key points are:
 - (A) Repaving: Repave the entire area with new materials and create a raised table at the main road junction.
 - (B) Trees: We propose not to replace the two trees on the roadside.
 - (C) Raised Area: We propose to retain and refurbish the Raised Area.
 - (D) Cafe seating: We propose that the council should apply for planning permission for cafe seating in Kings Square¹
 - (E) Disabled parking: We propose to continue with the consultation design for disabled parking.
 - (F) Paper Mulberry tree: is removed
11. Option 2: Each of the recommendations of the key points of the preferred final design could have an opposite design approach. The alternative design could therefore be a combination of either Option 1 or Option 2 for each point. These opposites are:

¹ Refer to the Analysis section for details of this conditional point.

- (A) Repaving: Do not repave the entire area or create a raised table at the main road junction
- (B) Trees: Replace the two roadside trees with two further out to the road
- (C) Raised Area: Remove the Raised Area.
- (D) Cafe seating: Do not have any cafe seating
- (E) Disabled parking: Apply for a traffic order to restrict disabled parking in Kings Square
- (F) Paper Mulberry tree: is retained

12. Option 3: Do not implement this improvement project or just implement it in part.

Analysis

13. Option 1 is the preferred final design. The recommendations of Option 1 are based on a thorough analysis of public consultation results and discussions with specialist council officers. The analysis below of the reasons for Options 1 will explain why Option 2 or 3 is not desirable.

- (A) Repaving: Repave the entire area with new materials and create a raised table at the main road junction. Reasons: Many of the existing surfaces are damaged, worn and uneven and need replacing. It is not possible to relay existing materials to a high standard of workmanship neither is it possible to achieve a high standard of workmanship with reclaimed natural materials. Sub-bases construction needs improving throughout and the performance of new surface materials needs to be of known criteria to minimise future damage from vehicle overrun. Only a complete repave with new materials can achieve this. The road is paved in a language of materials suitable to emphasise pedestrian priority. The raised table will create a transition into the level surface of Kings Square.
- (B) Trees: We propose not to replace the two trees on the roadside. Reasons: A ground radar survey was completed recently. This indicates that it is not possible to accommodate reasonably large replacement trees further out towards the road without a significant amount of service diversions. This would cause delay and cost overruns. Some objections were also received about how the lower tree canopy of a less mature replacement tree could restrict views towards the Minster.
- (C) Raised Area: We propose to retain and refurbish the Raised Area. Reasons: Overwhelming public opinion favours this. We propose that it will need a quite radical rethinking to make the raised area a more positive and useful feature, perhaps with tiered steps and seating. If necessary, this should cut into rather than expand the footprint of the raised area.

- (D) Cafe seating: We propose that the council should apply for planning permission for cafe seating in Kings Square (as we have for St Sampsons Square) in the location shown on the consultation option but that we should not implement licensing until the refurbished square has been in use for a long enough period to be confident that cafe seating can be accommodated. Reasons: Kings Square is a small space with a lot going on. It is difficult to assess on paper if cafe seating will work and so it is prudent to wait. Public opinion favours the proposed location (over a central location) and so, should it be licensed, it should go in this location. If this is done then other, unpredictable, third party planning applications should be easier to refuse.
- (E) Disabled parking: We propose to continue with the consultation design for disabled parking. Reasons: The York Access & Mobility Audit consultants recently advised that there are potentially irresolvable conflicts between the provision of disabled parking in the city centre and the impact of this on pedestrians especially those with mobility impairments themselves. This scheme attempts to replicate the feel and access permissions of St Helen's Square. It does not ban disabled parking in the square (it is part of the blue badge zone) but it encourages people not to park in the square by the design layout and language of paving materials that make it feel like a pedestrian space. It is possible that some consultation replies misinterpreted the design proposal to sign two disabled parking bays at the south end of the site as indication that they are not allowed to park elsewhere. It is hoped that blue badge holders will default to using the marked bays and, if these are full, that they would seek to park elsewhere, as a preference to parking in Kings Square. However, they will not be banned from parking in the square in this proposal. It is possible that the flat level surface we are proposing will encourage higher levels of disabled parking in the square. Should this prove the case then other regulatory measures should be considered at that time to prevent this happening because this would run counter to the objectives of the design brief.
- (F) Paper Mulberry tree: is removed. Reasons: The tree is healthy but completely inappropriately sited on an unattractive raised brick drum on top of a degraded raised platform. It needs to be removed to achieve the design objectives of refurbishing the raised area. A similar replacement tree will be planted elsewhere in the city (location to be agreed).

The Council Plan

14. The project supports Council Plan priorities for creating Jobs, Growing the Economy and supporting Ambition 4 in the York Economic Strategy, that of a world class place.
15. The project carries out the Cabinet agreed Reinvigorate York objectives of an improvement project for Kings Square

Implications

Financial

16. This project will be funded out of the Cabinet agreed Reinvigorate York programme budget. There are therefore no additional financial implications of this paper.

Human Resources (HR)

17. There are no HR implications.

Equalities

18. Specialist access consultant- Centre for Accessible Environments, produced a City Centre Access & Mobility Audit and summary recommendations document. This design proposal is based on the principles of their recommendations.
19. An initial risk assessment meeting has been held to develop a design strategy to achieve improvements for the visually impaired.
20. Communities of Interest have been encouraged to participate in the public consultation. The most affected group will be the visually impaired and the design team met a member of York Blind and Partially Sighted Society (YPPSS) and received positive feedback on the design proposals.

Legal

21. Refer to "Property"

Crime and Disorder

22. The proposals will create improvements to the appearance and function of Kings Square. This will encourage less anti social behaviour. Improvements to lighting will also have a significant positive impact in the use of the space when it is dark.

Information Technology (IT)

23. There are no legal implications

Property

24. Part of the site was formerly occupied by a church and graveyard. Records indicate that the Church of England still maintains legal title of part of the site and through this technically exercises control of these parts through its legal process called the "Consolatory Court". The current agreed use of the site dates back to a 1936 "faculty agreement" issued by this court to the (then) Corporation of the City of York.
25. The design team are in discussions with the Diocese of York (DOY) concerning potential restrictions. A meeting with the DOY is scheduled for 15th March.

Risk Management

26. The main project risks were identified in the Project Initiation Document (PID) at an early design stage.
27. Measured in terms of impact and likelihood, the residual risk score all risks has been assessed at less than 16, This means that at this point the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.

Recommendations

28. Cabinet are asked to approve the preferred design Option 1 and a proposed allocated project budget of £490,000 out of the already agreed funds of the overall Reinvigorate York programme.
29. The reasons for this are:
 - The benefits of the design are described in paragraph 11
 - To carry out an agreed improvement project.
 - To ensure adequate budget is allocated to this project and remains for other projects.
 - To avoid delay and potential risk of not completing the Reinvigorate York programme.

Contact Details

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Report Approved	√	Date	20.03.2013
Wards Affected: Mostly Guildhall, but impacts on all			All √
For further information please contact the author of the report			

Background Papers:

- Cabinet Paper 4th September 2012: "Reinvigorate York- Investing £3,300,000 in the City Centre"

Annexes

- Annex 1: Public Consultation Plan
- Annex 2: Public Consultation Results Spreadsheet 1 (**online only**)
- Annex 3: Public Consultation Results Spreadsheet 2 (**online only**)
- Annex 4: Public Consultation Results Analysis
- Annex 5: Preferred Final Design Option

[Copies of Annexes 2 and 3 available on request]

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Annex 1 - KINGS SQUARE CONSULTATION SUMMARY (04-25 Feb 2013)

- **Business User Group** was set up comprising adjacent businesses, stall license holders, performers and entertainers, and the following events were run:
 - Workshop 07/12/12 @ Bedern Hall to gather information on use of space, tensions and aspirations to inform the draft scheme
 - Presentation 01/02/13 @ Bedern Hall to present and explain the draft scheme, and options within it, in advance of the consultation
- **Press Release** resulted in features in both internal (Colin/Buzz) and external media features, including:
 - 'Major revamp plan for popular city-centre square' The Press 31/01/13
 - 'Concerns raised over proposed King's Square revamp' The Press 01/02/13
 - 'How can we improve Kings Square' oneandother.com 07/02/13
- **Guildhall Ward Committee** attended 28/11/12. The Neighbourhood Management team promoted the consultation online via Guildhall YourWard, Guildhall Ward webpage and Facebook channels.
- **CYC Website** A new webpage www.york.gov.uk/reinvigorateyork hosted the exhibition boards and consultation leaflet and explained how people could get involved. Consultation finder hosted online questions www.york.gov.uk/consultation
- **Presentations** Conservation Area Advisory Panel 05/02/13, met partially sighted representative onsite 21/02/13.
- **Reference copies** were available at York Explore Library and Learning Centre and City of York Council receptions.
- **Summary leaflet** presented the draft scheme, options, timescales, where to find out more, how to respond and what next (900 copies). These were made available online, via surrounding business outlets, Council receptions and York Explore Library and Learning Centre.
- **Exhibition boards** were placed in York Explore Library and Learning Centre for the duration of the consultation, and the scheme architect was available 9am-4pm on 09/02/13 to discuss the scheme.
- **Electronic mailing** was sent to stakeholders including Councillors, Ward Members, City of York Council Officers, Without Walls, inclusivity user groups, Visit York, City Team, Conservation Area Advisory Panel, York Civic Trust, York Environment Forum and English Heritage amongst others.

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Structured questions	No. who agreed	Summary of written comments grouped under themes	Overall officer conclusion
<p>1a Trees: remove the two ground level trees if we can add replacement trees further out towards the road</p>	<p>64</p>	<p>(likes): (ref L13) changing trees to give more usable space (ref L18) moved trees option (ref R4) The seating under the two ground trees on the Square is filthy and unhygienic due to the natural pigeon perches provided by this variety of tree. We are regularly called upon to provide paper napkins for pigeon victims. Locals, who are aware of the problem, just don't use the seats. We like the idea of removing these two ground trees and re-planting further outwards to increase the size of the central area. New trees need to be of a variety which discourage pigeons, in order that new seating can be positioned underneath. (ref R6) Kings Square Development – York Street Performers’ Perspective. Widening the square and moving trees – we think this is a great idea. It will make the square bigger and more open. The pigeons are a major problem, so changing the type of tree and any other measures such as anti-pigeon spikes on branches would be welcomed. Removal of the Mulberry tree will create more needed space. (ref R11) remove (ref R14) Although always reluctant to remove mature trees, i can see the benefit of doing so to open up the Square area, with new trees planted at the periphery (ref R16) The trees in Kings square do need spacing further out, three trees should be used, preferably fruit trees to highlight gods providence (ref R20) remove (ref R36) I do like the very tall tree at the top of the Shambles, but can see that the other trees could be superseded by ones which discourage pigeons, and stand further towards what is currently the street (ref R38) replace trees so there are still two (ref R42) is happy to see replacements (Conditional): (ref R43) It does seem a pity to fell the long established trees but i think it could make the area feel lighter and more spacious. My only comment would be to position any replacement trees so that the risk of BPS people walking into them is minimised</p>	
<p>1b Trees: Leave them positioned where they are</p>	<p>73</p>	<p>(likes): (ref L4) loves the trees (ref L64) Newly planted tree would probably get vandalised. It is probably all a case of swings and roundabouts (ref R10) leave them positioned where they are (ref R15) Trees should be left (ref R24) English Heritage- recommends working around the retention of the trees and seeking the views of the donor of the Paper Mulberry tree (ref L28) the trees as existing enhance the appearance and atmosphere. No need to move/remove at great cost for no achievement (ref R37) the current trees and seating along the road side should remain to provide screening and a barrier between the road and the space</p>	

Structured questions	No. who agreed	Summary of written comments grouped under themes	Overall officer conclusion
		<p>(r39) Leave them as they are</p> <p>(dislikes): (ref C1) removing mature trees (ref L30) I do not want any trees cutting down - they are precious for shade and give the square a mature look (ref L34) Removal of any trees (ref L38) The removal of the mulberry tree. This should be replanted somewhere in the square (properly protected) (ref R19) do not fell 75/100 year old trees in the square. How grey and not green it will be (ref R40) if there is remaining life in the trees, the ground level ones should not be moved at this stage</p>	
<p>1c Trees: Do not support either option (1a or 1b)</p>	<p>18</p>	<p>(ref L8) Proposes only keeping two trees (current options are minimum of three) (ref L2) only have two trees (ref L8) would like removal of trees with no replacement (ref L12) consider removal of all trees (ref L58) no trees (ref R3) Regarding the trees. I would prefer the removal all current trees and replace with two smaller slow growing varieties. I would advocate these trees being placed near to #5 and street trader b. I would advocate full removal and non replacement of the tree near to the Shambles as I believe this would open this aspect up fully. For the regeneration of the square it would be advantageous to install trees which prevent pigeons resting/roosting (ref R8) There was also concern with regard to the removal of the mature trees (ref R13) If trees are to be removed... then remove the mulberry and one of the lime trees, whilst retaining 2 limes and crown lift one of these – see the attached annotated image (ref R19) Option 1- remove Mulberry & replace with one large tree nearer roadway. Option 2 Take out Mulberry & two mature trees near road & replant with three large trees</p>	
<p>1d Trees: No opinion</p>	<p>12</p>		
<p>2a Raised Area: remove the raised burial area and two raised trees in order to return the space to ground level</p>	<p>43</p>	<p>(likes): (ref C16) removal of raised area (ref L7) Removal of passageway next to Tullivers(raised area removal) (ref R3) For full year use of the square and increased capacity for the square I would prefer that the raised (burial) area is removed. The removal of this as well as the tree adjacent will create a new dynamic of how people move around the space. People wont be funneled in to the Shambles from so far away and my view is that people walking away from the Shambles will naturally be drawn into a wider space which is being created (ref R3) Seating in general is a must and I would suggest that back to back seating is provided near to the boundary of shops (Tullivers, To Let and Barnfarthers). This will put back some of the lost seating from the removal of the plinth (ref R6) We would support the idea of flattening the raised area, but only if the square was widened (trees moved)</p>	

Structured questions	No. who agreed	Summary of written comments grouped under themes	Overall officer conclusion
<p>2b Raised Area: Retain but refurbish the raised area</p>	<p>91</p>	<p>(ref R9) Go for removing the raised area - keep it all level and hence more usable (ref R11) remove</p> <p>(likes): (ref C4) retained raised area option. removal of raised area would clog up route to Shambles when a performance is on (ref C18) built in seating (burial area) (ref C29) The raised area itself provides extensive seating which it would be difficult to replace with benches. (ref C34) The raised area is a natural stage for performance and the removal of it would be to the detriment of future street performance, it needs to be retained (ref C32) The raised burial area should be retained and not tampered with (ref C65) One of the major assets of the square is the raised area and the burials that it covers. The area gives the square its sense of history, which is an essential attraction, standing as it does at the top of the Shambles. To remove the raised area and any burials would be desecration. On the contrary its graveyard nature should be emphasised with, as a minimum, refurbishment of the existing grave stones. (ref L20) don't remove raised burial area (ref L28) Enhance the existing raised area with improved seating and rubbish bins (ref L35) Keep raised area (ref L36) must keep raised area (ref L36) Historic nature of the raised area and general character of the square (ref L52) Performers, even the Morrismen rehearsing like the 'stage' & it gives everyone a good view. Keep it. (ref L56) leave raised area - focal point, and preserve gravestones. (ref R10) retain but refurbish the raised area (in particular, retain the trees on it) (ref R24) English Heritage- advocates the retention of the raised area to maintain an important link with the former church and to protect gravestones (ref R37) The current raised area should remain. it provides screening and the existing footpath alongside of Tullivers allow foot traffic to move around the square so that people do not feel they are becoming involved or are interrupting a performance (ref R38) keep the raised area and use as a stage so refurbish it to this end (ref R40) Because the raised area connects with the former church it should remain</p> <p>(dislikes): (ref C1) removing the raised area (ref C11) removing raised area (ref C18) removing burial area (ref C29) dislike alternative 2 - the raised area in my opinion gives the square its unique character, and should be retained (ref C37) dislike the idea of the raised area being levelled. Apart from the reminder that a church once stood here, it makes an ideal stage for the performers (ref C58) dislike the removal of the burial area, which takes away the history of the square, and is disrespectful of the people buried there (ref C56) not sure about the raised part (ref C64) I am not in favour of returning the raised area to ground level. The path behind the raised area is</p>	

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		<p>one of the distinctive features of the square and is well used as a pedestrian through route. I would be concerned that if the whole area were to be flattened some of the square's charm would be lost <u>(ref C67)</u> Removal of burial ground <u>(ref L3)</u> interference with raised burial area <u>(ref L26)</u> Burial sites should not be interfered with <u>(ref L27)</u> The removal of the raised area. It is extensively used people sit on the wall to eat. The paved area contains gravestones and should be restored (conditional): <u>(ref R42)</u> it forms a perfect stage for street performers raised above the level of the square. ...Neither of the trees here should be removed.</p>	
<p>2c Raised Area: Do not support either option (2a or 2b)</p>	<p>19</p>	<p><u>(ref C66)</u> The raised burial ground is there for a reason, removing it would be disrespectful and wrong just for the sake of pure greed <u>(ref L70)</u> Why not flatten the raised area but replaced it with a circular (band stand type) area, in the centre of the square <u>(ref R4)</u> We are ambivalent towards the removal of the raised area. In its favour no other square has such a feature, and it does provide a very good stage area - summer evening plays etc. perhaps? If it stays would it be feasible to widen the path that goes across the back of it by a couple of metres? Currently this area is dingy and not easy to negotiate when busy. As previously mentioned, the plinth also has the function of seating 50 or 60 people during busy periods. On the other hand, dismantling it would create more space and improve the flow of people over the Square. There's also the argument that "if it didn't exist, would you create it?". It's a difficult one to call... <u>(ref R6)</u> If the area does not get flattened, we would suggest removing the Mulberry tree and replacing with public seating. We would suggest not putting benches all the way round the back of the raised section as this will create bottlenecks and obstructions if there is not adequate spacing in between benches for people to move through or stand <u>(ref R39)</u> Definitely retain, don't refurbish the platform itself as this will remove the character and quirkiness</p>	
<p>2d Raised Area: No opinion</p>	<p>11</p>	<p><u>(ref R14)</u> I have no strong views either way regarding the future of the raised area <u>(ref R20)</u> No opinion <u>(ref R36)</u> I have no strong feelings either way on this</p>	
<p>3a (Do you support) Cafe Seating: Yes, in the location shown on the plan</p>	<p>70</p>	<p>(likes): <u>(ref L2)</u> cafe seating not next to one cafe <u>(ref L11)</u> ensure enough public seating to balance cafe seating <u>(ref L16)</u> cafe seating (likes) <u>(ref R11)</u> & likes extra bench seats <u>(ref R42)</u> I support the inclusion of limited cafe seating <u>(ref L50)</u> I support cafe seating but the location is NOT shown on the plan (conditional likes): <u>(ref L34)</u> please keep cafe seating to a minimum and in location shown. Choc story is an expensive visitor</p>	

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		<p>attraction and should not be allowed to take over/dominate kings sq <u>(ref R6)</u> If the Square was extended as per Variation 1a we would accept café seating in the proposed areas. We would appreciate reassurances from the council that this would not then lead to more and more café seating that could lead to the demise of street performances making it unviable <u>(ref R16)</u> I believe limited cafe seating should be allowed <u>(ref R25)</u> English Heritage. This is a conditional yes- would like to see controls over the cafe screening (& other associated clutter) so as not to detract from the square <u>(ref R37)</u> Cafe seating, whilst providing some benefits for the general feel of the space, should be kept to a minimum <u>(ref L52)</u> If you put seats at the back of the 'stage' people would use them <u>(ref L68)</u> How is cafe seating to be operated/ maintained? - which shops to have responsibility or benefit of these arrangements?</p>	
<p>3b (Do you support) Cafe Seating: Yes, but in another location</p>	<p>2</p>	<p><u>(ref L12)</u> Would prefer just one cafe location - either would do <u>(ref C60)</u> More central. Move street performers to Parliament Street where there is more space and make King's Square a place to linger and rest. Continued use of the square as a performance space will inevitably restrict access to public seating and impede pedestrian progress through the square.</p>	
<p>3c (Do you support) Cafe Seating: No</p>	<p>82</p>	<p><u>(ref C1)</u> Any organised cafe (dislikes): <u>(ref C2)</u> the obstacle cafe seating creates to movement (dislikes): <u>(ref C10)</u> Please can we retain Kings Square without ANY cafe seating? There are enough areas (eg St Sampson's, Piccadilly) that have such seating that add nothing to the atmosphere and obstruct the free flow of pedestrians <u>(ref C24)</u> This is a small picturesque area good for sitting and watching street performers. Why should a commercial outlet "own" part of the square? There is ample room in parliament street and St Sampson's Square for cafe seating. <u>(ref C27)</u> There are too many seated areas in the city centre, given the regular markets and the high number of tourists. The seating makes it even harder to move around the city on foot <u>(ref C28)</u> I don't want the Chocolate Museum to have any cafe space in the square. <u>(ref C31)</u> Dislike the idea of a cafe seating area <u>(ref C34)</u> The area is too small an area to accommodate any cafe seating if it is also used to be used effectively for street performance <u>(ref C36)</u> If cafe-style seating is added, it should be free for everyone to use e.g. to eat picnic/food bought from kiosks, not limited to a specific company e.g. the chocolate museum. <u>(ref C45)</u> Cafe seating will just lead to more litter and will be taken over by smokers. <u>(ref C66)</u> If the whole point is to reclaim the area for pedestrians, cluttering it with cafe seating is the worst possible thing to do. <u>(ref C71)</u> While I've ticked c), my real concern is that cafe seating should be available to ALL cafes operating on the Square, and not just the Chocolate Experience people. I have been a customer of Harlequin cafe since it opened, and as a much-loved local business, I am concerned that nothing should be done which undermines its position (there are already too many chain cafes in York) <u>(ref C76)</u> The seating must be shared among the cafes on the square. If this cannot be done fairly - and let turnover NOT be the measure of a cafe's qualification - then it is better to have no tables at all. Litter is an</p>	

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<p>3d (Do you support) Cafe Seating: No opinion</p>	<p>12</p>	<p>unacceptable problem in the square. Hygiene hazards are also undesirable. No York resident wants paper cups blowing about, or an addition to the presence of pigeons in the square, which might arise from food debris being scattered on a windy day <u>(ref L5)</u> cafe seating (dislikes): <u>(ref L6)</u> Every introduction of cafe seating seems to mean a reduction in public seating. Inclusivity means space for everyone not just those with money to buy coffee <u>(ref L13)</u> The beauty of Kings Square is that it is unstructured space for casual and informal use. Cafe seating would add formality and restrict the preferred casual use. I do not want to see cafe seating at all. <u>(ref L24)</u> Would prefer open seating available to all. <u>(ref L28)</u> This would be an excuse for the 'chocolate experience' to extend its operations. There is already enough cafe seating around the area <u>(ref L42)</u> Too much in city streets already <u>(ref L44)</u> There is quite a lot of outside cafe seating in other city centre locations. If there is space not needed for public performance etc it would be much better to put in additional trees and shrubs. <u>(ref L49)</u> Plenty of cafe outside provision - elsewhere. & very hard to identify: tiny numbers on 'higher' (?) ground <u>(ref L53)</u> Dislike Cafe seating for benefit of scroungers and their offspring. This would limit the seating area for general public and reduces access + requires removal of trees <u>(ref L56)</u> You are already leaving far too much clutter - cafe seating would just add to this <u>(ref L58)</u> Enough cafe's already <u>(ref L59)</u> The trees in their current location provide better screening from the road. The raised area adds character, historical reference and provides impromptu seating and staging <u>(ref L62)</u> This is a public space. There are already ample opportunities available for commercial interests <u>(ref L70)</u> If there are tables outside York Chocolate Story the other cafes may want the same <u>(ref R6)</u> As discussed, limiting the space available on the current Kings Square would potentially kill off street performing. This was explained last summer during the Save Kings Square Campaign which was widely supported by the public and local businesses in response to proposed tables and chairs on the square. Therefore we are very much against café seating on the square in the current size. <u>(ref R10)</u> no <u>(ref R15)</u> strongly oppose cafe seating <u>(ref R17)</u> strongly opposes cafe seating and thinks it undermines other local businesses with cafes <u>(ref R20)</u> no <u>(ref R28)</u> fears a more commercial venture would be detrimental to the feel of the square <u>(ref R31)</u> I am opposed to the Chocolate Factory having tables outside for their own benefit. <u>(ref R36)</u> A street café can be enlivening, but there are already lots of those around York and only one performing Square of the calibre of Kings Sq... <u>(ref R38)</u> No <u>(ref R39)</u> Cafe seating. No, definitely not. There isn't room <u>(ref R40)</u> No- the space is too small</p>	

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<p>4 Are there aspects of the design you particularly like</p>		<p>Paving Materials (likes): <u>(ref C1)</u> Improving the surface for pedestrians and performers. Improving the look of the Square <u>(ref C3)</u> new paving emphasising pedestrian use <u>(ref C4)</u> natural materials replacing tarmac <u>(ref C6)</u> type of paving(likes) <u>(ref C11)</u> stone paving & setts <u>(ref C17)</u> York stone and traditional materials <u>(ref C18)</u> paving demarcation <u>(ref C29)</u> Re-paving of the whole square - the surface badly needs re-paving <u>(ref C41)</u> The level surface and proposed materials for both the road and pedestrian areas <u>(ref C58)</u> Improving the road and pavement surfaces <u>(ref C62)</u> Refurbishment of surfaces, removal of street furniture <u>(ref L4)</u> natural materials <u>(ref L7)</u> repaving <u>(ref L10)</u> the different types of setts <u>(ref L18)</u> resurfacing <u>(ref L25)</u> Improved pedestrian area <u>(ref L31)</u> Yes the use of natural materials for the new paved area/road, avoiding uneven cobbles (a problem in my home town of Chesterfield) <u>(ref L35)</u> Paving the square <u>(ref L38)</u> The pedestrianisation, the stone paving, the setts, the expansion and levelling of the square <u>(ref L46)</u> The level surfacing in different 'textures' <u>(ref L51)</u> Small sets (2b) to match paving <u>(ref L56)</u> High quality materials <u>(ref L63)</u> The surface definitely needs improving - it is an unsightly mess at present. I walkthrough Kings square regularly, two to three times a week. It will be good to have a more even surface <u>(ref R3)</u> I like the use of mixed floor material to demark spaces <u>(ref R10)</u> Improving the paving surface</p> <p>Level surface (likes): <u>(ref C4)</u> levelling the road & path <u>(ref C6)</u> level space- no kerbs to open up the space <u>(ref C7)</u> even surface <u>(ref C18)</u> flat surfaces <u>(ref C35)</u> Levelling off the existing road/pavement areas <u>(ref C40)</u> paving/level access will join up the area and make it feel bigger and be more accessible <u>(ref C42)</u> paving/level access will join up the area and make it feel bigger and be more accessible <u>(ref L2)</u> making it all one level <u>(ref L10)</u> creating a level space <u>(ref L60)</u> Level surfacing throughout</p> <p>Public Seating (likes): <u>(ref C1)</u> more public seating</p>	

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	<p>(ref C4) improved seating (ref C25) Inclusion of seating (ref C45) Including more benches (put in as many as possible, there will never be enough) (ref L16) extra public seating (ref L18) seating (ref L30) more seating (ref L46) More performing space and seating (ref L61) Street furniture to prevent vehicular encroachment (ref L69) Seating in the square will be improved (ref R35) I am in favour of more public sitting places. I think the spacious feeling of the Square, and space for the performers are both very important</p>		
	<p>Vehicles (likes): (ref C2) reduction in the number of cars parked along the side (ref C3) restriction of disabled parking to specific bays (ref C17) removal of unregulated parking (ref C24) Reduction of parking especially on the Square itself by delivery vehicles (it happens) (ref C32) like the ideas re the junctions (ref C45) Making it more pedestrian friendly, slowing down vehicles passing through (ref L2) The raised table junction (ref L3) eliminated car parking on street (ref L10) two disabled spaces- no more than this (ref L15) keeping areas for disabled parking (ref L20) not enough disabled parking spaces- at least four preferred (ref L49) Better controls of parking. Better pedestrian facility (ref L55) Removal of parking spaces (ref L57) Dissuade parking + traffic from the area</p>		
	<p>Design intent (likes): (ref C66) No, Kings Square is fine as it is, it just needs a little TLC, a few benches and not to be so cluttered with stalls so that it's easier to walk through. If there's a demand for a larger performance area that can easily be included in the Parliament Street makeover (ref L42) Ask Barnitts (ref L48) It seems a good scheme of benefit to residents and visitors alike (ref R43) It was most encouraging to note that you had given considerable thought to the needs of blind and partially sighted (BPS) people. The most important factors are to make sure that there are safe crossings places provided for the roads, that there is clear demarcation between the 'road' and the pedestrianised area and that street furniture is suitably positioned</p>		
	<p>Street Performers (likes): (ref C10) street performers (are good) (ref C27) It is nice to have an area for performers that has a defined area plus a raised 'stage' (ref C29) Maintenance of existing kiosks, entertainers and raised area (ref C32) would like to retain the current feel of the square with area for street entertainment</p>		

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		<p>(ref C58) This square is a busy square, it has street traders and buskers who add to the popularity of the area, without these the square and the city would lose its appeal. I hope these people will not be lost.</p> <p>(ref C72) This could be a lovely, sheltered, very attractive performance space and I like the idea of improving it by night. Coloured (solar powered) lights in the trees would enhance that; also seating. Will bands be able to perform there?</p> <p>(ref C82) Natural performance area</p> <p>(ref L27) the quality of street performers should be monitored. There should be a lot more variety. I sit at the last drop (Inn) and time again the same performers are there. Should be more diverse</p> <p>(ref L62) Retention of space for performers</p> <p>(ref L67) That pedestrians and street activities are a priority inc street performances and stalls</p> <p>(ref L68) Desires to maintain performance space, pedestrian enhancements & nocturnal use</p> <p>Space (likes):</p> <p>(ref C3) opening up the space</p> <p>(ref C6) open & inviting space</p> <p>(ref C7) increased usable space</p> <p>(ref C56) The better placement of the trees and opening up the space</p> <p>(ref C72) Like the concept of making the entire space, including the road, a shared public space, with priority for pedestrians and limits on parking</p> <p>(ref C75) Paving the junction and expanding the square, reducing the road width and smartening up the area</p> <p>(ref L9) encouraging use of an important public space</p> <p>(ref L10) enlargement of the flat open space</p> <p>(ref L16) more usable open space</p> <p>(ref L34) Creating more space for people and improving area as a whole for pedestrians</p> <p>(ref L57) Better use of available space/level surfacing</p> <p>(ref L65) Wider pavements: easier for wheelchairs. More pedestrian space</p> <p>(ref L68) Desires to maintain performance space, pedestrian enhancements & nocturnal use</p> <p>(ref R3) I like the widening of the square</p> <p>Historic interpretation (likes):</p> <p>(ref C64) The historical interpretation which will ensure that Kings Court and more importantly, the Roman fortress line, will be marked in the paved surface (though the plan does not give information about the material to be used to mark the fortress line and does not label it)</p> <p>(ref C67) historical interpretation aspect</p> <p>(ref C76) Refurbishing the raised burial area is welcome. Could there be a discreet memorial to those buried there</p> <p>(ref L28) Like the idea to mark the fortress line. How about a story board on a wall, showing the original church and other historical points of interest?</p> <p>(ref L33) To mark Roman fortress line and kings court</p> <p>(ref L50) Historical interpretation, but also please include an information board on the history of the square. Very helpful are the ones in King's Lynn. Please go and look!</p> <p>(ref L53) Making Roman Fortress Line</p> <p>(ref L61) Demarcation of the Roman wall and gatehouse is proposed but not shown in the plans</p> <p>(ref R42) I would be pleased to see the line of the Roman fortress wall marked</p>	

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		<p>De-Clutter (likes): <u>(ref C3)</u> removing clutter <u>(ref C17)</u> removal of clutter <u>(ref C23)</u> I like the proposed de-cluttering of Kings Square, seeing this a great improvement <u>(ref C37)</u> Removal of the phone boxes, etc <u>(ref C40)</u> paving/level access will join up the area and make it feel bigger and be more accessible like the removal of clutter <u>(ref C45)</u> Opening up the space, getting rid of clutter <u>(ref C62)</u> Refurbishment of surfaces, removal of street furniture <u>(ref L16)</u> de-cluttering <u>(ref L31)</u> Removing Clutter <u>(ref L51)</u> Reduction/relocation of phone boxes <u>(ref R14)</u> I am very supportive of the projects aim's and suggested solutions. A thorough de-cluttering of excess street-furniture and signs etc would be welcome. <u>(ref R11)</u> Keen on reducing street signage & clutter <u>(ref R42)</u> I would also be pleased to see some of the clutter removed</p> <p>Pedestrian Priority (likes): <u>(ref C14)</u> The priority given to pedestrians <u>(ref C25)</u> Prioritisation of pedestrians <u>(ref C45)</u> Making it more pedestrian friendly, slowing down vehicles passing through <u>(ref C77)</u> Improved pedestrian access and better control of traffic <u>(ref L1)</u> the priority to pedestrians <u>(ref L7)</u> clever design that defines pedestrian space <u>(ref L12)</u> the whole design- as long as it remains pedestrian for long periods <u>(ref L14)</u> all of it <u>(ref L19)</u> making pedestrians the priority in this design <u>(ref L24)</u> less intrusive traffic with pedestrian priority <u>(ref R11)</u> Keen on encouraging pedestrians over traffic <u>(ref R39)</u> Like the idea of a change in paving on the road areas to emphasise the pedestrian-friendliness and make vehicles slow down</p> <p>Lighting (likes): <u>(ref C13)</u> improved lighting welcomed <u>(ref C67)</u> Improvements to lighting <u>(ref L7)</u> Improved lighting <u>(ref L31)</u> The new lighting</p>	
<p>5 Are there aspects of the design you particularly dislike</p>		<p>Street Performers (dislikes): <u>(ref C64)</u> I would hate Kings Square to become a performance area for loud music or speech through microphones and am wary about the proposed pop up power. The area is small enough for performers to be heard without amplification. It would become somewhere to avoid if it got taken over by loud public performances <u>(ref L5)</u> (There should be) no amplified noise. Remove street performers <u>(ref L9)</u> Remove the street performers</p>	

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	<p>(ref L11) reduce amount of street performers (ref L19) too much emphasis on street performers (ref L49) (There should be) no amplified music or other performance</p> <p>Public Seating (dislikes): (ref L19) perhaps too much public seating shown (ref R3) The two seats identified on the plans immediately in front of the entrance to Chocolate will create a barrier and again will serve the function of channelling people through a narrow space. We would prefer that people can spread out in the square</p> <p>Vehicles (dislikes): (ref C4) parking spaces should not be provided- it will never feel like a pedestrian space with these (ref C7) worried about effective controls on parking (ref C28) We need to ensure that there are sufficient accessible car parking spaces. These are being reduced all over town and I am very concerned that disabled drivers will have very reduced access to town and will therefore have no option but to drive to out of town shopping centres. Not a good plan (ref C40) how well traffic/parking will be controlled (ref C63) inclusion of disabled bays - can't they be provided close to but outside the square. Is it not possible to route traffic away from the square entirely? (ref C67) Restrictions to vehicular access/parking (ref L2) don't like inclusion of parking bays (ref L23) under provision of disabled parking (ref L28) The psychological approach to traffic management! (ref L55) 'Shared spaces' where the road is levelled with pavements is trendy, but dangerous to pedestrians and should not be used. Such a design of a shared space with no clear roadway should only be used if motor vehicles are banned completely during busy times (e.g. 8.00-18.00) (ref R14) A bit of uncertain caution by drivers / pedestrians etc is not such a bad thing sometimes in my view and tends to keep users alert</p> <p>Design Intent (dislikes): (ref C4) design of swept arc of Kings court joining main road (ref C24) Have the people who thought up this scheme ever sat in King's Square? I have sat on the raised area many times but it is described as 'underused' (ref C66) Claiming the idea is to make it better for pedestrians, but leaving stalls near the main Shambles/Market artery is stupid, put the stalls under the trees near the road (which wouldn't matter if it's pedestrianised) and you open up the main part of the square, instead of creating a bottleneck as you head to/from the Shambles (ref C76) Please don't make the roadways and footpaths undistinguishable. Look at Coney Street in a rain storm to see how confused pedestrians are when the street is awash, and a vehicle comes by. The Shambles is a great example of how to remind pedestrians that it is a working street (ref C82) Need to enclose the viewing & performing areas to allow pedestrians to walk by, e.g. more peripheral seating / fencing to create clear corridors. Also, remove steps to rear of raised areas, and turn into a ramp - nightmare for pushchairs, wheelchairs, etc (ref L56) Demarcation between 'road' and 'pavement' - this is historically illiterate</p>		

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	<p>(ref L61) The attachments of lighting equipment to the wired buildings throughout the square</p>	<p>Clutter (dislikes): (ref C4) retention of cash machine & electrical box & phone box (ref C13) All stalls & A boards must go in order to create enough open space (ref C14) phone box & cash machine (ref C16) phone box & cash machine- suggests putting in St Andrewgate entrance (ref C16) the kiosks are too gaudy & out of keeping (ref C45) Why retain the cash machine when the idea is to get rid of clutter? There are plenty of banks and ATMs in York (ref C76) Please dispense with one of the telephone boxes. Remove the (unnecessary) cash machine - there are more than half a dozen of them within 50 metres: Lloyds, Halifax, HSBC, banks, for example (ref C82) Relocate or remove the telephone booth - most people have Mobiles and its an obstruction (ref L2) phone box & cash machine (ref L31) I would have suggested replacing the phone boxes with traditional type or removing them altogether. Suggest repainting post box (Royal Mail) (ref L39) Remove the street trader stalls, except for 'a' (ref L49) No need for cash machine (ref L56) Far too much clutter left in, should move street traders out - add to clutter</p>	
		<p>Materials (dislikes): (ref C23) The loss of the black basalt pieces of roadway, a feature of many of the historic core streets, is a loss, as they act as a reminder of old York (ref L50) Concrete setts and paving. This needs care - light colours look awful after a few months when covered with dirt and gum (ref L52) Don't smooth it all out too much or you will lose the Yorkiness! Keep old paving slabs for example</p>	
		<p>Trees (dislikes): (ref C24) The removal of any trees. They take a long time to grow. Without them and the raised area the Square will look bare and uninteresting. They supply welcome shade in summer and would not serve any purpose close to the carriageway. (ref C34) Extremely worried about the proposed removal of several mature trees, this is not acceptable in my mind. (ref C41) Moving the trees (ref C42) Hoping if trees are moved, they can replant them - it needs trees (ref C45) Although moving the trees is a good idea, if the raised area is flattened then those trees will go. Put in as many trees as possible (4?) to separate the pedestrian area from the traffic (ref C63) Retention of trees. In a relatively small urban area natural vegetation is more of a hindrance than a help (ref C67) Removal of trees (ref C72) I object in the strongest possible terms to the removal of the trees, in particular the three large trees that have been there for many years. The tree canopy is extremely important to provide shade, shelter and a cooling effect, and it helps to remove air pollution. Trees, and Green Infrastructure in general, tend to undervalued as part of the city's resources, yet they are fundamental to enhancing the quality of the built environment, and they are also a part of the city's historic features. It will not be possible to remove/relocate the three mature trees with trees that provide similar canopy cover. I am less worried about the Paper Mulberry tree, as it is smaller and the canopy doesn't extend far. However, I would like to see greenery in its place - planters, perhaps?</p>	

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		<p>(ref C75) Loss of any of the trees, other than the young 'paper mulberry' tree. The one on the raised area is a significant landscape feature for the whole square and the vista entering it from the shambles and market. Removing the raised area would impact on the survival of this tree and not serve any really useful purpose. The bench and other clutter could be removed while retaining the tree.</p> <p>(ref L46) Sorry that some trees need to be removed - Though its for the greater good... Hoping the NEW TREES will be suitable and already grown somewhere</p> <p>(ref L52) Replanting trees nearer the road could cause hazard if drivers could not see pedestrians till the last minute.</p> <p>(ref L63) Can't see much to be gained by moving trees a few feet. If you do plant new trees, they must be well guarded against vandalism.</p> <p>(ref L68) Removal of any mature trees, though 'necessary'</p> <p>(ref L69) A tree planted at the apex of the square would obscure the view of Petergate</p> <p>(ref R10) losing any trees</p>	
<p>6 Are there other factors regarding Kings Square that should be considered</p>		<p>Historic Interpretation/Character (not currently considered):</p> <p>(ref C1) inclusion of an information point</p> <p>(ref C6) there should be something like a plaque to help explain the historical significance</p> <p>(ref C37) It is important that the historic atmosphere is retained. It is a special little area and will not benefit from being "tarted up". A tidy-up is acceptable, though</p> <p>(ref C56) How about a tourist board at the entrance area to The Shambles big enough to direct tourists but small enough as to not block any sight</p> <p>(ref L1) more info on the history of the site</p> <p>(ref L6) gravestones add character</p> <p>(ref L6) would like to see cart tracks retained</p> <p>(ref L7) Viking Royal Hall not mentioned</p> <p>(ref L16) more info on the history of the site on site</p> <p>(ref L24) can gravestones be relocated/retained</p> <p>(ref L24) more info on the history of the site on site</p> <p>(ref L26) restoring the church would be nice</p> <p>(ref L30) plaque with info about the Roman & Viking archaeology. Also info about demolished church</p> <p>(ref L53) Mark line of old church</p> <p>(ref L65) The gravestones are a historic feature worth retaining if possible (ref R8) The panel were generally pleased to see improvements made to the square however concern was raised about that the removal of the raised burial ground as this would remove the last vestiges of the church that had been demolished in 1937. The panel would like to see that marked in some way, perhaps by reusing the memorial slabs if their condition allowed.</p> <p>(ref R8) There was concern that the surfacing from the Shambles would stop too abruptly and not have the flow as at present.</p> <p>(ref R11) Is there interpretative material in the scheme about the history of the square?</p> <p>(Ref R23)- English Heritage. Advocates the retention of the present York stone paving and stone cobbled surfaces, along with granite wheel tracks and kerbstones</p> <p>(ref R42) existing materials, York stone paving and granite setts marking Kings Court should be retained</p> <p>(ref R42) burials and the remains of the church formerly standing in Kings Square will be quite close to the surface 7 will need adequate consideration</p>	

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		<p>Disabilities (not currently considered): <u>(ref C17)</u> disabled parking gets abused- better enforcement needed <u>(ref L18)</u> prohibit parking rather than discourage it <u>(ref C12)</u> Put disabled parking on St Andrewgate <u>(ref L14)</u> consider 3 disabled spaces (not 2) <u>(ref L15)</u> disabled drivers(consider more spaces?) <u>(ref L69)</u> Disabled access into the square <u>(ref R12)</u> disabled parking bays could be located on St Andrewgate <u>(ref R22)</u> Abbreviated issues from press article 01.02.2013: York Independent councillor Lynn Jeffries, who is herself disabled, claimed the plans for King's Square seem to fit into a pattern of a gradual tightening of restrictions on disabled motorists in the city centre. She said City of York Council had already scrapped some disabled parking bays outside the main library, and decided to restrict access to Davygate, and she wondered if there more such proposals now in the pipeline. She said she fully understood the desire to reduce the number of vehicles in the city centre to make it safer for pedestrians, but claimed there did not seem to be an understanding that more severely disabled motorists needed to be able to park right in the centre if they were to be able to go shopping... extra space will partly be achieved through a narrowing of the road at one end of the square, which it is believed will result in a reduction of three or four disabled parking spaces <u>(ref R34)</u> As a York resident and regular user of the area I believe that removing the existing double yellow lines and replacing them with two disabled parking bays is a major reduction in disabled parking availability in York... <u>(ref R35)</u> ...I am very concerned about the proposed alterations to the road and parking at Kings Square which will mean the removal of the on-road disabled parking. Replacing these with just 2 allocated bays is definitely not sufficient. <u>(ref R43)</u> Does not want to see an increase in vehicular traffic from the shambles- which would be hazardous to blind & Partially Sighted (BPS) people. Also doesn't want to see more bollards which are a hazard to BPS people <u>(ref R43)</u> would prefer to see the tactile crossing near St Andrewgate rather than Tullivers</p> <p>Vehicular Management & Use (not currently considered): <u>(ref C1)</u> How will you police the parking on the square in the evening <u>(ref L38)</u> the police must be vigilant to protect motorists driving through as they already do in Coney Street, Davygate etc despite there being pedestrians in these areas. <u>(ref C4)</u> reduce the number of cars passing thro' <u>(ref C8)</u> emergency access as it currently is should be maintained & any fire hydrants <u>(ref C12)</u> Kings Sq should be free of traffic during footstreets (& Goodramgate) <u>(ref C35)</u> Maintaining through access for vehicles from both Goodramgate and High Petergate, which are used by Churchgoers at the Minster, St Michael le Belfrey and St Wilfreds on a Sunday morning, and whose services finish early enough for egress to be completed before footstreet restrictions apply <u>(ref C42)</u> Control of cars needed, and ensuring no bad parking takes place <u>(ref L31)</u> It should be pedestrian friendly and not overrun by badly parked vehicles. Marked bays and relocating the trees will improve this aspect <u>(ref L42)</u> Multiple drop deliveries <u>(ref L45)</u> Consideration needs to be given to deliveries in that area, both during works and after completion (see letter R32) <u>(ref L56)</u> Be Bolder 0 Get cars out entirely! <u>(ref L62)</u> Traffic calming, reduction schemes <u>(ref L64)</u> Road outside Barnitts should be resurfaced first before kings square is started <u>(ref R2)</u> Currently it is possible to park outside our shop (Barnfathers) before 11am and after 4pm - will this still be possible?</p>	

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		<p><u>(ref R3)</u> One of the most interesting pieces of information to come out on Friday was that there were approx 1300 vehicles entering Kings Square and travelling down Colliergate. Whilst I advocate the proposed changes to look and feel of the road surface and the portrayed pedestrianisation of the Square I would be interested to understand how the Council will educate drivers further and prevent drivers using it as a short cut through the city. I regularly walk up Foss Gate and Colliergate and am always amazed at the number of vehicles and speed that they are travelling.</p> <p><u>(ref R5)</u> The turn into King's Sq from Church St and Goodramgate looks to be very tight for a large vehicle, has this been autotracked? The carriage way looks to be very narrow outside boots. How will loading take place whilst still allowing through traffic? Boots does have deliveries by a large articulated vehicle. 2 bollards shown, what are they for?</p> <p>Is the intention to formally regulate the 2 disabled bays, hence the need for signs?</p> <p><u>(ref R10)</u> Its relation to Colliergate. I'm in favour of the road surface between Boots and Barmitts being made to look as if that piece of road is part of the square, rather than a route for traffic. The whole area is usually heaving with trucks when I walk through at 10:00 am, which is unpleasant and unnecessary.</p> <p><u>(ref R11)</u> We fail to understand why vehicles need to pass through the city centre, apart from deliveries within certain times and those bringing people with disabilities. Yet there seem to be ordinary vehicles frequently using the city centre.</p> <p><u>(ref R12)</u> Currently there is no clear right of way for single lane traffic from Goodramgate meeting with two-way traffic on Church St. This was exacerbated by the change from a Stop order at the end of Petergate, when it became a 'GiveWay'. The end of Goodramgate ought to also be a GiveWay.</p> <p><u>(ref R12)</u> The northern end of the square gets very congested. Making the road narrower here will make congestion worse.</p> <p><u>(ref R9)</u> If you remove the raised area have you considered re-routing the vehicular link through to the markets across the south side of the square - it would then be shorter, leaving more space for pedestrian-priority surfaces.</p> <p><u>(ref R44)</u> No mention is made of cycling in the documents I have seen. A good long-term plan would ensure good cycling links across-town in lines parallel to Coney Street. As a step towards this, I suggest that cycle routes should be allowed for along Colliergate (in both directions if possible) up to St Andrewsgate, and possibly up to Petergate also. Cyclists should give way to pedestrians but should not be excluded completely.</p>	
		<p>Pedestrian Management & Use (not currently considered):</p> <p><u>(ref C7)</u> how to improve evening use</p> <p><u>(ref C7)</u> allow one business to use their toilets</p> <p><u>(ref L4)</u> no smoking zone in the square</p> <p><u>(ref L13)</u> promote unstructured activity (not in set places)</p> <p><u>(ref L16)</u> is the space big enough for one off events? Viking week etc</p> <p><u>(ref L39)</u> let the piano player remain. Have a yearly Christmas tree. Include some raised flower beds</p> <p><u>(ref L67)</u> Adapt raised area in such away as to open up the shops behind (which at present are hemmed in)</p> <p><u>(ref R37)</u> Protocols should exist to remove vendors and seating from the Square when performances take place</p>	
		<p>Litter (not currently considered):</p> <p><u>(ref C29)</u> Benches under trees get fouled very quickly and can become unusable</p> <p><u>(ref C39)</u> Pigeons need to be reduced as much as possible</p> <p><u>(ref C45)</u> Make sure there are some big rubbish/recycling bins and they get emptied often enough</p> <p><u>(ref C67)</u> The square would really benefit from an increase in litter bins</p> <p><u>(ref C76)</u> Please clean the working parts of the litter bins daily. They are a disgrace</p> <p><u>(ref C82)</u> More litter bins - it's a favourite spot for eating, but only 1 litter bin...</p>	

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		<p>(ref L4) daily removal of chewing gum (ref L8) don't reduce amount of street sweeping (ref L24) Are 2 bins sufficient if people are encouraged to picnic? (ref L61) Provision of LOTS of litter bins to avoid its current often filthy state - which includes pigeon droppings (ref L64) the pigeons need to be dealt with. Notices put up asking people not to feed them. This is done in other places. (ref L67) Discourage Pigeons</p> <p>Kiosks (not currently considered): (ref C19) It is an important meeting and entertainment space but it is scruffy and dirty now. The stalls in the space clutter it up and should be moved into the disabled parking areas (ref L3) too many Kiosks (ref L12) move candle kiosk to the market (ref R40) Kiosk design should be controlled & of open sided design (ref R4) Thanks for the further meeting on Friday about Kings Square. The project heralds a new era in Kings Square, and it is great to see everyone cooperating and contributing so positively towards this... (various comments were made on the need to reconsider the locations of kiosks)... (ref R20) Performers add a lot of life in the square & we need to keep them...Choc Storey must not take over. (ref R38) How do the various traders get to use the space? (the comments asks for more variation over the year. Also want edible plants)</p>	
		<p>Cyclists (not currently considered): (ref L2) ban cyclists during footstreet hours (ref L8) stop cyclists going the wrong way up Colliergate (ref L8) stop cycles during footstreet hours - especially going the "wrong way" (ref R7) I note the proposal for a raised crossroads at Church St/Colliergate junction...The ramps for the table should be sufficiently far from junction mouths so that cyclists do not encounter them when turning. Build outs, bollards and parking restrictions, as appropriate, may be needed to prevent parking around the junction</p>	
		<p>Design (not currently considered): (ref C31) Kings Square needs to be retained as an area which all the public can enjoy. I think a cleanup is needed but the area should continue to be used by the buskers to entertain the crowds. I don't think the idea of cafe seating is a good one as it would ruin the area. (ref C40) how the area will become more lively in the evenings. What about a screen for film shows? (ref L41) this may not apply particularly to Kings square BUT York is desperately short of toilets in city centre/shops part. Especially since removal of ones in parliament street - I'm surprised M&S hasn't objected to at sometimes resembling public toilets queue. Please could council consider providing more central toilet facilities somewhere urgently (ref L47) I am particularly concerned at the Pavement junction of Stonebow & St Saviourgate, this area is a disgrace has been neglected for years. if it cannot be maintained then remove the raised beds & replace with tubs & much needed seating (ref L51) It is the natural area to sit and eat takeaway food from the many nearby shops. This is a valued provision and should not be compromised by formal pavement cafe. In general, the extensions to the core proposal denature the space, e.g. the very photogenic snicket behind the raised area would disappear. The rear edge of the raised area is well used as seating. The raised platform is a versatile performing area: artists and audiences self configure. Built-in seating at the front of the raised area would limit the possibilities. Grave slabs and information slab should be retained. The proposed treatment of Kings Court</p>	

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		<p>paving is poor. The present surface with cart tracks should be retained: it was chosen to match contiguous streets. To remove the tracks from part of Kings Court (but not all) would not assist legibility or interpretation of 'an important historic street'. It is also against specific EH advice: see Streets for All: Yorkshire & Humberside, where they are illustrated.</p> <p>(ref R14) "ramp-ups" to the junction(s) are ideally done using sinusoidal profile blocks which tend to give a smoother transition for vehicles and cyclists</p> <p>(ref R16) The whole of the central business district should be a level surface</p> <p>(ref R16) York should be twinned with Rome</p> <p>(ref R16) As for the raised cemetery area a water feature would be a good addition, one incorporating a steady flow of water down a naturally looking rocky surface and an arch that pedestrians can walk under to depict the washing away of any sins. The problem York has is the weather, a glass canopy to allow greater use of the space even during the cooler months may make this space more attractive.</p> <p>(ref R35) If the raised area remains they should be alongside it in an east/west alignment, rather than projecting across the foot flow and visual link with the Minster.</p> <p>(ref R40) The sinuous way the layout of surface materials flow through from Newgate and the Shambles and into Kings Square is particularly pleasing (& should be retained)</p> <p>(ref R40) The tabled crossing seems to undermine the historic importance of the road by marking the area in setts as a place in its own right. The large scale flags should be continued around the corners of the buildings as a threshold space. The raised table should only be introduced if the whole area is being raised to be level, otherwise it interrupts pedestrian.</p> <p>(ref R40) ...Suggests also that Colliergate running thro' kings sq is more centred in the space rather than towards one edge</p> <p>Street Furniture/ clutter (not currently considered):</p> <p>(ref C14) would like to see less clutter</p> <p>(ref C17) Change the telephone kiosk for traditional red one (or complete removal)</p> <p>(ref C50) Although there will be 2 phone boxes retained, I do not think they should be used as general advertising hoardings. Does that not require planning permission? I am surprised this is permitted in what must surely be a conservation area. The products advertised cheapen the look of the square, and will certainly not be in keeping with the newly revamped square. I am pretty certain I would not be allowed to sell advertising space on the side of my building. If the raised area is kept, then it would make more sense to align the 2 boxes with the edge of the raised area than sticking out at right angles to it. The boxes should be maintained so they are not scruffy.</p> <p>(ref C62) If the raised area is removed can the retained cash machine/post box/telephone booth be relocated so that they are against one of the buildings, rather than been left in the middle of the more open space?</p> <p>(ref L2) suggests inclusion of removable flower tubs</p> <p>(ref L68) Install smaller postbox, move ATM and phone box away from kings square. Don't put seating below trees</p> <p>(ref R14) Can't the phone box & cash machine go somewhere else? If not ensure there is no advertising, and/or replace with red phone box type.</p> <p>(ref R14) Increase the extent of the design into St Andrewgate. Include some replacement cycle racks</p> <p>(ref R15) York Chocolate Story currently uses a bicycle as advertising. This should not be allowed.</p> <p>(ref R32) There is a large traffic control sign situated outside our Thomas the Baker shop on the Church Street junction. Would it be possible to re-position this sign within the scheme, as it currently obscures our shop frontage?</p> <p>(ref R35) doesn't want kiosks used as advertising hoarding</p> <p>Seating (not currently considered):</p> <p>(ref C5) retain seating- especially good for mobility issues</p>	

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		<p>(ref C14) would like to see high quality designed street furniture</p> <p>(ref C14) CYC needs to carefully regulate/review cafe seating</p> <p>(ref C24) This is a small intimate environment not suitable for large "pedestrian activities" More seating would certainly be welcome since most of that in Parliament St has been removed. You seem to think that pedestrians do not need to sit down and look at the scenery which York provides (and have a rest) Not all of us are in the prime of life !</p> <p>(ref C25) Its public performance role is of major importance; to allow cafe seating would conflict with this and should not be contemplated</p> <p>(ref C39) More seating required - the walls of raised area act as seating areas at the moment but are not enough</p> <p>(ref C59) The cafe seating should be given to a locally owned cafe and not a coffee shop chain</p> <p>(ref C63) Provision of more seating in either granite or stainless steel so that people can rest and watch the world go by. Existing seating is always full during main visitor times which suggest that there is insufficient provided.</p> <p>(ref C69) The loss of seats prevented my wife and I from visiting the centre</p> <p>(ref L4) outdoor seating next to shops acceptable if no smoking policy imposed</p> <p>(ref L12) add seating at Tullivers end (if you remove burial area)</p> <p>(ref L48) The cafe seating needs fair and moderation in its regulation.</p> <p>(ref L58) Seating for OAPS. Nice Planters</p> <p>(ref R3) I would suggest the seating provision is designed to be flexible and movable</p> <p>(ref R3) Re the Potential cafe seating location. I would be interested to gain an understanding as to how this space will be allocated to a business. Process, priority. Naturally there is only the opportunity for one operator to be here however several will be interested</p> <p>(ref R3) Will any power be provided at the location for the Café Seating? Is there space for a small catering unit to serve from?</p> <p>(ref R3) Whilst no seating is currently scheduled/ proposed immediately adjacent to our facility I would encourage CYC to retain an open mind on this moving forward. The proposed changes to the square and the way people may move around the space may create a whole new dynamic. We clearly understand that this is a public space but that shouldn't stand in the way of providing the public a great overall experience within the square other than eating fish and chips and Cornish pasties leaving their litter behind them and encouraging more pigeon activity. Continuum would be happy comply with any restrictions with the vehicular use of Kings Court and would be happy to support the council in its overall management of the Square.</p> <p>(ref R3) It would be useful to understand what and where any 'pop up' power may be provided. Naturally we would be interested to hold events at key points during the year</p> <p>(ref R4) On the draft plan the two seats adjacent to Chocolate would need to be re-sited because of the position of the Lemonade stall</p> <p>(ref R4) What is the feasibility of a back-to-back seat at the head of the square opposite Millie's/St Paul's boundary wall? It would a good view of the Minster and would prevent large trucks from encroaching onto the square.</p> <p>(ref R4) The raised area provides seating for probably 50 or 60 people at the moment. On busy days this is used to full capacity by people eating their sandwiches, ice cream etc and watching the entertainment. If it is levelled this seating capacity would need to be replaced in the new seating plan.</p> <p>(ref R6) If the area does not get flattened, we would suggest removing the Mulberry tree and replacing with public seating. We would suggest not putting benches all the way round the back of the raised section as this will create bottlenecks and obstructions if there is not adequate spacing in between benches for people to move through or stand.</p> <p>(ref R6) ... The proposed plans to have benches next to the crepe stall for example could be disastrous... we welcome public seating but would ask that common sense prevail and they not cause bottle necks or obstructions which would adversely affect our ability to entertain the public as best as possible.</p> <p>(ref R6) ... We suggest a small tiered seating area. This could be placed where the Mulberry tree currently stands if the raised</p>	

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		<p>area was flattened. It could have its back to the electric housing unit and post box which cannot be moved so there would be no extra obstruction. (an example with photos is given of Quebec City)</p> <p>(ref R8) The panel felt that it would be important for CYC to control any out door seating in order for it to achieve the outcomes required</p> <p>(ref R9) Include more seating around the outside - it's what makes a public place. Make sure it's flexible so it can be used from both sides - could just be raised pads rather than formal benches.</p> <p>(ref R24) English Heritage- observes low quality of existing street furniture and advocates much better standards</p> <p>(ref R28) suggested an idea for an amphitheatre of public seating</p> <p>Materials (not currently considered):</p> <p>(ref C4) consider using one material for roadway- either granite or Yorkstone setts all way down from raised table thro' square</p> <p>(ref L4) don't use any concrete</p> <p>(ref L50) Huge improvements (and savings) could be made by just relaying and cleaning the existing paving, with additional natural stone paving pairs. There will be many burials close beneath the slabs (ref R38) .No concrete, manufactured reconstituted stone, olde worlde bins etc. Should be more imaginative...</p> <p>(ref R39) I really like the present line of worn and characterful cobbles in front of Chocolate Story etc, really think they should be retained.</p> <p>(ref R40) the margin adjacent to the road on the NE side (shown as setts) should be a continuation of the large scale stone flags to signal that it is part of the space rather than the route</p> <p>(ref R41) Granite is difficult to walk on & slippery</p> <p>(ref R42) sub-base construction needs to be adequate</p> <p>Public Art (not currently considered):</p> <p>(ref C7) consider including public art</p> <p>Trees (not currently considered):</p> <p>(ref C14) new trees should not be allowed to damage pavement/road (roots)</p> <p>(ref C50) If the raised area is kept, I would be in favour of keeping the tall lime tree to give some height to the planting.</p> <p>(ref C75) While the two trees alongside Colliergate are perhaps only 30-40 years old and may not be ideally placed for the new design they are significant features and with time will grow to replace the older mature tree on the raised area when it dies. We can't keep removing semi mature trees that have a valuable landscape, shade and pollution cleansing role in our city centre.</p> <p>(ref C76) Please leave the trees. York is far too ready to fell trees. Just take a look at the Darlington to Thirsk road to see how mature trees can look</p> <p>(ref L3) suggests using plane trees</p> <p>(ref L52) There is a good view down Petergate towards the minster which should not be lost by blocking it with a tree</p> <p>(ref L54) Trees are important in urban areas. All effort made to replace</p> <p>(ref L56) New trees would be archaeologically damaging - lots of archaeology under here</p> <p>(ref R11) hope any new trees are as mature as possible</p> <p>(ref R40) The raised planter with the Mulberry tree is odd....Is it possible to replant this in the square</p> <p>(ref R44) The image captioned "Tree positions extent the effective size ..." shows two big red barriers. They are not mentioned in the text. I hope they are a printing error!</p>	

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		<p>Lighting (not currently considered): (ref C16) no mention of street lighting- welcomes lights on buildings (not poles) (ref L16) make sure lighting is not boring (ref R3) I would be interested to understand further how the lighting will improve. The square at night is quite a forbidding space and can only benefit from an improved lighting scheme. (ref R9) The sheet doesn't say much about lighting - it'll need to be interesting to make the space work well after dark</p> <p>Priority/cost (not currently considered): (ref C13) there are worse areas that need improved paving- e.g. Stonegate, Low Petergate (ref C13) This offers little in return for the outlay. (ref C49) Do we really have Money for this? (ref C51) The roadway is narrow as it is, stop wasting money leave it alone. (ref C73) This project involves totally unnecessary expenditure by CoYC in this time of cuts to budgets and core services. The money would be better spent on services for the citizens of York rather than esoteric designs for visitors (ref C74) I think it is worthy but unjustifiable expense at this time and should be suspended until there is a better financial climate. (ref C76) I think you should instead spend the money set aside for the rejuvenation of the square on sorting out the Tea Room Square traffic/pedestrians/taxis/police/hire cars tangle. I would be very happy to advise you on solutions to this problem (ref C77) This project is largely for visitors and tourists, not residents. In a time of severe cash shortage, I think the money that would be spent here, and presumably financed by York residents, would be better spent helping the York residents. (ref C81) it seems to work as it is - just enforce the parking and traffic regulations. Spend the money on something worthwhile for the residents like keeping the green bin collection (ref L8) the cost a concern but worth it (ref L17) difficult to give comments if you don't know how much it will cost- value for money issue (ref L21) don't do this project at all (ref L23) Square is ok as it is (ref L32) Leave it alone, it does not need changing. Save the money and put it towards a much-needed facility - a bus station for York. (ref R18) Generally supportive of the design but thinks it should not go ahead: Scarce council resources should be spent elsewhere (ref R31) I would like to add that some money could go on improving the pavement on Colliergate on Tulliver's side. It slopes badly and too near the road to be safe, especially for the handicapped. One foot is uphill and the other downhill.</p> <p>Timing of construction works (not currently considered): (ref C58) I also think disruption to other shops and businesses in the square should be thought about, as they had to put up with a lot of mess while the Chocolate story was refurbished. (ref C67) The work will be very disruptive for local business, who have already put up with months of noise and dust during the work on "Chocolate" (ref L64) Road outside Barnitts should be resurfaced first before Kings Square is started. (ref R2) If the proposals go ahead when would work begin and how long would it take? (ref R3) Timing – Naturally this is my greatest concern as is the case with the Street Traders and the Performers. Our business relies upon footfall during the Peak season (April – Sept). Commencing the work in April may have a serious detrimental effect on our performance as a new tourist attraction. Whilst Street Traders and Performers can be moved to other locations we</p>	

Structured questions	No. who agreed	Summary of written comments grouped under themes	Overall officer conclusion
		<p>unfortunately can't. I understand that the dates may not be able to be moved due to many reasons however we need to ensure that the square and our business remain welcoming and clearly advertised. We would like further discussion on how the council intend to do this.</p> <p>(ref R3) Should the works over run from the April – Early July program, what plans will be in place to offset the disruption over the critical months of July & August.</p> <p>(ref R32) As identified in the questionnaire, we would like consideration to be given to deliveries during and after the works. We are dependent, more than many other retail trades, upon the frequency of delivery.</p>	
		<p>Archaeology/Consecrated Ground (not currently considered): (ref C23/R33) The raised area of Kings Square is, of course, the site of Holy Trinity Church and is, as such, consecrated ground. The lowering of the raised area, which I support, will have to be done sensitively with regard to the archaeology of the site and the reverent disposal of any human remains that are found. Set in the raised paved area are about 12 ledgerstones that were presumably part of the floor of the church. These survive in more or less legible condition and are of importance. Consideration must be given to their future. Discarding them or destroying them is really not a possibility...I would assume that the whole of the paved 'island' of Kings Square is historically consecrated ground which may or may not have been formally deconsecrated.</p>	<p>We will consider this- yes a very sensitive area. We are aware that the graveyard extended beyond the raised area and that the former church footprint could also include graves (we currently think the raised area is likely to be a construction of the church demolition process). Normally we have referred to this raised area as a "burial area" for simplicity of description (where as it is more likely to be a charnel pit- but we don't know for sure), but don't normally refer to it as the "burial ground". This would have been a grammatical mistake. Apologies if this has been in any way misleading. We need to do lots more investigation- this public consultation is to gauge public opinion on a range of design directions and dependent on the outcome we will do more technical work.</p>
7a Are you: a York resident	142		
7b a visitor	2		
7c a business owner	4		
7d employed in York	10		
8a Do you have mobility impairments: yes	10		
8b no	129		
8c prefer not to say	4		

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Annex 5

Preferred final Design Option



- ① tarmac
- ②a small sets type 1 to match paving
- ②b granite sets
- ②c sets
- ③ stone paving
- ④ post box & electrical cabinet retained
- ⑤ one phone box & one cash machine
- ⑥ two signed disable parking spaces
- ⑦ bin
- ⑧ seating
- ⑨ concrete block sets
- ⑩ concrete paving
- ⑪ new treatment to burial area
- ⑫ potential cafe seating locati

--- existing cycle racks on St Andrewgate retained

✳ approximate locations of street trader pitch
 a=caricaturist
 b=ice cream
 c=lemonade
 d=candles

➔ shop entrances

➔ one way (not a road marking)

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Cabinet**2 April 2013**

Report of the Cabinet Member for Environmental Services

**WASTE SERVICES – SERVICE DELIVERY OPTIONS
2012/2013 & 2013/2014 FOLLOWING OUTCOME OF
CONSULTATION****Background**

1. A report was brought to Cabinet on 12 February 2013 outlining recommendations for further reducing the annual cost of providing the councils waste collection service. The report focussed on options for garden waste collections, options for reducing costs at Towthorpe Household Waste Recycling Centre (HWRC), introducing a charge for replacement refuse and recycling containers and amending the permit scheme in use at the Councils two HWRCs.
2. One recommendation in the report were that further consultation was required on the options for garden waste collections and the opening hours at Towthorpe. This report presents the outcome of the consultation and makes recommendations that members are asked to consider.

The Consultation OptionsGarden Waste

3. The options consulted on were:
 - a) A subscription charge of around £30 for emptying green bins all year round
 - b) A subscription charge of around £15 for emptying green bins in the winter months (November to March), but no charge for the summer months
 - c) No green bin collection in the winter months and no charge in the summer months

- d) First green bin supplied free and a one-off charge of around £30 for each extra garden waste bin
- e) The option to swap existing green bins for home composters free of charge
- f) A combined food waste and garden waste collection all year round
- g) Testing the market to see if a lower garden waste disposal cost can be achieved
- h) Assessing the market to see if garden waste has any value as a commodity
- i) Looking at the potential for all or part of the service to be undertaken by a social enterprise or community group

Towthorpe

- 4. The options consulted on were:
 - closing regularly on one weekday all year round
 - reducing daily opening hours
 - opening weekends only in winter
 - closing completely in winter
- 5. A summary of the consultation process and methodology is outlined in paragraphs 3 to 12 of Appendix A.

Analysis of Options

- 6. The analysis of each option is outlined below including relevant consultation results. Further details of the consultation results are attached as Appendix A to this report.

Garden Waste

- 7. The outcome from the consultation demonstrates:
 - a. that there is little support for any type of charging for garden waste collections – either all year round (85.5 per cent oppose) or just through the winter (60.7 per cent oppose).
 - b. that there is quite strong support for removing the winter garden waste service (71.2 per cent support) and introducing an additional

charge for each extra green bin that residents require (64.6 per cent support).

- c. support for a combined garden and food waste collection (65.3 per cent support), reducing disposal costs (76.3 per cent support) and using community groups to undertake part of the service (59.1 per cent support)

Analysis of options

A chargeable 'core' service – either all year round or just through the winter period

8. 13,624 tonnes of garden waste was collected by the kerbside service in 2011/12, and a similar amount has been collected over the past 5 years.
9. Under the existing Controlled Waste Regulations (CWR) 2012 the Waste Collection Authority (WCA) can make a separate charge for the collection of garden waste. However, a chargeable opt-in has the potential for some of this waste stream to go into the grey landfill bin. Against this, there may be savings through the income generated by a subscription service and reduced collection costs in terms of staff and vehicles.
10. Research by The York and North Yorkshire Waste Partnership (Y&NYWP) into charging for garden waste collections indicates that once a 'free' garden waste collection system is in place, residents may feel that this service should continue to fall within their council tax charge. Thus moving from a free collection to one that charges may not initially be popular with residents and will face opposition.
11. Other local authorities that have either charged for an opt-in service from the outset or have converted to a chargeable service are currently charging between £20 - £69 per annum, with an average charge of £30 or £40. Where a charge for the garden waste service is introduced, for a service that was previously provided free of charge, participation rates fall significantly, usually to around 25 or 30 per cent for a converted service, although this can vary, in some cases down to as low as 10per cent. This is supported by our consultation which shows that only 14.5 per cent of residents would support a charge.
12. Any subscription based service would need to be underpinned by effective administrative arrangements. A realistic lead time to plan and implement such a service change would take several months, which would address:

- I. Advertising the service
 - II. Receiving and processing subscription payments (whether by direct debit, card, cheque, Do It On-line facility) – this would ideally be available from July onwards in order to adequately plan and model collection rounds.
 - III. Dealing with enquiries and complaints
 - IV. Sending out appropriate documentation and identification e.g. stickers and/or tags for green bins
 - V. Setting up the process for transmitting to the operations team new subscriptions and cancellations for the garden waste collection service
 - VI. Arranging delivery and removal of green wheeled bins
13. A winter based subscription service would see a free fortnightly garden waste collection service provided from April to October and a monthly subscription based service from November to March each year.
14. This would allow residents with larger gardens to continue to use the service all year, but is also likely to result in garden waste being put into residual waste bins and then land-filled by residents who did not subscribe to this service. The number of customers may also be very low – a West Midlands metropolitan council in our family group offers winter collections from December to March, but only 63 households out of over 80,000 (or less than 0.1 per cent) have subscribed to this service. This is supported by the consultation that shows that 66.4 per cent of residents who use the winter service would not support a charge.

Conclusion

15. There is potential for a negative impact on the council's recycling strategy, the potential for an increase in landfill costs and resistance from residents, as demonstrated by the consultation results.

Winter garden waste collections

16. Last winter, 2370 tonnes of garden waste was collected (only 17.4 per cent of the annual garden waste collected). The resources required, per household, to carry out winter garden waste collections are not

consistent with those required during the summer months. The number of bins collected each week, and the area collected from, is also variable – unlike the summer when the majority of residents use the service. To overcome this over resourcing, a winter subscription could be levied but this has been discounted, and the reasons explained, earlier in this report. Therefore, to achieve a level of saving, a full removal of the winter service could be beneficial.

17. Removing the service will not reduce the garden waste arisings and there is a possibility that some of this waste would find its way into grey bins and so on to landfill at an increased cost to the authority. This is offset by the reduction in staff and vehicle assets required and is summed up in the table attached as Appendix B to this report.
18. Comments received as part of the consultation suggest that many residents who use the winter service, given the type of waste generated during the winter, will hold their winter waste until collections resumed in the spring.
19. During the late summer, the council will also undertake a city wide marketing campaign promoting the use of home composters for residents.

Conclusion

20. Removing the winter garden waste service is likely to produce a saving of £67K per year. However, this should be considered a conservative estimate due to the mitigation efforts mentioned above.
21. The option to remove the winter service was supported by 71.2 per cent of all residents and by 61.5 per cent of residents who use the winter service. In addition, 69.8 per cent of all residents and 62.7 per cent of people who use the winter service felt that the removal of the service would have no impact on them and that they would compost at home or take their garden waste to an HWRC.
22. The combination of low levels of garden waste being generated during the winter, home composting and residents holding their winter waste until the spring will limit diversion to landfill.

Charging for additional green bins

23. Households are provided with 1 x 180 litre wheeled bin as standard for garden waste. Some households, including those with large gardens, have been issued with one or more additional 180 litre wheeled bins.

24. In line with other councils it is proposed to continue with standard provision of 1 x 180 litre wheeled bin per household, but to allow the use of additional wheeled bins for households with larger gardens that prefer using multiple wheeled bins rather than home composting. An annual service charge would be introduced for any additional garden waste bins at £35 per bin, subject to annual review.
25. There are at least 5,000 additional bins currently in use. A charge of £35 p.a. for each of these would generate an income of £35K for every 1,000 additional bins that are currently in use, which remain so and were paid for. However, the likelihood is that there would be some residents who would convert to home composting and/or using HWRC facilities rather than paying for additional green garden waste bins in future.
26. Information from other local authorities who have made similar changes suggests there is likely to be a drop-out rate of around 30%, leaving approximately 3,500 paying customers for this service, which would generate £122,500 p.a.
27. In all cases, all wheeled bin containers would remain the property of the council, and retrieved from any resident who wished not to pay for additional bin service.
28. The greenest way to dispose of garden waste is to compost it at home. An alternative to charging residents for additional garden waste bins is to exchange their additional bin(s), or their free bin if a resident wished, for a home composter.

Conclusion:

29. The option to charge for additional garden waste bins was supported by 64.6 per cent of residents. In addition, 82 per cent of all residents and 59 per cent of residents with more than one garden waste bin felt that charging for additional bins would have no impact on them and that they would compost at home or take their waste to a HWRC.
30. Charging those residents who wish to use additional garden bins will be relatively simple and straightforward and will generate revenue that will offset the cost of collecting this additional waste. It would need an easy to use subscription service to be established through the council's website and contact centre. A vigorous marketing and communications plan would need to be established with a target of seeking subscriptions to this service from 3,500 households in the City.

31. The council will still provide a standard core service with 87.6 per cent of customers being unaffected by the charge. It will provide more serious gardeners the opportunity to take advantage of an extra service.
32. Although there was less support for home composting, it is still the greenest way to deal with garden waste and will offer residents more choice about how they deal with their garden waste.

Combined food and garden waste collection

33. It is widely known that the introduction of separate food waste collections have a positive impact on local recycling rates. They do, however, add further revenue budget pressures on the delivery service as additional resources, vehicles and staff, are required to undertake the collections, particularly if this service is provided on a weekly basis to maximise take-up by residents.
34. Collecting and processing garden waste with food waste makes each tonne of garden waste slightly more expensive to treat than that currently paid but significantly reduces the need for additional resources.
35. The processing cost for food waste would be significantly less than that paid at current as landfill tax is not applicable.
36. Processing of this type of waste could not be done under the current arrangements with Yorwaste, because they do not have a suitable food waste processing facility in York. Therefore, an alternative processing facility would need to be found.
37. Options for treatment of food waste could include collection together with garden waste. Households would be able to put all types of food waste (cooked and uncooked) into the existing green bin with garden waste, which is similar to how it is collected in East Riding and Hull.
38. East Riding have seen landfill tonnages reduce by 15 per cent since food waste was collected together with garden waste 18 months ago.
39. A similar reduction in York would have potential financial benefits detailed below, and also increase our recycling rate to over 50 per cent.
40. It is estimated that a combined food and garden waste collection service could achieve a saving of £10.4K per year on disposal costs. A breakdown of cost and expenditure is attached as Appendix C to this report.

41. The potential savings would be offset additional collection costs and by the provision of kitchen 'caddy's' for residents to use to store and present their kitchen waste. Providing a caddy to those properties receiving the service would require approx. £300,000 of capital investment for which funding may be available.

Conclusion:

42. There are clearly some benefits to York in providing a separate food waste collection or one that is combined with existing garden waste collections and this is supported by 65.3 per cent of residents.

43. An increased local recycling rate and a small revenue being generated to offset disposal costs are attractive.

44. A further report will be prepared by officers once further work is available to outline the business case.

Reducing disposal costs

45. York & North Yorkshire Waste Partnership (Y&NYWP) recently undertook a procurement exercise for the treatment of garden waste. The council has been named on the tender documents and will be able to access the framework if a cheaper disposal option is identified.

46. There is an opportunity to use the framework if it should offer significant financial benefits. Taking full part in this project would require us removing all or part of garden waste processing from the current 'Disposal, Composting & Recycling Contract' with our current contractor.

Conclusion:

47. Consultation results show that there is strong support for this option and, given that the council is already named on the tender documents and will be free to access the framework when it is available, then officers believe that we should make use of it if it affords any financial benefit.

48. It is anticipated that the new framework will be available for the council to access from May 2013 and Cabinet will be asked to delegate authority to officers to access the framework, when available, and enter into alternative disposal arrangements providing where this is of financial benefit to the Council.

Garden waste as a commodity

49. Officers have been investigating whether there is a market for the sale of our garden waste as a commodity; either for further processing into a compost or a bio-fuel. It is important to note that the garden waste material that we collect is not suitable for use as a bio fuel in the condition it is collected in.
50. The council's procurement team are also currently investigating the commodities market to see if there are any readily accessible markets for garden waste. However, at present it seems that we will have to continue to pay for the disposal of our garden waste.

Conclusion:

51. 83.7 per cents of residents support this option. However, having investigated this option further, it is not one that currently has anything to offer the council and cannot be taken forward at this stage, although it will be kept under review.

Engagement with community sector

52. The council has been working in partnership with The Friends of St. Nicholas Fields (FoSNF) for many years. They carry out a dry recycling and garden waste service in the city centre for just over 2000 properties and are funded by the council by way of a grant supported by a Service Level Agreement (SLA).
53. FoSNF were consulted to see if they could offer any help and advice for the garden waste service from the voluntary sector perspective. The issue of a large number of properties, vehicle requirements with bin lifts, operators licensing and lack of income generating potential from the garden waste meant that they could not offer any working option for this service.
54. The Social Enterprise sector in York is well established but requires further work, and support, by the council to give it sufficient capacity and resource to enable it to assist with large scale collections. A network of smaller social enterprises, or community groups, working in their local area under the council's direction could be successful, especially if the resultant material was used in local community compost schemes.

Conclusion:

55. Social Enterprise and community groups can have a vital role to play in helping the council deliver cost effective front line services in the future

and the consultation results show that 59.1 per cent of residents support this option . There is work that is required by the council to co-ordinate and galvanise these groups into a cohesive delivery model for the future. That will require time and, therefore, this option will not be recommended to cabinet at this stage though further work, and reports, will follow in the future.

Options for Towthorpe HWRC

56. Of the four options for reducing the opening hours there is virtually no support for the option to close the site completely during the winter (0.9%) or to only open it at weekends during the winter (7.2%).
57. The most popular was to close the site throughout the year on one weekday (65%) with reduced daily opening hours as the second preference (26.5%).
58. Some respondents felt that reducing the daily opening hours only, could cause confusion and knowing it was closed on one particular day per week would be simpler to communicate and understand.
59. Therefore, closing the site on one weekday throughout the year is the only recommended option and this will make an annual saving of £11K on site operating costs .

Conclusion

60. Closing the site for the whole of the winter, or just opening at weekends in the winter, are not popular options and are not recommended.
61. Closing the site for one weekday all year round is the preferred option of site users and, based on the consultation results, Wednesday was the most popular day for closure chosen by those surveyed (including those who used the site on Wednesdays). Based on average site usage with non-CYC users deducted that Wednesday also has the lowest average usage of any weekday. Therefore, it is recommended to close the site every Wednesday throughout the year.

Council Plan Priorities

62. The options outlined in this report will fully contribute to our corporate priorities by protecting the environment and seeking to be a top performing waste authority.

Implications

63. This report has the following implications:

Financial

64. The known financial implications are summarised in the table below.

The options being recommended to cabinet fall short of the savings target by £15K. This will be mitigated by a reduction in disposal costs achieved through work being done, as described in paragraphs 70 to 74 above.

Savings Reference	Description	Two Year Savings Target £'000	Assumed two year savings following recommendations £'000	Notes
CANS 33	Review of policies at Household Waste Recycling Centres by considering options for reducing costs.	125	11	Propose to close Towthorpe HWRC every Wednesday throughout the year.
			159	Previously agreed savings
CANS 103	Policy Review – Consider options for reducing the cost of garden waste to the tax payer.	250	190 (123 - charging for additional garden waste bins) (67 - remove the winter garden waste collections)	To introduce an annual charge for each additional garden waste bin and remove the garden waste service between November and March each year
Total		375	360	

Human Resources (HR)

65. There are no HR implications directly associated with the options in this report.

Equalities

66. Community Impact assessments have been completed to assess the implications of the changes recommended in this report. These assessments were updated, as required, to take account of the consultation carried out into the options referred to in this report.

67. The outcome of the assessments demonstrate that there will be little impact for residents. The council will continue to support residents who may have difficulty accessing our services, by way of assisted collection schemes and/or direct support from officers, where necessary.

Legal

68. The Council has a duty under section 45 of the Environmental Protection Act 1990 to arrange for the collection of household waste. Generally no charge can be levied for such a collection but the Controlled Waste Regulations of 2012 permit a charge for the collection of garden waste.

69. Members are aware of their general duties in connection with decision making and, in particular, the “equalities duty” to have ‘due regard’ to the need to eliminate discrimination and to promote equality when making decisions

Information Technology (IT)

70. Work has been carried out to ensure that IT systems are robust and able to deal with the implications outlined in this report – especially those related to charges.

71. Work is also being done with the York Customer Centre to ensure that processes are established to deal with requests and queries related to the implications in this report.

Property

72. There are no property implications as a result of this report.

Crime and Disorder

73. There are no crime and disorder implications as a result of this report.

Risk Management

74. Risks have been identified, especially to the delivery of services against a reduced budget. Any risk of an increase in fly tipping, or other environmental crime, will be mitigated through additional resources for monitoring and enforcement.

75. Given the scale of the service changes implementing some of the options will take careful planning and publicising. This will mean that some options are not delivered until part way through 2013/14 creating further budget pressures.

Recommendations

76. Cabinet is requested to;

- (1) approve the closure of Towthorpe HWRC every Wednesday throughout the year to take effect as soon as possible.
- (2) approve the removal of the garden waste service between November and March each year with effect from November 2013.
- (3) approve the introduction of an annual charge to residents of £35 for each additional garden waste bin
- (4) delegate authority to officers to enter into alternative disposal arrangements where this is a financial benefit to the Council
- (5) task officers with preparing a business case for a food waste service
- (6) task officers with continuing to monitor the potential for garden waste as a saleable commodity and for all, or part, of the service to be undertaken by a social enterprise or community group

Reason:

To enable the Council to meet its statutory and policy targets and continue to provide a high quality waste collection and disposal service that is financially sustainable and provides a robust base for future growth.

Contact Details

Author:	Cabinet Member & Chief Officer Responsible for the report:		
Geoff Derham Head of Waste Services City & Environmental Services	Cabinet Member for Environmental Services: Councillor David Levene Roger Ranson Assistant Director (Highways, Fleet and Waste Services)		
	Report Approved	✓	Date 20 March 2013
Specialist Implications Officer(s) Patrick Looker - Finance Manager Shaun Donnelly - Waste Management Officer Jane Collingwood – Policy, Performance and Innovation			
Wards Affected: List wards or tick box to indicate all		All	✓

For further information please contact the author of the report

Background Papers: None

Appendices

Appendix A – Analysis of consultation results

Appendix B – Predicted savings for removing winter garden waste service

Appendix C – Potential savings from a combined food and garden waste collection service

Analysis of consultation results

Background

1. In February 2013 Cabinet considered a range of options for changes to Waste Services. It was agreed that residents should be consulted on two proposed areas for change and the results brought back to Cabinet for a decision in the spring.
2. The areas for consultation were:
 - Options for reducing the opening hours at the Towthorpe Household Waste and Recycling Centre.

Towthorpe Options
1. closing regularly on one weekday all year round
2. reducing daily opening hours
3. opening weekends only in winter
4. closing completely in winter

- Options for reducing the cost of the Garden Waste Service to service delivery

Garden Waste Service Options
a. A subscription charge of around £30 for emptying green bins all year round
b. A subscription charge of around £15 for emptying green bins in the winter months (November to March), but no charge for the summer months
c. No green bin collection in the winter months and no charge in the summer months
d. First green bin supplied free and a charge of around £30 for each extra garden waste bin
e. The option to swap existing green bins for home composters free of charge
f. A combined food waste and garden waste collection all year round
g. Testing the market to see if a lower garden waste disposal cost can be achieved
h. Assessing the market to see if garden waste has any value as a commodity
i. Looking at the potential for all or part of the service to be undertaken by a social enterprise or community group

Methodology - Towthorpe

3. The methodology selected to consult on the Towthorpe options was an on-site survey of users during the 4-week consultation period to ensure that the results were based on the views of people who actually use the service and to maximise the level of response by interviewing users in person. To ensure that the sample was inclusive of a full range of views, the survey was carried out to cover all times of day, on all days of the week over 4 different weeks. A target sample size of 500 was set. This represents 10% of the average usage of the site in a 4-week period. A sample of this size gives a 95% confidence level that results will have a confidence interval of +/- 4.2%.
4. The analysis is based on survey data from 518 responses recorded on 14 days between 18 February and 13 March. Site usage data recorded by the service shows that the days the site is most used are Friday, Saturday, Sunday and Monday with a lower usage fairly evenly spread over Tuesday to Thursday. The data recorded during the survey period is out of line with normal usage – a larger sample was taken on Monday (plus 8%) and Wednesday (plus 12%) than would have been expected and a smaller sample taken on weekend days than expected (Saturday less 8% and Sunday less 12%).
5. Compared to average site usage patterns the sample also under-represents site usage between 8.30 and 9.30 (4% compared to 6%) and over-represents users between 10.30 and 11.30 (20% compared to 15%).

Methodology - Garden Waste

6. The methodology selected to consult on the Garden Waste options was an online survey seeking the views of all residents and a telephone survey targeting 500 users of the Garden Waste service.

Online survey

7. The online survey was set up using Consultation Finder with a link from the CYC website. We set a target sample of 500 drawn from the Talkabout Panel. The panel is comprised of 1,500 residents randomly selected from York's electoral register, who are broadly representative of the city's population in terms of age, gender, social group and geographical area.
8. The choice of an on-line survey could have reduced the level of representation of older people however this is offset by the over-representation of older age groups in the telephone survey.

9. To achieve the sample we emailed 500 members of the Panel inviting them to take part in the on-line survey. In addition the consultation was publicised by advertising in Local Link, media coverage in The Press (a feature on 17th January) and media releases before and after February Cabinet, a week long advert on Minster FM during prime time targeting the younger audience, a news story on the council website and an Intranet news story to publicise to staff. Residents were able to complete the survey online or request a printed copy of the survey to complete. A sample of this size gives a 95% confidence level that results will have a confidence interval of +/- 4.4%.
10. The analysis is based on survey data from 586 on-line responses and 17 postal responses received between 15 February and 14 March. Of these 4 were from non-council residents and have therefore been excluded.

Telephone survey

11. A targeted telephone survey using the same questions was conducted by Feedback Market Research (FMR) on behalf of the council. A telephone survey was selected to complement the online survey in order to reach those people who might be excluded by an online survey. A sample of 500 was drawn from a list of addresses receiving the Garden Waste Service to achieve as far as possible pre-agreed quotas that reflect the population profile for the city. Calls were made during the day and the evening to ensure that responses represented working and non-working residents and to attempt to fulfil the different age range quotas. FMR reported difficulty in achieving the quota for the younger age group (4% of the sample compared to the quota sample of 33%) and the BME quota for the ethnicity profile (3% of the sample compared to the quota sample of 11%). This could perhaps be explained in part by the concentration of older age groups in the types of properties in the city that have gardens and therefore receive the garden waste service. Data showing the population profile of houses with gardens is not available from the census.
12. The analysis is based on survey data from the full 500 responses to telephone surveys conducted between 18 February and 5 March.

Summary of Results

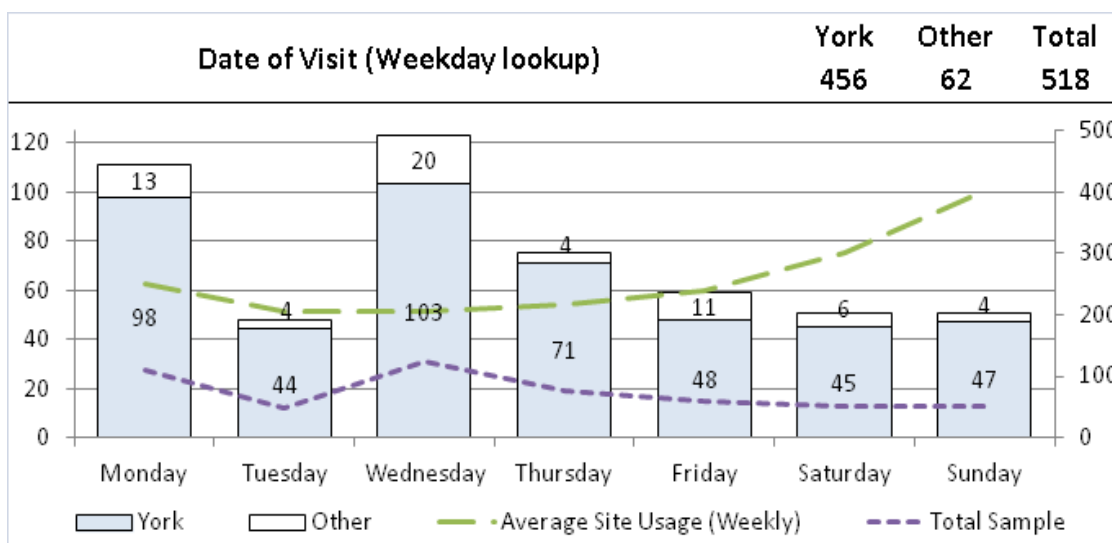
Towthorpe Results

13. 518 site users were surveyed. Of these 62 (12%) were not CYC residents. The remaining site users were from Strensall, Haxby, Huntington, Skelton, Rural West and Clifton. Most people use the site once a month (43.8%) and a significant number use the site weekly (23.5%).
14. The purpose of the survey was primarily to establish the views of CYC residents about the options for reducing opening hours. The results have therefore been analysed to show usage patterns by CYC and other users and to highlight only the views of CYC residents on the options.

Site Usage by day

15. Table 1 below illustrates the usage pattern by day captured in the survey and split by CYC and other users. It shows that the most popular day for other (non-CYC) users to use the site is Wednesday (when the Ryedale HWRC is closed) when they make up 16.3% of users. It also shows that based on average site usage Wednesday is one of the least used weekdays. Deducting other users from the average site usage shows that Wednesday is the weekday least used by CYC residents (176 compared to Tuesday the next lowest usage with 188).

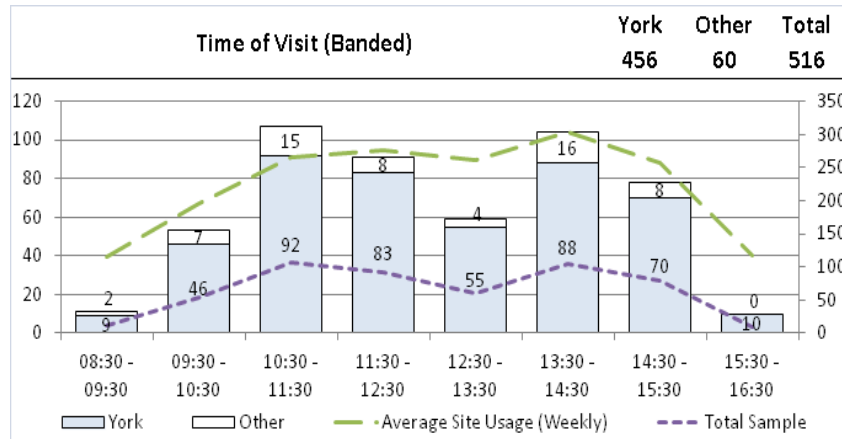
Table 1



Site usage by time

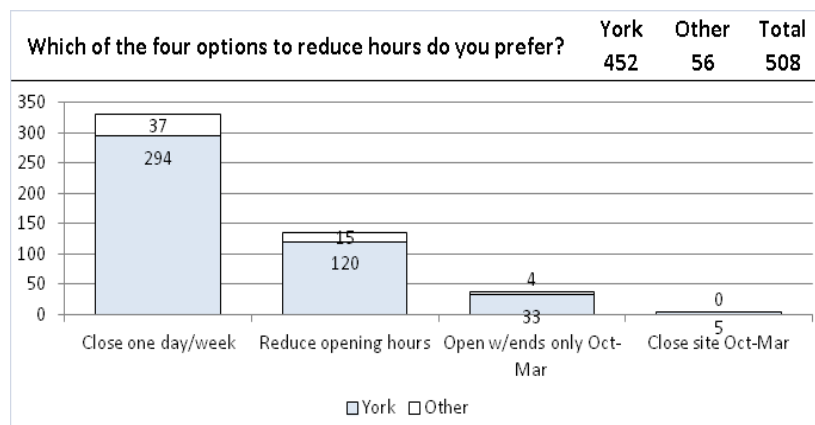
16. Table 2 below illustrates the usage pattern by time split by CYC and other users and shows that there is no significant difference in usage patterns by time of day. Looking at site usage patterns overall the site is most heavily used between 9.30 and 3.30 throughout the week with much lower usage recorded from 8.30 to 9.30 and 3.30 to 4.30 in the winter months.

Table 2



Preferred options for reducing hours

17. Of the four options for reducing the opening hours the most popular amongst CYC users was to close the site throughout the year on one weekday (65%) with reduced daily opening hours as the second preference (26.5%). See **Table 3** below.

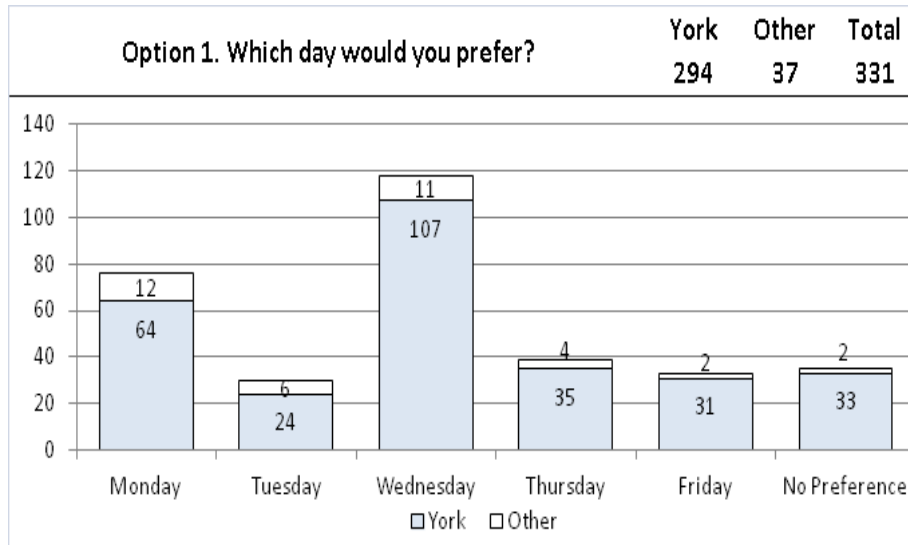


18. Overall, the preferred day for closure was Wednesday (36.4%). Analysing the result by day of visit (including Wednesday), the overwhelming preferred day for closure of York residents is Wednesday. See **Table 4** below.
19. The average overall usage patterns for the site on weekdays (using data for 19 weeks between 16th September 2012 and 24th February 2013) shows that

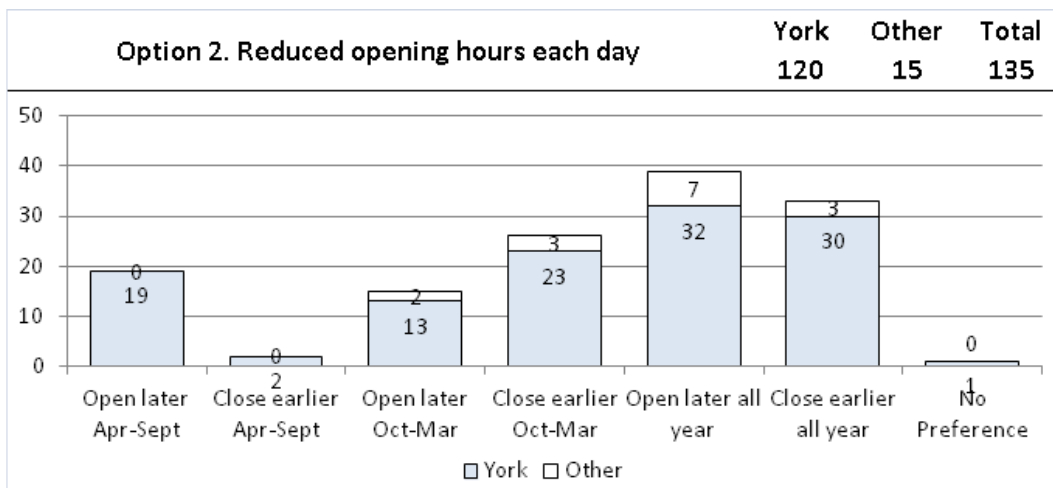
Tuesday (205/11.2%) and Wednesday (206/110.3%) are the days with lowest average usage. Taking into account the number of non-York users on these days the York resident usage is 188 on Tuesday and 173 on Wednesday.

- 20. This confirms the views of York users of the site that Wednesday is the best day for closure as it is the day least used by CYC residents.

Table 4



- 21. The option to reduce the daily opening hours also received a significant level of support (26.5%). For those choosing this option, the preferred change to hours is to open later all year (26.7%). Taken together with those who support opening later in summer (15.8%) or winter (10.8%), the option to open later would be supported by the majority of users who preferred this option (52.3%). The preference to open later would also supported by the site usage data which shows that only 6.5% of users visit the site between 8.30 and 9.30. See **Table 5** below.



Garden Waste Results

22. Some significant differences in results were observed between the online and telephone responses. For options a, b and c (proposing annual charges or a reduction in service) the negative responses in the online results are higher by between 5.2% and 10.7% with a consequent reduction in the combined supportive results.
23. This can be explained by the different methodologies: the phone survey is a more genuinely random research method equally likely to capture positive and negative views whereas the online survey is more likely to attract those who are motivated by strongly negative views about charging and service reduction. The difference in survey responses is highlighted in **Table 6** below.

Garden Waste Service Options	All	Phone	Online	Difference
'Fully Support / Consider Supporting' variation	%	%	%	%
a. Annual charge £30	14.0%	19.6%	9.2%	- 10.4
b. Winter charge £15	38.2%	43.8%	32.9%	- 10.9
c. No winter service	71.3%	74.4%	67.6%	- 6.8
d. £30 per extra green bin	64.6%	60.8%	66.6%	+ 5.8
e. Home composters FOC	35.9%	36.0%	35.2%	- 0.8
f. Combined food & garden waste	65.1%	62.4%	66.3%	+ 3.9
g. Reduce disposal costs	76.1%	80.0%	71.6%	- 8.4
h. Achieve commodity value	83.6%	82.0%	83.5%	+ 1.5
i. Social enterprise/community group	59.1%	60.6%	56.9%	- 3.7

For the purpose of the rest of the analysis the combined telephone and online results have been used.

Service usage

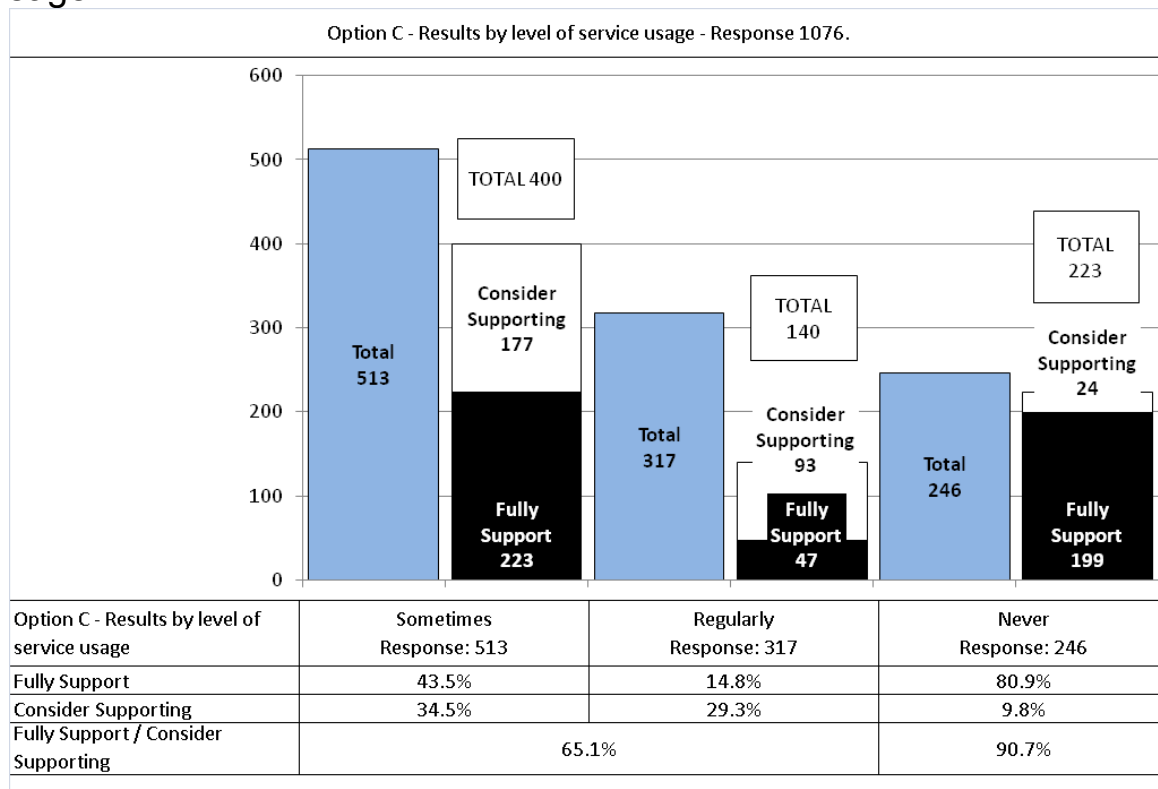
24. The vast majority of users of the garden waste service (87.6%) use only one bin. A minority of households (29.6%) regularly uses the winter service with a further 47.6% using it sometimes and 22.8% never using it.

Options for cost reduction

- a. There is strong opposition (85.5%) to the introduction of an **annual subscription charge**.

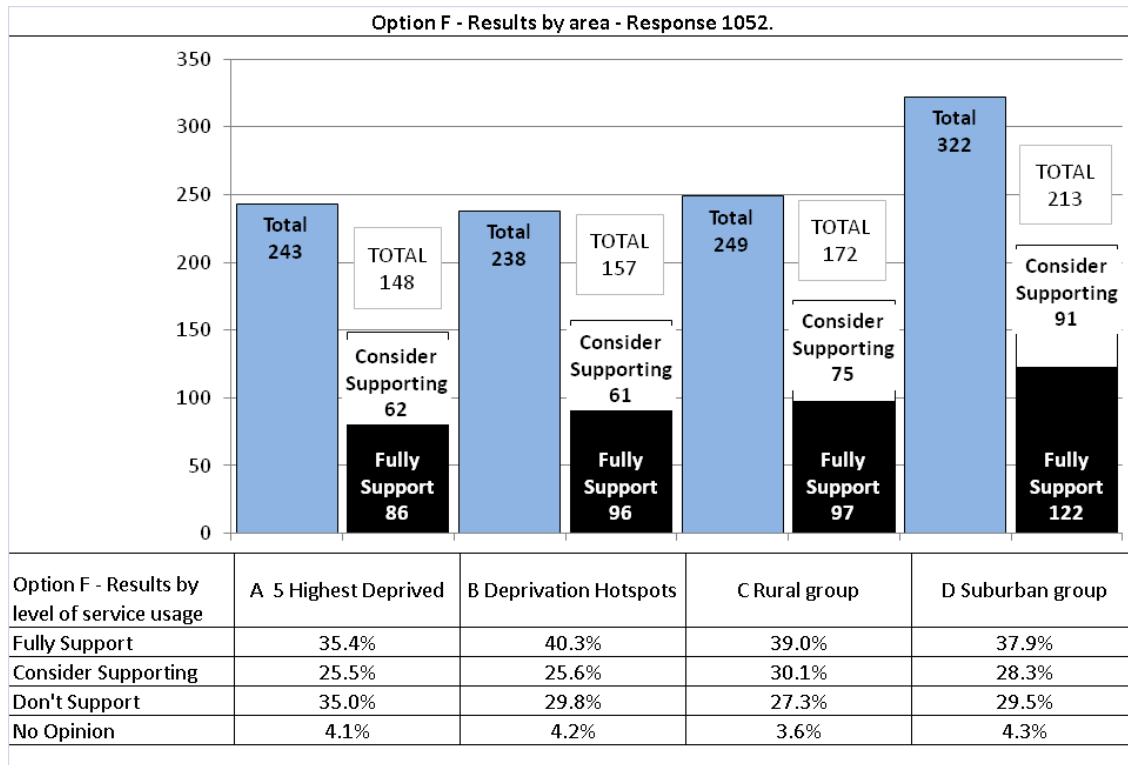
- b. There is more overall support for a **charge for a winter service** (38.1%). But of the people who regularly or sometimes use the service only 33.6% fully support or would consider supporting this option.
- c. **Withdrawing the service in the winter months** has an overall supportive response from 71.2% of people (43.8% fully support and 27.4% potentially support). Amongst people who use the winter service there is also a high level of full or potential support for this option (61.5%).

See **Table 7** below for further detail of the breakdown of support by service usage.



- d. The proposal to make a **charge for each additional green bin** applies directly to only 12.4% of people surveyed and has the overall support of 64.6% of residents – including 42% of people surveyed who regularly use more than one bin.
- e. The option to offer **free home composters** to replace green bins is less popular with overall support of only 35.9% possibly due to respondents assuming this would be a compulsory rather than optional change
- f. The idea of a **combined food and green waste service** is fully or potentially supported by 65.3% of residents. Analysed by area (using the ward groupings as for the Big York Survey) this option is most supported by people in the 'suburban group' wards (Dringhouses & Woodthorpe, Fishergate, Haxby & Wigginton, Heslington, Fulford, Heworth Without,

Osballdwick, Derwent) and least supported by wards with 'deprivation hotspots' (Acomb, Holgate, Huntington & New Earswick, Micklegate). See **Table 8** below.



The ward groupings used are:

A 5 Highest Deprived	Clifton, Guildhall, Heworth, Hull Road, Westfield
B Deprivation Hotspots	Acomb, Holgate, Huntington & New Earswick, Micklegate
C Rural group	Bishopthorpe, Wheldrake, Rural West, Skelton, Rawcliffe & Clifton Without, Strensall
D Suburban group	Dringhouses & Woodthorpe, Fishergate, Haxby & Wigginton, Heslington, Fulford, Heworth Without, Osballdwick, Derwent

g. and h. There is also broad support (76.3%) for reducing disposal costs (27.5% full and 17.7% potential) and seeking to achieve value from waste as a commodity (83.7% overall; 57.9% full and 10.8% potential).

i. There is perhaps less understanding (6.2% no opinion) and therefore a slightly lower level of support (59.1%) for the service being run by a social enterprise or community group.

Impacts of Options C and D

Option C – withdraw the winter service

25. People were asked to identify what impact it would have on them if the winter service was withdrawn. 62.7% of people who use the winter service felt that the removal of the service would have no impact on them or that they would compost at home instead or take their garden waste to a HWRC. A more detailed analysis of impacts is highlighted in **Table 9** below.

Option C - No green bin collection in the winter months and no charge in the summer months			
Impact analysis	Unique respondents (CYC residents only) who selected at least one of: - It would have no impact on me - I would compost at home instead - I would take garden waste to HWRC		
Base	Number	% of base	% of all respondents
All Respondents (A) (1083/100%)	756 (E)	69.8% (E/A)	
Regular / Sometimes users (B) (836/77.2% (B/A)	524 (F)	62.7% (F/B)	48.4% (F/A)
Regular users (C) (321/29.6% (C/A)	180 (G)	56.1% (G/C)	16.6% (G/A)
Sometimes users (D) (515/47.6% (D/A)	344 (H)	66.8% (H/D)	31.8% (H/A)

Option D – charge for extra bins

26. People were asked to identify what impact it would have on them if a charge was introduced for extra green bins. Overall 82% of residents and 59% of people who use more than 1 bin felt that a charge for extra bins would have no impact on them, that they would compost at home instead or take their garden waste to a HWRC. A more detailed analysis of impacts is highlighted in **Table 10** below.

Option D - First green bin supplied free and a one-off charge of around £30 for each extra garden waste bin			
Impact analysis	Unique respondents (CYC residents only) who selected at least one of: - It would have no impact on me - I would compost at home instead - I would take garden waste to HWRC		
Base	Number	% of base	% of all respondents
All Respondents (A) (1083/100%)	888 (H)	82.0% (H/A)	
Regularly uses 2 bins or more (B) (134/12.4% (B/A))	79(I)	59% (I/B)	7.3% (I/A)
Does not regularly fill a bin (C) (78/7.2% (C/A))	68 (J)	87.2% (J/C)	6.3% (J/A)
Regularly fills 1 Bin (D) (871/80.4% (D/A))	730 (K)	83.8% (K/D)	67.4% (K/A)
Regularly fills 2 Bins (E) (122/11.3% (E/A))	73 (L)	59.8% (L/E)	6.7% (L/A)
Regularly fills 3 Bins (F) 10/0.9% (F/A)	5 (M)	50.0% (M/F)	0.5% (M/A)
Regularly fills 4 or more (G) (2/0.2% (G/A))	1 (N)	50.0% (N/G)	0.1% (G/A)

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Predicted savings for removing winter garden waste service

Garden Waste Collection Service	2011/2012 Service	No Winter Service
% households subscribing	n/a	n/a
Number of households	61,740	61,740
kg per household average	221	
<u>Garden Waste Tonnages</u>		
Kerbside	13,620	11,250
Household Waste Recycling Centres	3,750	4,500
Total Tonnage	17,370	15,750
Landfill - Garden Waste	n/a	1,620
Household Waste Reuse, Recycling & Composting Rate	n/a	-1.8%
<u>Financial Analysis</u>		
<u>Expenditure</u>		
Staff & Vehicles Cost	601,880	433,130
Wheeled Bins	n/a	n/a
Administration - Invoicing	n/a	n/a
Communications	n/a	n/a
Processing - Kerbside	288,880	238,612
Processing - Household Waste Recycling Centres	79,540	98,960
Landfill	n/a	132,820
Total Expenditure	£970,300	£903,522
<u>Income</u>		
Subscriptions	n/a	n/a
Wheeled Bins	n/a	n/a
Total Income	£0	£0
<u>Net Cost</u>	£970,300	£903,522
Budget Variation		-£66,778

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Predicted Savings from a combined garden and food waste collection service.

1. The current costs for the disposal of garden and food waste, using 2012/13 figures are:

Garden waste (13,624T collected separately @ £21.99):	<u>£299,591</u>
Food waste (6,650T collected with household waste and land-filled @ £81.99):	<u>£545, 234</u>

Total 2012/13 cost: £844,825

2. If 60 per cent of food waste could be diverted from landfill by way of a combined garden and food waste collection, then 3,990 tonnes of waste would be diverted (6,650T x 60%). This would have the following effect on the costs of disposal, compared to the costs outlined above.

Garden and food waste mixed (17,614T @ £35.00) :	<u>£616,490</u>
(6,650T food waste x 60% = 3,990T	
+ 13,624T garden waste = 17,614T)	
(Reduced) Landfill (6,650T – 3,990T) = 2,660T x £81.99:	<u>£218,093</u>

Total potential cost: £834,583

(Current 2012/13 costs): £844,825 LESS £834,583 (potential costs):

= Total Potential saving: £10,242

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Cabinet

2 April 2013

Report of the Cabinet Members for Crime and Stronger Communities and Leisure, Culture and Tourism

Neighbourhood Working**Summary**

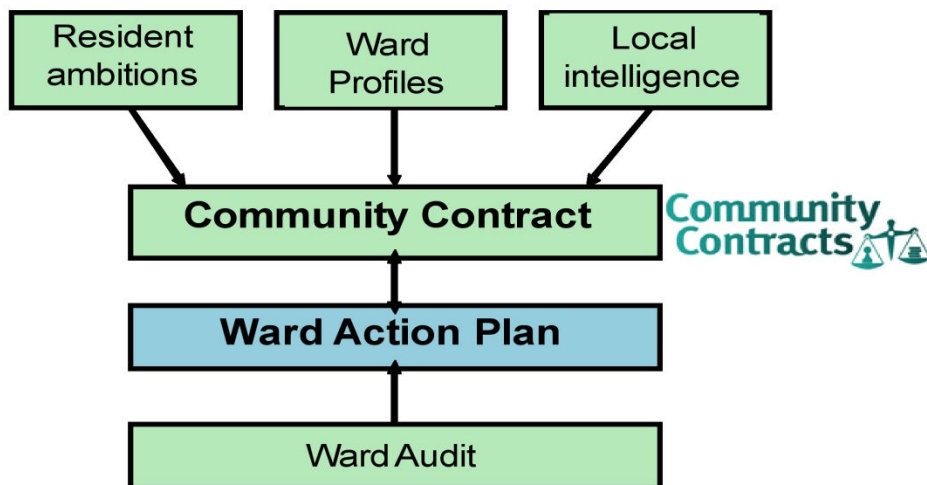
1. This report proposes a refresh of the Council's approach to Neighbourhood Working, to come into effect in June following the current round of annual meetings. The report draws on learning over the last twelve months to propose an update to the model including:
 - The establishment of Resident Forum meetings in place of Ward Committees
 - A refresh of the Community Contract
 - A revised mechanism for how ward funding is spent
 - A strategy to engage residents
 - Priorities for the new Communities and Equalities Team to support members in delivering the above

Background

2. Since the last report in January 2012, which set out the current model of Neighbourhood Working, we have:
 - Implemented a new staffing structure for the Neighbourhood Management Unit: This is now in place and delivering annual savings of around £275k.
 - Successfully procured Your Consortium to administer the Council's voluntary sector funding: In its first year the Community York Fund has funded 14 organisations (the majority funded for the first time) to deliver projects ranging from, informal education, engaging disadvantaged communities, to an initiative that empowers young people to inspire their communities to tackle local issues through creative arts and media campaigns.

- Implemented new arrangements for ward funding: Directing funding to ward priorities.
- Introduced Community Contracts: Focusing on the action plans and getting the right partners round the table at ward team meetings to tackle the ward priorities.
- Implemented informal ward committees: Providing Ward Councillors with support to engage with local residents on a range of issues linked predominantly to the ward priorities.
- Provided a range of leadership training opportunities for members including an LGA facilitated policy café and an offer of 1:1 sessions for the members in attendance to explore some of the challenges specific to wards.
- Launched the York Equality Scheme: York's vision for an equal, inclusive, and welcoming council and city, accompanied by, the development of plans with our communities of identity.
- Secured £1m worth of 'Big Local' funding for Tang Hall over the next ten years.

3. We now have a clear system with the following components:



Consultation

4. Feedback has come from residents and councillors through the formal and informal ward committee meetings, held throughout this civic year. Key points are:
- Some felt that it was not helpful to move the annual meeting on to a formal committee basis supported by Democratic Services
 - The style and format of the informal meetings has received mixed responses from councillors, with some preferring a more formal approach

- Some councillors, in parished areas, felt that the system is not well suited to effectively work with parishes
- Some councillors were unclear about how ward funding could be used in terms of the types of projects and organisations that were eligible
- Your Ward was not able to provide enough information in relation to the format and content of the meetings and meeting dates were not advertised enough in advance

Proposals

5. In response to the consultation the updated system will look like this:
- **Ward priorities** - Members will set their ward priorities based on feedback from residents and partners, local knowledge, statistical data and other ward information.
 - **Community Contract** - Members will create a bespoke contract that is representative of the ward in terms of its look and content. They will decide what it's called (but keeping the Community Contract logo). Short and sharp (with services standard moved into a separate document) it will contain relevant information about the ward including key challenges, priorities, case studies, volunteering opportunities, community groups, facilities and projects. Contracts will be made available online, in libraries, community centres and other key community facilities within each ward.

Following the first phase which covered Acomb, Clifton, Dringhouses and Woodthorpe, Guildhall, Heworth, Holgate, Hull Road and Westfield wards we will develop them for all wards.

We will develop a bespoke approach to community contracts for wards that incorporate parished areas reflecting the role of parish councils. We will support community groups to engage in the process e.g. resident associations.

- **Ward Action Plan** – Members and partners will work together to develop projects and initiatives that will address the ward priorities. These will be captured in the ward action plan and used at a Ward Team Meeting to track progress.
- **Ward Team Meeting** – Members, partners and officers will meet regularly (suggested every 6 weeks) to work on the ward action plan. Representatives at the meeting will be partners, officers and any organisations that can help address the ward priorities.

- **The Resident Forum** – Member will hold an annual meeting to feedback on the previous year’s achievements, explain the priorities for the year ahead, launch their community contract, outline their ward funding arrangements, and elect Ward Planning Panels where required.
- **Other Resident Meetings** - Members may chose to hold further residents meeting and events within their ward, in a style that is appropriate to audience and topic that enables resident involved.
- **Ward Funding** – Members may choose to spend their ward budget over the year either by:
 - i. inviting groups and organisations that can help to address the ward priorities to bid to the pot and using the Residents Forum to inform and consult residents on the process, or
 - ii. directly commissioning local groups to carry out projects that members have identified will address ward priorities through the Ward Team(Or a mixture of the two).

Existing rules will remain so that funding will be allocated only to organisations based in the ward and providing services in the ward. Eligible organisations will be from the voluntary sector, community initiatives, residents associations, community halls, sports and other clubs. Parish Councils and public agencies will not be eligible

6. The refined neighbourhood working model will provide members with a clear understanding of the process and the many ways in which they can engage and involve residents and ensure the active involvement of partners, including community groups, in influencing and help address ward priorities.
7. The updated model will be more effective in parished areas, enabling bespoke arrangements to be put in place that enable parish councils to have their voice heard more easily through working in collaboration with their ward members and in conjunction with the ward team.
8. The model will lead to an increase in the number of effective community groups operating within ward enabling support to be provided and funding to be sourced where new groups are addressing ward priorities.

9. Above all the updated model will improve accountability, with more residents getting involved in local democracy and more opportunities for them to hold members and other organisations to account. The outcomes for residents will be:

- Strong leadership from their elected member
- Residents getting involved in a wide range of engagement opportunities
- High numbers of residents who believe they can influence decisions in their area
- High levels of volunteering
- Increased pride in the local area
- More examples of resident action to solve local problems
- Residents taking on more of their own services e.g. through asset transfer
- Council services held to account locally and increasingly redesigned to meet local need

Why change the name to Resident Forum?

10. It is clear that keeping the 'Ward Committees' is holding members back from embracing the changes in neighbourhood working and from taking the lead in putting in place more flexible arrangements that suit them and their wards. It is essential that there is a decisive rebranding in order to:

- Remove the term 'ward committee' and all its connotations
- Put in place a more flexible approach where ward councillors, supported by officers from the Communities and Equalities Team, will plan, organise and promote a programme of engagement events.

What the Communities and Equalities Team will do

11. The Communities and Equalities team will support members to:

- Plan and run ward team meetings to tackle ward priorities
- Plan and support their annual Residents Forum
- Set programmes of events and advertise them using a variety of methods not just relying on Your Ward
- Develop a menu of meeting style ideas and a tool kit of engagement methods for councillors to consider that will enable them to engage with the residents within their ward

- Support Members in distributing ward funding

12. Practical steps to assist Councillors will include:

- Your Ward/Your Voice: There will be 3 editions of this publication per year, with a clear timetable as to when they will be produced and distributed. Your Ward will be a generically produced publication that will contain information about up and coming Resident Forum meetings, any community engagement events, plus stories that relate to projects and initiatives that are taking places within wards that relate to addressing ward priorities. One of the three editions of Your Voice would promote the new way of working.
- Review the use of the Customer Contact Centre for members with a view to create a direct access route for members.
- Provide members with a monthly contact centre report that is ward specific to keep members informed with progress and spot trends that may help to shape ward priorities.
- Further develop the ward section of the Council website to include the new streamlined community contract, a timetable of when formal annual Resident Forum meetings will take place, plus any additional community engagement meetings that councillors wish to promote and updates on projects and initiatives from within the ward. Pages will also highlight information about how residents can get involved from, volunteering opportunities, to online consultation surveys.
- Explore Community Information Hubs to be introduced in libraries: designated spaces for resident to go to find out about what's happening in their ward, ways they can get involved, and how they can take part in community consultation.
- Use of Facebook and Twitter to promote the Residents Forum, events and activities, as well as community notice boards to display posters and leaflets.
- Develop ward email lists, with a subscribe by email option for ward pages, in order to advertise ward events. Systems will be put in place to collect and manage email addresses.

Ward Credits:

13. For 2012/2013 a "credits pot" of £19k was created, designed to be used to commission new services, either from within the Council or from other partners / sectors, to deliver on priorities identified in wards with the highest levels of deprivation.

In line with the Financial Inclusion Strategy the credits pot has been distributed to Acomb, Clifton, Heworth, Hull Road and Westfield to supplement the ward budgets.

Options

14. The principal options available to Members are to:
 - Adopt the new model as proposed
 - Retain the status quo
 - Adopt an amended version of the model

Analysis

15. The new model proposed is recommended as it provides better opportunities for ward members to work with residents to establish local priorities and for residents to come together to develop and deliver their own innovative solutions. The streamlined Community Contracts will assist service providers to work together to deliver efficient services shaped by residents.

Next Steps

16. To facilitate the above it is proposed to recommend to Council amendment of the Council's constitution to remove Ward Committees as follows:
 - (a) Remove general references to Ward Committees
 - (b) Replace existing Article 11 with a new article on the governing principles for Resident Forums
 - (c) Remove paragraph 9 of Part 3 (Responsibilities of Committees) from the Constitution
 - (d) Add an appropriate function to the responsibilities of the Director of Communities and Neighbourhoods:

“to agree the allocation and distribution of ward funding, in consultation with Members of each Resident Forum”
17. Proposed terms of reference for Resident Forum meetings are attached. As with other similar bodies there is no requirement for these to be enshrined within the Constitution. This will provide a framework for the Partnership to operate whilst allowing the flexibility for it to work and respond appropriately.

The Communities and Equalities Team

18. The Communities and Equalities Team brings together the Neighbourhood Management Unit, Equality and Diversity Unit and

Play Team. In addition to supporting Ward Councillors to deliver the neighbourhood working approach, the team also:

- Supports community groups including Parish Councils, Residents Associations, Community Centre Management Committees and local voluntary and community groups.
- Manages and distributes funding via contracts and grants e.g. Health Watch, Your Consortium, Citizens Advice, Play Grants
- Provide a range of specialist training, workshops and events
- Supports and develops projects that address local priorities covering topics such as volunteering, equalities, democracy and social inclusion.

Council Plan

19. The Neighbourhood Working model is key to delivering the Stronger Communities priority within the Council Plan and its key priorities:

- Community Engagement – more residents will understand and be engaged in planning, budgeting, priority setting and problem solving in their communities
- Stronger voluntary sector – there will be a strong volunteering infrastructure with increased levels of volunteering in the city and opportunities for not for profit organisations to deliver services
- Safer inclusive communities – we will achieve safe, resilient and cohesive communities where no person or community feels left behind or disadvantaged
- Improved community infrastructure – we will establish an appropriate infrastructure including housing, leisure, schools and businesses supporting opportunities for capacity building, work and enterprise
- Healthy sustainable communities – we will create healthy and sustainable living options in communities
- Communities where young people flourish – we will consult with young people to build communities that reflect their needs

Implications

20. **Finance:** The base budget for Ward Committees for 2013/14 is now £75k. The Ward Credits Pot contains £19k. There are no budgetary implications arising from these proposals.

21. **Equalities:** We have completed a CIA of Ward Committees and developed an action plan to make them accessible to all. The CIA is

now being further developed to include the Community Contract process.

22. **Human Resources:** To deliver the new arrangements the staffing structure of the Communities and Equalities Team will be revised slightly to ensure that there is a fully generic neighbourhood manager role and to shift the balance of roles in favour of more engagement staff. This revision will be carried out by the Director of CANs under delegated powers in line with the Council's Management of Change procedures.
23. There are no additional Crime and Disorder, IT, Planning, Property or other implications.

Risk Management

24. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to the inability to meet business objectives and failure to meet stakeholders' expectations. Measured in terms of impact and likelihood, the risk score all risks has been assessed at less than 16. This means the risks need only to be monitored.

Recommendations

25. Cabinet is recommended to agree to:
 - The establishment of Resident Forums in place of Ward Committees through a recommendation to Council to alter the constitution as described in paragraph 12 of the report and including a revised mechanism to agree the allocation of ward funding as described in paragraph 15
 - A refresh of the Community Contract as described in paragraph 20
 - The distribution of ward credits as set out in paragraph 18
 - The strategy to actively engage residents as described in paragraphs 11 and 12

Reason: To actively engage York's residents in their wards.

Contact Details

Author:	Cabinet Members and Chief Officer responsible:		
Mary Bailey, Head of Communities and Equalities Charlie Croft, Assistant Director (Communities and Culture)	Cabinet Members for Crime and Stronger Communities and Leisure, Culture and Tourism Sally Burns Director of Communities and Neighbourhoods		
	Report Approved	✓	Date 20 March 2013
Specialist Implications Officers: Sarah Kirby Principal Accountant			
Wards Affected:			All ✓
For further information please contact the author of the report			

Annex: Terms of Reference for Resident Forum Meetings.

Terms of Reference for Resident Forum Meetings

There are 18 Resident Forums in the City of York, 15 comprising a single ward, 2 consisting of 2 wards, and 1 consisting of 3 wards. These Resident Forums provide local citizens with an opportunity to influence local service delivery and to have a say more widely in helping to identify priorities within their ward to inform the focus of the Community Contract which will address these priorities. The Resident Forums will consider local matters and may advise ward members on spending the devolved Resident Forum budget on initiatives that help address priorities within the Community Contract.

The Resident Forum is one element of an approach which enables ward members to actively engage with residents.

At the Resident Forum ward members and residents will:

- (a) Launch an annual Community Contract that includes refreshed ward priorities agreed by members after taking account of resident ambitions, ward statistics and local intelligence.
- (b) Reflect upon the previous year's ward action plan (drawn up by officers to address the ward priorities) and the extent to which it has delivered on the priorities.
- (c) Consider monitoring information in order to hold service providers to account with regard to their performance within the ward against the ward priorities.
- (d) Identify specific improvements which the Council or partners could introduce within available resources and make recommendations.
- (e) Consider opportunities for residents to inform and influence the work that will take place to address ward priorities and for communities to deliver services where practicable and appropriate that contribute to those priorities.
- (f) Bring to the attention of the Council the views of local people on any matter of local concern and identify practical arrangements which might improve communications between the Council and the people it serves.

- (g) For non-parished areas, decide whether to institute / continue with a Ward Planning Panel (for the ward or wards covered by the Resident Forum) consisting of community representatives and, if so, elect the panel membership for the forthcoming year. The Ward Planning Panel will comment on planning applications in the ward(s) and report-back on any existing panel's work in the preceding year (working in accordance with the separate protocol for Ward Planning Panels).
- (h) Consult upon the allocation of resources contained within the Resident Forum budget over the forthcoming year, provided that:
- resources will only be used to award grants to community groups in the ward to support their contribution to the priorities set out in the Community Contract;
 - resources will not be used to fund services that require an “authorised officer” of the Council to exercise statutory functions.

Following this consultation Ward Members may decide to allocate the budget either by:

- inviting groups and organisations that can help to address the ward priorities to bid to the pot, or
- directly commissioning local groups to carry out projects that members have identified will address ward priorities

or a combination of the two methods.

How the Resident Forum will be conducted

- The Resident Forum will be called by the ward councillors and will meet once per year.
- The Ward Councillors will elect a chair for the meeting.
- The agenda will be set by the Ward Councillors.

Minutes

- Copies of the draft minutes of the meeting will be circulated to Ward Members within 10 days of the meeting for the approval of the chair of the meeting and then placed on the Council web site.

Voting

- Voting at a meeting will be by a show of hands.
- In the event of any vote being equally divided the Chair will have a second or casting vote.

Access

- Resident Forum will be subject to current access to information provisions. In addition the following will apply:-
 - (a) The Chair of the Resident Forum will introduce all agenda items then allow public debate.
 - (b) The Chair of the Resident Forum will sum up at the end of the debate and together with other Members take a decision.
 - (c) Meetings of the Resident Forum will be open to all residents of the ward to attend.
 - (d) The agenda will normally be publicised no less than ten working days before a meeting is held.
 - (e) A public notice board will be established for the ward on which all public information will be displayed. (The Press and social media will be recognised as a public notice board.)
 - (f) Council officers will be able to attend and speak at meetings where the subject area is relevant to the ward or where a citywide issue might impact on residents in a ward.
 - (g) Members may invite representatives of other agencies to attend and advise at meetings where relevant items are to be discussed.
 - (h) The Council will communicate the findings on any issue raised with them by a resident to that person within ten clear days - unless the inquiry raises issues of law or practice, requiring a provisional response to be sent or where an issue requires further action and /or investigation the Council will communicate that this is the case providing a deadline for completion.

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Cabinet**2nd April 2013**

Report of the Cabinet Member for Crime and Stronger Communities

Horses – Enforcement Policy**Summary**

1. This report sets out the proposed policy and route for enforcing the removal of horses from Council land where they are illegally grazing and set out how the Council can support private land owners where horses are illegally grazing on private land.

Background

2. In December 2012 Cabinet considered the issue of the increasing number of complaints and incidents relating to horses tethered on council land, in particular highways and grass verges and approved a number of proposed interventions:
 - That the Council develop a joint protocol with the Police, RSPCA and landowners & travellers setting out responsibilities of all parties and detailing a course of action to be taken in the following circumstances:
 - Where a horse is tethered on a highway verge;
 - Where a horse is grazing illegally on CYC land;
 - Where a horse is grazing illegally on private land;
 - Where a horse is found loose on a public highway.
 - The Council consider its land assets to identify areas of land that it feels would be suitable for letting as grazing land.
 - The Council works with private land owners and the NFU the potential for land owners to provide land for grazing.

- The Council's Animal Health Service work with the RSPCA and horse welfare charities to develop micro chipping and re-homing service.
 - The Council review its licence and tenancy agreements and insert a clause that prevents the tethering of horses on council land unless there is an agreement in place as part of the provision of land for grazing.
 - The Council enter into a procurement process to appoint a contractor to manage the seizure and where necessary the sale of any horses.
3. Following Cabinet's approval a multi agency group was established to develop a joint protocol for addressing the issues set out above. Members of this group included CYC staff, RSPCA, British Horse Society, North Yorkshire Police, Traveller Support workers, private vet practice and the National Farmers Union. The Travellers trust were invited to join the group to directly represent travellers but did not attend any of the meetings.
4. The main focus of the work has been the multi-agency work which has been to develop the joint protocol and process for addressing the problem of illegally tethered / fly grazing horses. That is not to say that work has not been ongoing to support Travellers to reduce the number of horses that they have.

The Joint Protocol

5. The joint protocol attached at Annex 1 has been developed by a multi agency group to ensure all agencies are signed up to the process. The main focus of the protocol is the removal of illegally grazing horses from a public highway, council land or privately owned land.
6. To ensure that the protocol works it will be important to ensure that a contractor (Horse Bailiff) is engaged to support the removal of horses. The contract can take a number of different forms, from an all encompassing one where the contractor will carry out a regular check to ensure horses are not been illegally grazed, posting notices and subsequently arranging the removal of the horses. It is proposed to procure a contract in such a way that allows the council to consider all the elements set out above as required.

7. It is acknowledged that the issue of illegally grazing of horses is not something that just affects the Council; it has a significant effect on private land owners. When considering the removal of horses and the requirements to ensure that the process is carried out in accordance with legislation, it is acknowledged that this can be difficult for private land owners. It is therefore proposed to procure the contract with a Horse Bailiff in such a way that it allows private land owners, to use the basis of the council contract to engage the Horse Bailiff direct if they so wish.

Provision of Land

8. The Council has recently bid and been successful in securing funding from the Homes & Communities Agency to extend the current Osbaldwick Travellers site (subject to planning permission). A key part of these proposals is also to secure land adjacent to the site for the provision of grazing land for the travellers living on that site.
9. The Council is currently considering its other land holdings to identify if there is any land appropriate for use as grazing land.

Consultation

10. The development of the protocol has been multi agency consisting of CYC officers, NY Police, RSPCA, British Horse Society, Traveller Support Workers, Independent Vet's and the NFU. The Travellers Trust were asked to attend to represent Travellers in the development of the protocols but did not attend.
11. The protocol itself has been shared with the Travellers community.

Options

12. Option 1 – To agree the joint protocol as set out at Annex 1.
13. Option 2 - To not agree the protocol and retain the status quo.

Analysis

14. The majority of the analysis is set out within the body of the report, however:
 - Option 1 would enable the council to ensure that an appropriate course of action is taken to ensure the safety and welfare of tethered animals as well as ensuring that a balanced approach to the problem is taken thereby reducing the financial and

reputational risk to the authority. In developing the joint protocol it will be important that there is full consultation with all stakeholders so that full buy in to the proposals and everyone understands the roles and responsibilities of their organisation.

- Option 2 would mean that the council would continue to take a reactive approach to the issue.

Council Plan

15. The proposals set out in the report support the Council Plan, in particular the themes, Build Strong Communities, Protect the Environment & Protect Vulnerable People.

Implications

16. The implications arising from this report are:
17. **Financial** – Procurement costs will be contained within the budget set as part of the 2013/14 budget process.
18. **Equalities** – The proposals will disproportionately impact upon the Gypsy & Traveller community, as part of the development of the joint protocol a full Equalities / Community of Interest impact assessment has been carried out.
19. **Legal** - The legal implications were set out within the 4th December report.
20. **Crime & Disorder** – Adoption of the proposed recommendations will have a positive impact on crime & disorder and ensure that a clear protocol is in place which clearly sets out the responsibilities of all stakeholders,
21. **HR** – The draft protocol sets out new duties which are currently not explicit in anyone's duties. As part of the ongoing review of Animal Health and Street Enforcement Services these duties will be embedded into the new roles.
22. **Information Technology** – There are no IT implications arising from this report.
23. **Property** – If the council decides to make land available for grazing, this will impact on the council asset portfolio.
24. **Other** - Adoption of the proposals will ensure that the council has a robust approach to the welfare of tethered horses.

Risk Management

25. The key risks associated with this report are financial and reputational. Adoption of the proposals will place a financial implication on the council and discussions with other local authorities who have gone down this line have shown that in the majority of cases the costs associated with seizure of horses is not recovered. However adoption of the proposals will have a positive reputational impact on the council, as we will be responding to clear concerns set out by the public, whilst ensuring a balanced approach to enforcement.

Recommendations

26. The Council is recommended to:

- Agree the protocol set out at Annex 1.

Reason: To ensure that the Council has a robust, yet balanced approach to dealing with tethered horses.

Contact Details

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	Report Approved	✓	Date 8 March 2013
Specialist Implications Officer(s) None			
Wards Affected: List wards or tick box to indicate all		All	✓

For further information please contact the author of the report
Annexes

Annex 1- Protocol for Management of Horses in York

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Protocol for Management of Horses in York

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Introduction

Horses have been tethered on land in York for many years. However, in recent months there has been an increase in the number of complaints and incidents relating to horses tethered and trespassing on council and private land, straying onto highways and footpaths, causing a danger to the public, nuisance and horse welfare.

The aim of this protocol is to document how the Council and its partners can help to manage horse related problems. The protocol explains the various roles and responsibilities of the agencies involved and the processes that should be followed.

Issues and Concerns

Horse-related problems can be divided into the following categories:

- Loose or stray horses which pose a risk to danger to the public or highway users.
- Unlawful grazing on public or private land (fly-grazing).
- Welfare concerns.
- Nuisance or damage caused by horses on private land.

These concerns may arise individually, but often they are in combination and require a multi-agency approach to deal with them effectively. This protocol seeks to provide a framework for effective communication and partnership working to ensure a joined-up approach to both preventing problems arising in the first instance and being able to respond to reported incidents as and when they arise.

Stakeholders and Partners

The key stakeholders and partners that have a role to play in effective horse management include: horse owners, land owners and CYC staff, enforcement agencies, councillors and the public. Experience has shown that a significant majority of the horses which are found to be unlawfully kept on public or private land, or found to be straying or loose on a highway are owned by Travellers, who have a strong tradition of horse ownership and trading. Effective engagement with representatives of the Travelling community will be required to deal with horse-related problems in York.

Land owners need to be clear about the land which they make available for grazing horses and conditions and controls that are applied to manage the horses which they permit to be on their land. Land owners also need to be clear about the measures that are available to deal with unlawful use of their land and how they effectively apply those controls into action.

There are a number of potential enforcement agencies that can become involved in tackling horse related problems, including the Police, City of York Council (Animal Health, Gypsy and Traveller Liaison) and the RSPCA. This protocol aims to provide clarity around the respective roles and responsibilities of these agencies and aid effective communication between them

When the public have horse related issues it is important that they clearly understand how and who to report problems to, and, after they have reported something, they are informed of what steps have / are to be undertaken and the appropriate timescales involved.

The Law

There are a number of controls available to deal with horse related problems – some in the capacity of an enforcing authority and others as a landowner.

The two most applicable legal powers available for dealing with loose or straying horses are:

The Animals Act 1971 (Section 7)

This Act allows the owner or occupier of land to detain horses (livestock) which stray onto their land and to claim expenses for damage done by the livestock to the land and the costs of keeping the livestock until such time as the horses are restored to the owner, or sold at a market or auction (after detaining the horses for no less than 14 days). The land occupier becomes responsible for the reasonable care of the horses while being detained. Although horses may have been put on land deliberately rather than “straying” onto it, this is the principle tool used for removing horse which are on public or private land without permission.

The Highways Act 1980 (Section 155)

This Act makes it an offence for horses to stray or lay on, or at the side of a highway. This does not apply to highways which cross common land, waste or unenclosed ground. The Police have powers to remove horses straying on the highway and either to return them to the horse owner or to remove them to a pound. A person found guilty of an offence can be liable for paying the expenses incurred in removing and pounding the horses. This is the principal tool used to remove horses straying on a highway.

There are a number other legal powers which might also be appropriate for dealing with horse related issues:

The Animal Welfare Act 2006

This Act creates an offence if a person with responsibility for an animal causes it suffering or fails to ensure its welfare. Allowing a horse to stray and potentially suffering harm and failing to secure adequate welfare, is likely to an

offence under the Act. The power is one of prosecution and potential additional powers to deprive or disqualify a convicted person from keeping animals. These powers are therefore useful as a deterrent and for potential longer term solutions for persistent offenders, but they do not offer relief to urgent situations. Although the local authority has powers to enforce the Animal Welfare Act, it is common practice for this to be carried out by the RSPCA.

One common query in relation to horse welfare is the practice of tethering horses. This prevents a horse from straying and potentially causing harm to itself or others, but the tether restricts the freedom of the horse and poorly designed or fitted tethers may lead to injury or harm. DEFRA recommends that tethers are not used as a long-term method of managing an animal, but may be useful as a short-term means of control. If horses are tethered, regular checks should be made on the horse and their tethering position should also be moved regularly.

The Town & Police Clauses Act 1847 (Sections 21 – 29)

A similar power to that contained in the Highways Act, which provides powers to the Police to seize and impound horses that are “found at large in any street” and provides the power to recover reasonable expenses incurred in keeping the horses. The Act also creates a range of specific offences, including a number relating to horses and horse-drawn carriages in streets which cause obstruction, annoyance, or danger to residents or passengers. A person found guilty of an offence may be fined or imprisoned for up to fourteen days.

The Environmental Protection Act 1990 – Part III

The provisions in this Act provide powers to a local authority to investigate and deal with statutory nuisance, which includes “any animal kept in such a place or manner as to be prejudicial to health or a nuisance”. The powers are primarily used by environmental health practitioners and allow the service of a legal notice (an abatement notice) on the person(s) responsible for the nuisance requiring it to be abated. Failure to comply with the notice can result in prosecution with a fine of up to £5000. This provision might be best used if horses, by virtue of the way they are being kept, cause nuisance to local residents, however, proving a nuisance may be difficult.

Horse Passport Regulations 2009

These regulations require horses to have an identification document (passport) and micro-chip which are issued by and registered with an authorised Passport Issuing Organisation. The only exception to this is if the horse already had a passport prior to the regulations coming into force in 2009. Foals must be passported and micro-chipped by the 31 December in the year of birth or within six months of being born, whichever is the later. The passport system aims to prevent horse meat, which may have been treated with veterinary medicine, from entering the human food chain, and helps prevent the sale of stolen horses. Local Authority inspectors have powers to require passport

information and can prosecute people who do not comply. Although, in theory, this should be a useful tool for identifying horses that have strayed, or left in fields it is often the case that these horses are not micro-chipped and so identifying the owner is extremely difficult. One consequence of the legislation is that if a horse is seized and pounded it cannot be subsequently sold unless it has a passport and is micro-chipped, which places an additional cost onto the Council.

Licensing the Use of Land

The Council owns or manages areas of open land across York, which could be licensed out to individuals allowing them to use the land, for example to graze horses. The Council would have discretion whether or not to issue a licence, whether to set appropriate charges and to apply any conditions on the use of the land. Licenses would usually last for a set period. The relevant Council Department would have responsibility for issuing and managing compliance with the licenses granted for using their land.

Before any licence is issued, checks should be made to ensure the applicant is not disqualified from keeping animals, or has any convictions for animal cruelty or welfare offences. As a minimum requirement, the following conditions should be applied to any licence:

- All horses must have a passport and be micro-chipped.
- The requirements of DEFRA's Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids must be followed.
- Horses should be kept so as not to cause a nuisance or danger to others.
- The lessee should have adequate public liability insurance and indemnify the Council against any loss or damage resulting for keeping the horse on the land.
- Any waste arising from the keeping of horses must be properly disposed of.
- Any damage to the land, including fencing etc, must be repaired at the lessee's cost.
- The horse owner, or their representative, must provide contact details in case of an emergency (full-time 24 hour contact, including cover when on holiday etc.).

If the land is also to be used as the main source of food (pasture) for the horses then the council should also consider the number of horses that the area of land can sustain. This will depend on the type of horse and the quality of the grazing area, but generally this should be a minimum of one acre per animal (*Equine Industry Welfare Guidelines Compendium for Horses, Ponies and Donkeys*, 3rd Edition, 2009; *British Horse Society Guide to Grassland Management for Horse and Pony Owners*, 2000).

Tenancy Conditions

CYC Housing Services at the next review of their tenancy agreement (which happens at a minimum annually as a result of the rent increase) should include a new clause in their Secure & Introductory Tenancy Agreement that states:

You or anyone living with you must not:

i) Tether horses, ponies, donkeys or any other livestock on any open plan areas or other land owned by the Council.

Roles & Responsibilities

There are a number of different agencies and Council departments that can become involved in responding to and dealing with horse related issues, it is therefore important to identify clear roles and responsibilities and lines of communication. The sections which follow identify who is responsible for what and the reporting mechanisms which are involved. However the roles and responsibilities of each of the key agencies and Council departments involved are summarised below:

Role	Responsibility
Animal Health / Street Environment	To be the single point of contact and the co-ordinating body for the public, councillors and others to report horse related problems. To direct those problems to the most appropriate agency / department and to record all enquiries and incidents. To liaise with internal land owning departments, private land owners, the RSPCA, the police and other internal and external agencies to make sure all aspects of reported incidents are followed up. To also provide the enforcement role in relation to animal health.
Police	To respond to reports of horses causing a danger to highway users at all times and at other locations when Animal Health is not available. To effect the removal of loose horses to a place of safety and support the council in serving any appropriate notices where applicable and engaging the Horse Bailiff as and when required. To provide support to other agencies if there is a perceived risk to safety or possible public disorder. To report actions taken to Animal Health.
Horse Bailiff (contractor)	To respond to requests from the agreed contact agency for assistance to remove horses from the highway or other CYC land. The serving of notices and removal of horses from private land subject to separate agreement with the land owner with regards to the costs. To remove the horses to a safe place and keep

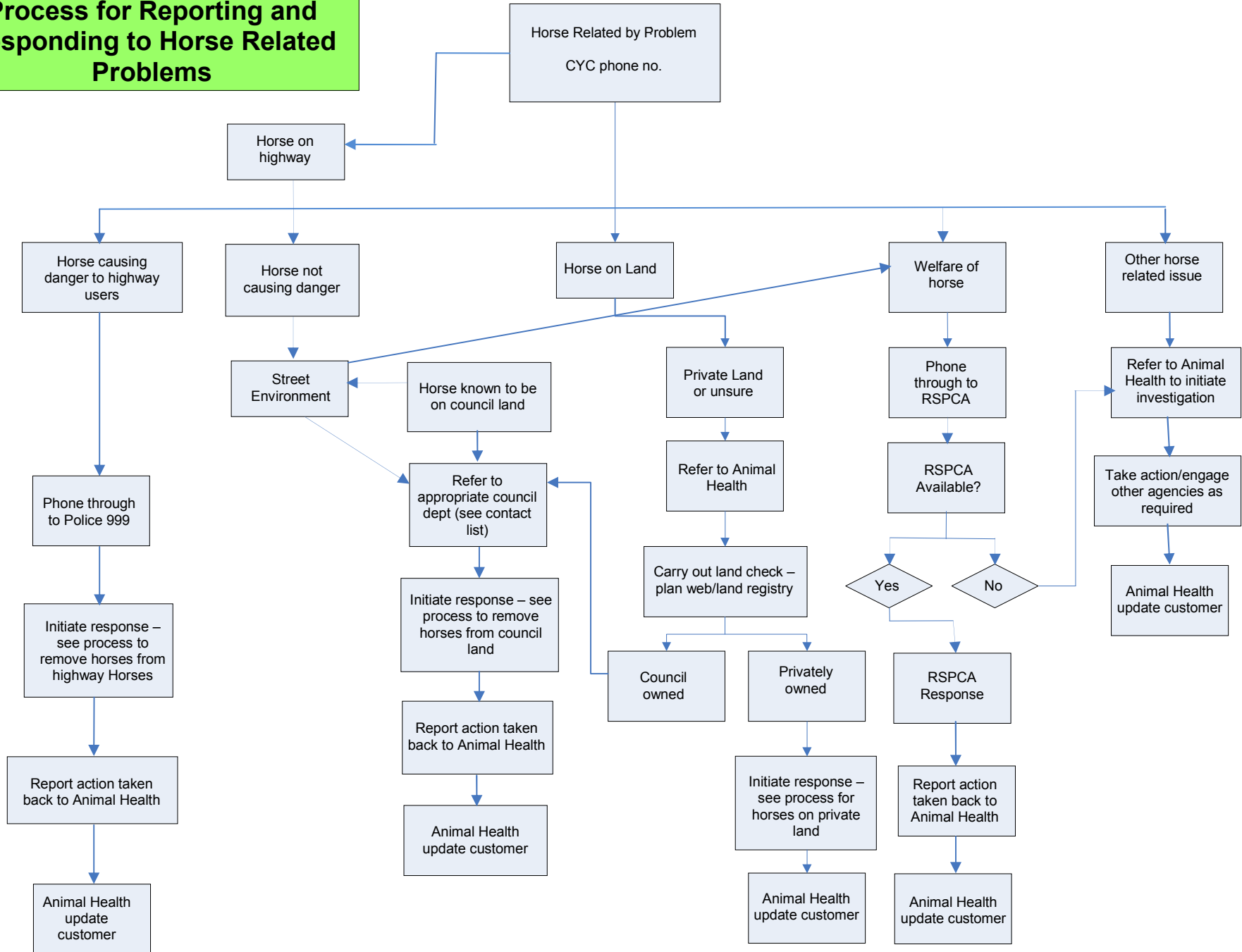
	them there, looking after their health and welfare, until advised that the horse can be sold at auction / market. To keep Animal Health and other agencies informed of action taken.
Land owning / managing Council Departments	To effectively manage their land and the permissions given to graze horses. To put arrangements in place to monitor land for illegal use / trespass and to respond to reports of trespass. To take the necessary action to secure removal of horses to a place of safety, serving any appropriate notices where applicable and engaging the Horse Bailiff as and when required. To liaise with Animal Health to arrange for the disposal of dead animals (inc horses) from their land.
RSPCA	To investigate any reports or concerns regarding horse welfare or cruelty and to report back to Animal Health. The RSPCA may also use the refer issues to the World Horse Organisation to investigate.

Process for Reporting and Responding to Horse Related Problems

Refer to the attached flow-chart. The main points of this process are:

- All horse-related issues should be referred to the Council on 01904 55XXXX
- Problems with horses on the highway causing an immediate risk to motorists should be referred to the Police by telephoning 999
- Horses on Private Land should be reported to Animal Health, however it is the private land owners responsibility to deal with this.
- Horse welfare issues should initially be reported to the RSPCA
- All agencies should report their findings / action back to Animal Health for any follow-up action and, if necessary, to feedback to the customer.

Process for Reporting and Responding to Horse Related Problems

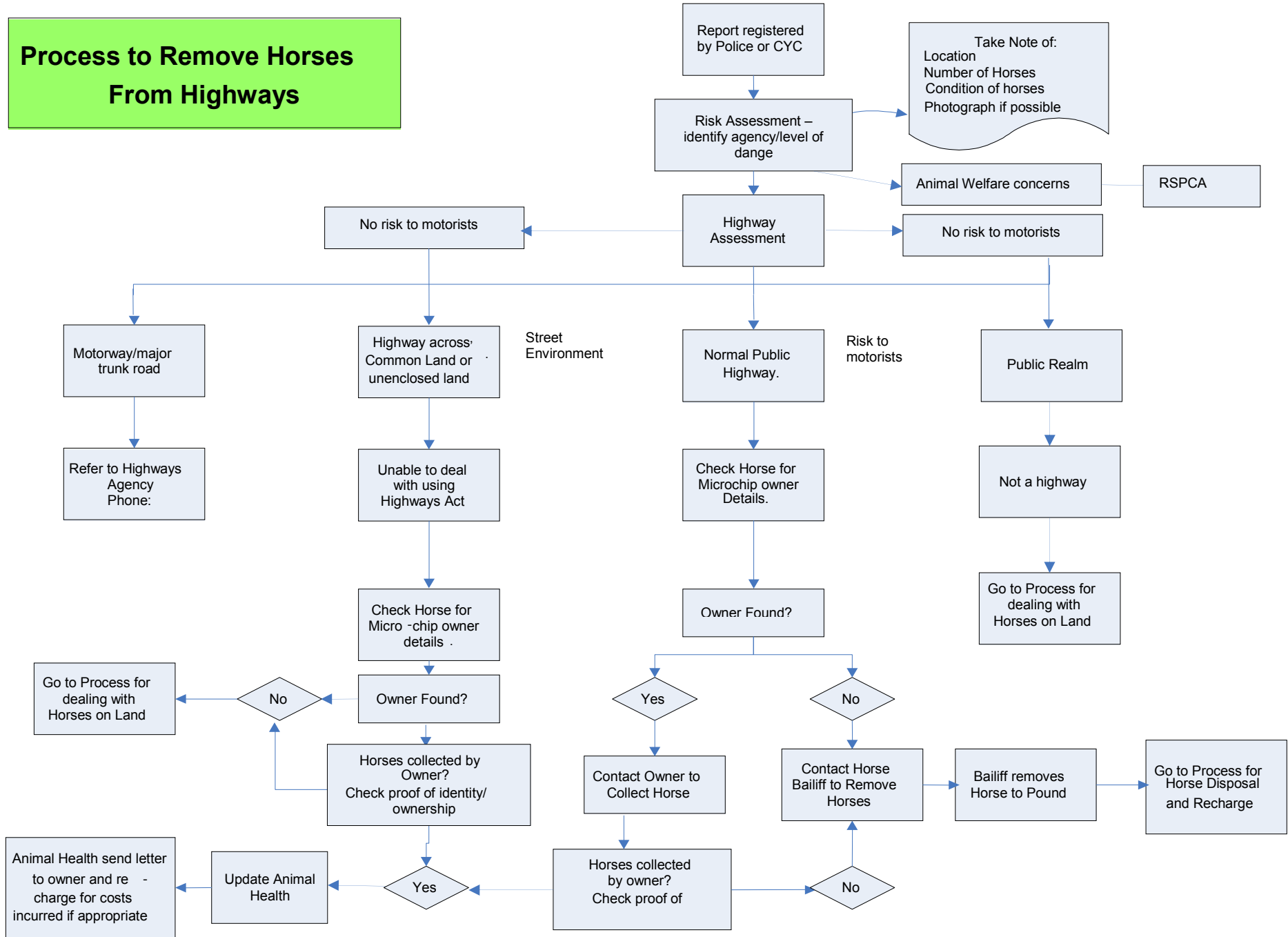


Process for Dealing with Horses on Highways

Refer to the attached flow-chart. The main points of this process are:

- Loose horses on the highway causing a risk to motorists will be dealt with by the Police. The primary concern is the risk of danger for both highway users and the horses and therefore the priority is to remove that danger. N.b. All officers should have regard to the Health & Safety Risk Assessment
- Horses can be removed from the highway, or from the side of a highway, under the Highways Act 1980. The Highways Act can be used for most situations with horses straying onto roads, but there are exemptions if the horses are on common land, waste or unenclosed land, in which case action under the Animals Act 1971 should be considered.
- The reasonable costs incurred in dealing with horses which stray onto the highway can be recovered from the horse owner, which includes damage done to the highway, officer time, costs incurred by the Horse Bailiff, passport and micro-chipping, feed, transport costs etc.
- A person who allows their horse to stray onto the highway can also be prosecuted under the Highways Act and this should be a consideration, particularly for repeat offences, in accordance with the council's enforcement policy.
- If possible, horses should be checked for a micro-chip and passport details obtained.
- Any concerns regarding animal welfare should be reported to the RSPCA
- All agencies should report their findings / action back to Animal Health / Street Environment as the single point of contact and liaison with the public and other agencies.

Process to Remove Horses From Highways



Process for Dealing with Horses on Council Land

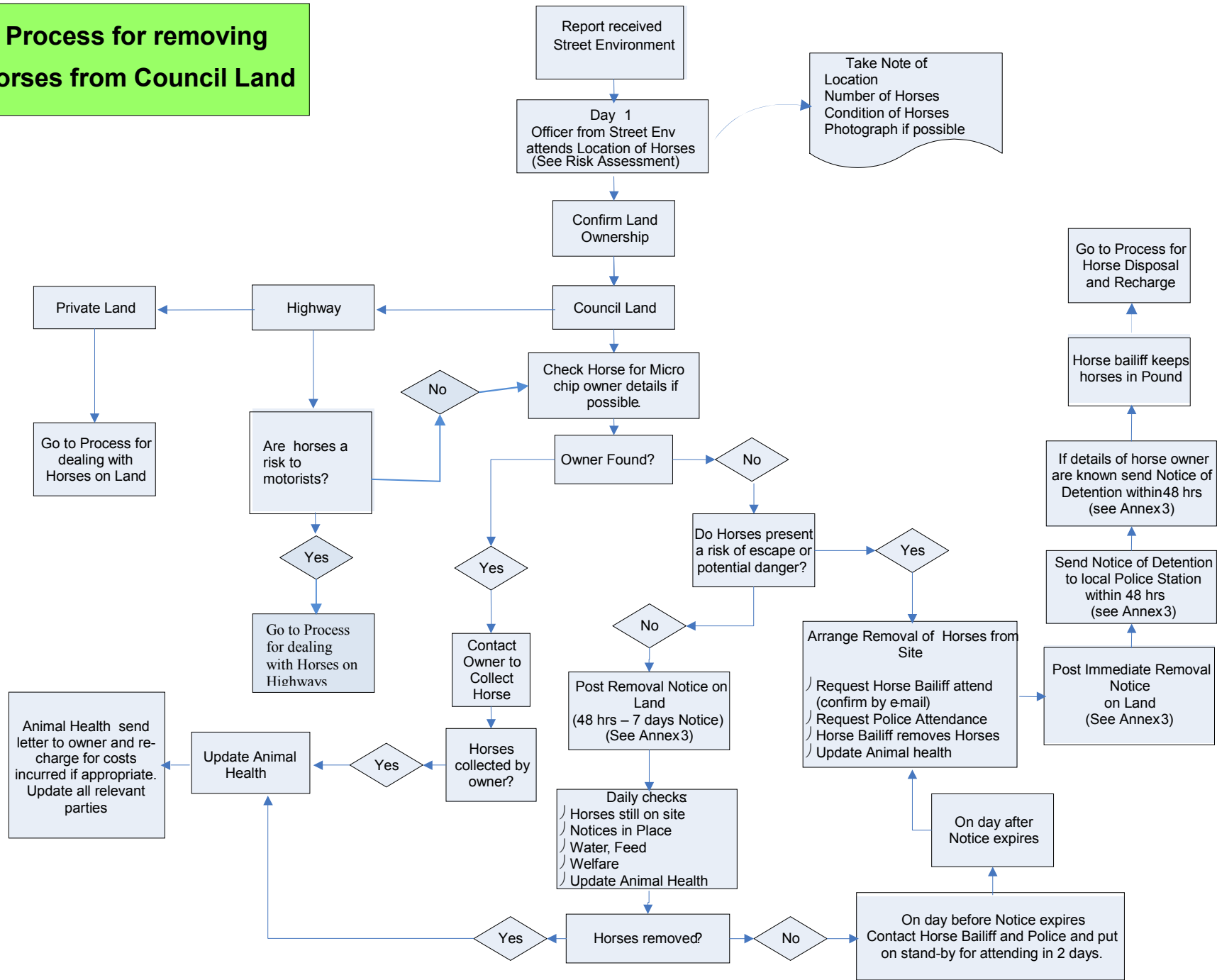
Refer to the attached flow chart. The main points of this process are:

- Horses on council land will be dealt with by the councils Street Environment Team.
- Officers should have regard to the Health and Safety Risk Assessment.
- Action can be taken to remove horses from land using the Animals Act 1971.
- The Act allows horses to be “detained” on the land, but in practice this may require removal of the horse. This can be done immediately, and should be done immediately if there is a clear risk that the horse will escape or cause a risk of danger to the public. However, if there no foreseeable risk then it would be more appropriate to leave the horse on the land and place a legal notice on the land near to the horse requiring the owner to remove it – usually between 48 hours and seven days.
- If the horse has not been removed after the expiry of the notice period, or if the horse is to be removed immediately then an Immediate Removal Notice must be posted on the land.
- The Police must be given notice that the horses have been detained on the land within 48 hours of the horses being detained on the land, or taken to a horse pound.
- If details of the horse owner are known then notice must be given to the owner within 48 hours of the horses being detained on the land, or removed.
- As soon as a horse comes under the possession of the Council, the Council becomes responsible for its welfare while in its care. A daily check should be carried out to make sure the horse has access to water and, if necessary, feed, that it is in a good condition and that any legal notices posted on the site are still in place (and replaced if necessary).
- The Horse Bailiff must be contacted to remove any horse from land, and a request should be made for the Police to also attend in case the horse owner arrives during the removal process.
- The horse can be disposed of by the Council, or more often the Horse Bailiff acting under instruction from the Council, but the horse cannot be disposed of until 14 days after notice has been given to the Police and Horse Owner that the horse has been removed. After the horse has been kept for 14 days it can be disposed of by selling at a market or auction.
- It may be necessary for a horse to be passported and micro-chipped before it can be sold. This should be checked as soon as the horse is pounded and if

necessary a passport and micro-chip obtained at the earliest opportunity to avoid delays in selling the horse and incurring additional stabling costs.

- The reasonable costs incurred in dealing with horses which stray onto council land can be recovered from the horse owner, which includes damage done to land, officer time, costs incurred by the Horse Bailiff, passport and micro-chipping, feed, transport costs etc.
- If a horse owner collects the horse they must be able to prove identity and ownership before it is released. The owner must also pay a release fee, which includes all the costs incurred before the horse is returned to the owner.
- All agencies should report their findings / action back to Animal Health / Street Environment as the single point of contact and liaison with the public and other agencies.

Process for removing Horses from Council Land

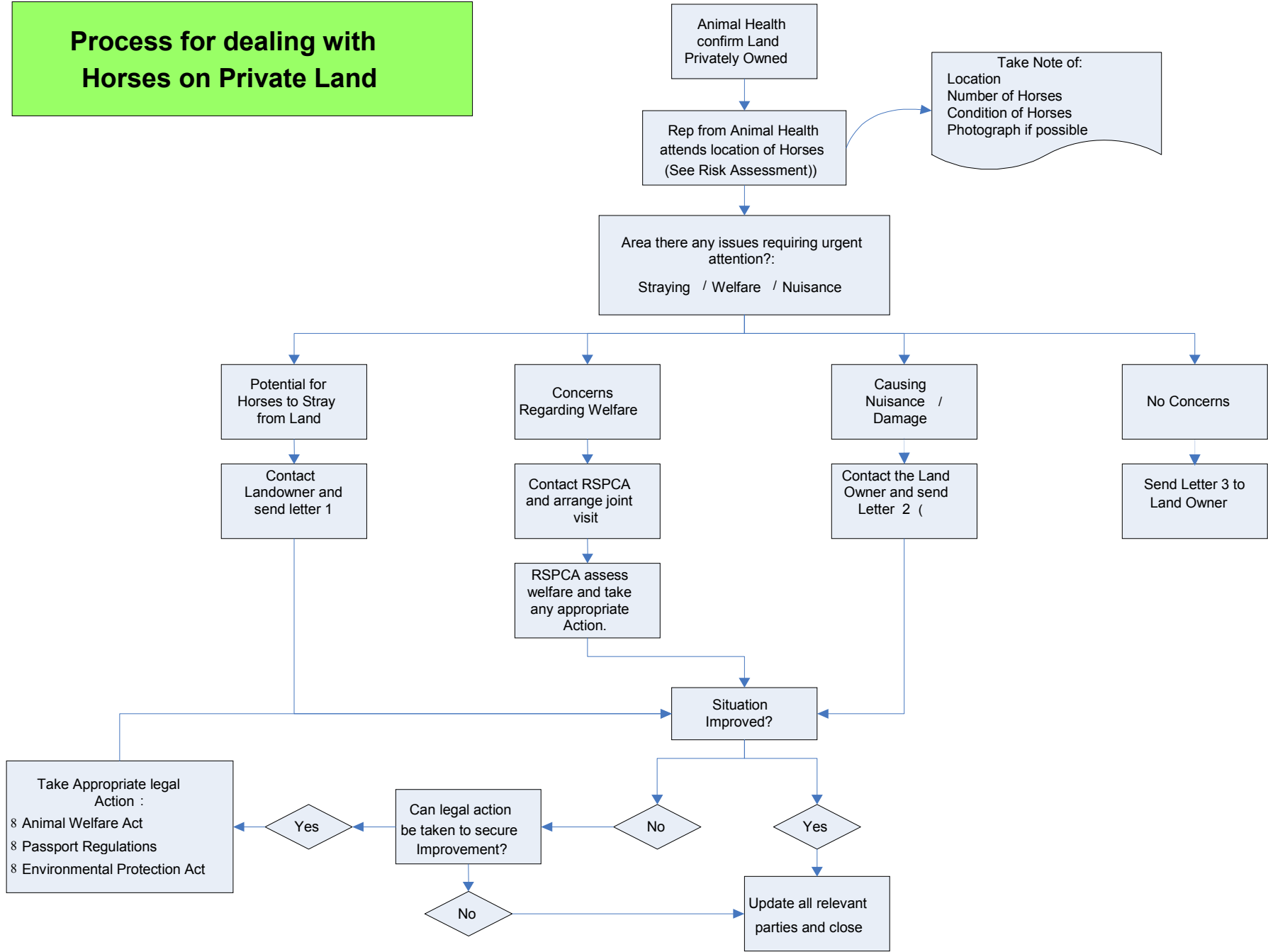


Process for Dealing with Horses on Private Land

Refer to the attached flow chart. The main points of this process are:

- The Council or other agency does not have a legal duty to deal with horses on private land. It is the responsibility of and a decision for the landowner as to whether action should be taken to remove horses from their land.
- Private land owners can use the Animals Act 1971 to detain and remove horses from land and to recover expenses for damage etc, in the same way that the Council uses these powers for horses on its land.
- The Council or other agencies may become involved with dealing with horses on private land if there is a breach of legislation, for example:
 - Animal Welfare
 - Horse Passport requirements
 - Potential escape of horses from the land.
 - Nuisance or damage caused to Council or other people's land
- The private landowner, whether they have permitted horses on their land or not, may become liable for any damage or nuisance caused by horses on their land, if they fail to take action to prevent such damage or nuisance.
- Animal Health will be the principal agency for dealing with horse related problems on private land, except in relation to animal welfare issues when the RSPCA will be the principle agency.

Process for dealing with Horses on Private Land



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Cabinet**2nd April 2013**

Report of the Cabinet Member for Crime & Stronger Communities

EMBRACING DIVERSITY: A HATE CRIME STRATEGY FOR YORK**Summary**

1. This paper outlines the background to the development of a new Hate Crime Strategy for the City of York and asks Members to approve the strategy and give their commitment to the crucial role that City of York Council plays to provide the support necessary to bring offenders to justice and protect vulnerable victims.

Background

2. In January 2008, City of York Council launched its first Hate Crime Strategy. Since that launch the number of hate crimes reported to the police has declined. However, consultation with agencies providing support to particular community groups in the context of writing this strategy suggests that under-reporting of hate crime incidents is a significant factor. It is widely acknowledged that the recorded statistics of hate crime reporting across all agencies may be a significant under-representation of the true picture.
3. Since the original strategy was launched, there have been numerous changes within organisations charged with supporting delivery, communities within the city have increased in diversity and the Prevent (Government's Counter Terrorism) agenda has developed to include community cohesion as a key theme.
4. Although actual hate crime figures may be low within the city, tackling hate crime remains a priority for City of York Council in building stronger communities and supporting the work of the Fairness Commission. It is therefore timely that the hate crime strategy has been refreshed and developed to take a snapshot of the situation in 2012 from which future multi-agency work can be developed.
5. The strategy has been approved by the Safer York Partnership Board as a multi-agency document.

Consultation

6. Addressing hate crime and its impacts is not a single agency solution. A key focus of developing this strategy has been extensive consultation involving over thirty public and voluntary sector organisations with an interest in tackling hate crime. Central to this consultation has been engagement with those communities of interest who suffer hate crime.
7. Consultation methods have included face to face discussions, views sought by e-mail; the draft strategy has been circulated for comment along with presentation and discussion at the Equalities Advisory Group (EAG), made up of representation from key voluntary sector organisations.
8. EAG requested amendments to be made to the information on legislation and reference to be made to the Government's response to legislation. These changes have been implemented within the final strategy document. They also asked for a zero tolerance approach to be taken to bullying in schools. The strategy makes reference to the link being made with anti bullying steering group to ensure a coordinated approach. Other comments related to appropriate timeframes for consultation and the resource implications of implementing the plan. Consultation has been an ongoing process since July 2012, giving organisations and individuals every opportunity to respond.
9. Whilst it appears within the strategy that there is a reliance on Safer York Partnership to lead on every action, the facilitation and co-ordination of partner's contributions is core business for Safer York Partnership. Actions will be undertaken by a variety of statutory and voluntary organisations. A summary of the consultation responses is provided at Annex B.
10. Views have been collated to provide a strategic overview with the detailed delivery being documented within a set of complex work plans. Key themes to come out of the consultation related not only to the strategy document but also the ongoing delivery of work to prevent hate crime. Key themes were:
 - Reported incidents are only the tip of the ice burg and continued emphasis needs to be placed on supporting victims and communities;
 - The need for confidence building within communities of interest to ensure those who suffer hate crimes feel confident to report it;

- Development of interventions needs to take account of the wider views of communities of interest and address issues that may not be apparent from reported incidents.
- Actions to prevent hate crime need to be focused around the needs of the victims of hate crime not the support services.

11. Safer York Partnership has also worked collaboratively with North Yorkshire Police and North Yorkshire County Council, both of which have been carrying out their own review of hate crime. This ensures a consistent approach across the county and city.

Options

12. Option 1 – Endorse the strategy and to give commitment to the key role that City of York Council will play in the implementation of the strategy and its associated work plans.
13. Option 2 – Ask officers to amend the strategy.

Analysis

14. Option 1 – The strategy has been developed in partnership with over 30 organisations including statutory bodies, voluntary organisations as well as communities of interest. The strategic aims and the key actions have been developed in response to the issues raised by the consultees. The draft strategy plan (prior to formatting) has been circulated to all for comment.
15. Based upon the consultation outcomes, four strategic aims have been identified to stop hate crime occurring:
- Raise awareness of hate crimes to aid prevention;
 - Make it easier for people to report hate crime;
 - Improve the support available to victims of hate crime; &
 - Improve data capture and develop a more accurate reflection of the extent and breakdown of hate crime and incidents.
16. A detailed action plan to sit underneath the strategic objectives has been developed which will be monitored not only against successful delivery of individual actions, but also the cumulative impact of the delivery of actions against individual communities of interest.

It is proposed governance and monitoring of the strategy will be by the Safer York Partnership Board with annual monitoring report on delivery against the action plan to the Equalities Advisory Group.

17. The draft strategy has also been considered and approved by the Safer York Partnership, the city's statutory Community Safety Partnership.
18. Option 2 – If the council request changes, to ensure effective consultation and ownership of the strategy and action plan by partners and importantly communities of interest, further consultation would have to be carried out.

Council Plan

19. This strategy strongly aligns to two of the priorities set out within the Council Plan.
 - Building Strong Communities - Feeling and being safe is crucial to ensuring quality of life for all who live, work in or visit the city. Working in partnership with a range of statutory and voluntary agencies to ensure that hate crime is not tolerated is crucial to developing cohesive communities.
 - Protect Vulnerable People – Victims of hate crime can become isolated and marginalised within society. The strategy ensures that a victim focused approach to tackling hate crime is adopted across all agencies and supports the Council's overarching aim to protect those who are most vulnerable within our communities.

Implications

20. The implications arising directly from this report are:
 - **Financial** There are no financial implications;
 - **Human Resources (HR)** There are no HR implications;
 - **Equalities** The Equalities Leadership Group and Equalities Advisory Group have been consulted. A Community Impact Assessment has been carried out and is attached for information at Annex F;
 - **Crime and Disorder** Safer York Partnership has been consulted and approved the strategy;
 - **Information Technology (IT)** there are no IT implications;

- **Property** There are no property implications;
- **Other** There are no other implications.

Risk Management

21. There are no known risks.

Recommendations

22. Cabinet are asked to:

- Approve Option 1 to endorse the strategy and to give commitment to the key role that City of York Council will play in the implementation of the strategy and its associated work plans.

Reason: To ensure that the city has an effective approach to preventing Hate Crime and addressing the impacts of Hate Crime in a coordinated and victim centred manner.

Contact Details

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	Report Approved	✓	Date 27 th Feb 2013
Specialist Implications Officer(s)			
None			
Wards Affected: List wards or tick box to indicate all			All ✓

For further information please contact the author of the report

Background Papers: None

Annexes:

Annex A	Hate Crime Strategy 2013 - 2016
Annex B	List of consultees and key themes arising from the consultation
Annex C	Flow chart of current reporting progress
Annex D	Flow chart of proposed reporting process
Annex E	Diagram of proposed model for dealing with hate crime
Annex F	Community Impact Assessment.



2013 - 2016

EMBRACING DIVERSITY A Multi-agency Hate Crime Strategy for the City of York



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Forward

This strategy outlines our vision for tackling hate crime in York

It sets out the evidence on which our strategic aims and future priorities have been based. It demonstrates our plans for tackling hate crime and how we hope to work with partnership with both public and voluntary sector agencies. We also want to address the quality of service we offer to our customers when they come to us for help and make sure that services are tailored to their needs.

This strategy provides a plan for how City of York Council, Safer York Partnership and other partners can make a meaningful contribution to toward building safer and stronger communities. It forms part of Safer York Partnership's overall strategic aim of reducing anti-social behaviour, which causes alarm, harm and distress to victims.

The effects of hate crime are not only felt by individuals and their families, but also impact on the wider community.

Safer York Partnership is working with partners to develop a multi-agency approach which focuses on the prevention of repeat victimisation and works to provide the support necessary to bring offenders to justice and protect vulnerable victims.

We are grateful to all those who have helped to put this document together. Working as a team, we believe the city can make a valuable contribution to tackling the causes and effects of Hate Crime.

Picture of Cllr Williams

Cllr Daffyd Williams, Elected Member for Crime & Community Safety

Picture of Lisa

Lisa Winward, Chair, Safer York Partnership

Executive Summary

“We may have different religion, different languages, different coloured skin, but we all belong to one human race. We all share the same basic values.”

Kofi Annan – United Nations Secretary General.

Hate crime is any criminal offence committed against a person or property that is motivated by hostility towards someone based on their disability, race, religion, gender identity or sexual orientation.

This strategy sets out what needs to be done to address hate crime from different angles: prevention and early intervention, enforcement and support for victims and perpetrators. The approach must be multi-agency and seek to tackle the causes of hate crime, in order that we can make a long term impact within our communities.

Our Ambition

To prevent and reduce the levels of hate crime by ensuring victims and witnesses of hate crime are supported and offenders are brought to justice.

This Strategy provides a framework for York’s statutory, voluntary and community organisations to work in partnership to achieve our ambition.

Whilst levels of recorded hate crime in York are low, we have anecdotal evidence from a range of agencies working with communities of interest that the true extent may not be known. This may leave vulnerable individuals who feel unable to come forward and report issues which impact significantly on their own and their family’s quality of life.

We recognise that the policies and procedures available for dealing with hate crime must take into consideration the diverse needs of our communities.



“Hate incidents not only impact negatively on the lives of victims and their families but also damage cohesion in the wider community. People who are more vulnerable to hate incidents are also likely to have a greater fear of crime. It is therefore essential that public authorities and local communities work in partnership to tackle this problem in their local area as no single agency or group can accomplish this alone.”

(The Equality and Human Rights Commission)

Strategic aims:

- 1. Raise awareness of hate crimes to aid prevention**
- 2. Make it easier for people to report hate crime**
- 3. Improve the support available to victims of hate crime**
- 4. Improve data capture and develop a more accurate reflection of the extent and breakdown of hate crimes and incidents**

There are a wide range of services that can have an input into this agenda and the priority now is to ensure the city has a robust protocol for joint working and information sharing to ensure that we achieve real outcomes that lead to community cohesion and improved quality of life

Our aim is to ensure that we deal with the root causes and try to tackle hate crime in a range of preventative ways that try to change people’s behaviour.



Introduction

Why have a strategy?

A hate crime or incident is any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a person's actual or perceived social group or groups. These groups can be defined in relation to the following:

- Disability
- Race
- Sexual orientation
- Religion or belief
- Transgender

Although current legislation does not specifically cater for age and gender, the criminal justice agencies are alert to offences where hatred is a factor.

This strategy sets out what needs to be done to tackle the complex issue of hate crime. The strategy links to other key plans, including Safer York Partnership's (SYP) Community Safety Plan the Council Plan and the Policing Plan.

The strategy attempts to develop a co-ordinated approach to tackling hate crime by joining up initiatives currently operating in the city and working with a wide range of voluntary sector agencies who provide support to specific communities of interest.

The Crime and Disorder Act 1998 set the scene for ensuring that local authorities and other statutory agencies, such as the police, worked in partnership to tackle crime and disorder. The act introduced a range of powers that necessitated partnership working. The Community Safety Partnership (CSP) have a duty to publish a strategy for addressing crime and disorder. Safer York Partnership is the CSP for York and they have produced the Community Safety Strategy 2011-14.

The Equality Act 2010 provides a new cross-cutting legislative framework to protect the rights of

individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.



Legislative Framework

Hate crime is defined as any criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a personal characteristic.

Legislation to protect victims and tackle those who intend to stir up racial hatred and those who commit racially and religiously aggravated offences or engage in racist chants at designated football matches have been in place for a number of years. In recent years a number of new criminal offences have been introduced, to reflect the seriousness of hate crime, including enhanced sentencing and stirring up hatred towards other groups on the grounds of religion and sexual orientation.

The **Equalities Act 2010** (section 149) put in place a 'Public Sector Equality Duty'. This means that a public authority must, in the exercise of its Functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- Advance equality of opportunity between persons who share a relevant protected characteristic and person who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

Links to Other Key Legislation:

- **Criminal Justice and Immigration Act 2008**
- **Racial and Religious Hatred Act 2006**
- **Criminal Justice Act 2003**
- **Race Relations (Amendment Act) 2000**
- **Human Rights Act 1998**
- **Disability Discrimination Act 1995**
- **Football Offences Act 1991**
- **Public Order Act 1986**

National Context

The MacPherson Report on the Stephen Lawrence Inquiry changed the way that racist hate crime and institutionalised racism was understood. From the Inquiry, a definition of a racist incident was developed which has since been extended to cover other forms of hate crime and is widely used by central and local government.

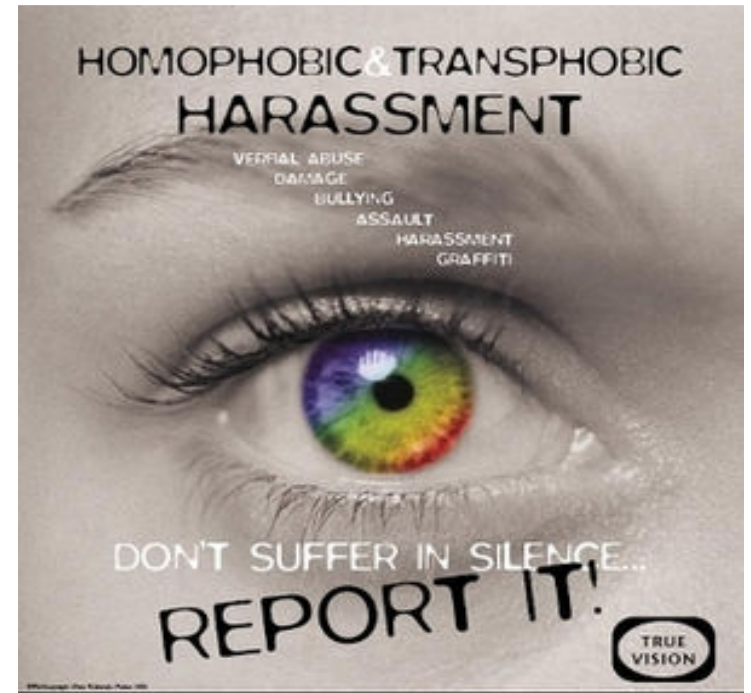
Moreover, the Stephen Lawrence inquiry report was the catalyst for a number of institutional changes within the police and statutory service providers to improve responses to racist incidents and racism. The Home Office has subsequently produced

guidelines in relation to racist incidents, religious discriminations and more recently guidelines for tackling hate crime.

Today, the terms gay and lesbian are used to describe women and men who seek same-sex partners. Homophobia can manifest itself in a number of different forms. The Government currently estimates that approximately 5-7% of the population are either: gay, lesbian or bisexual. However, there is very limited data on the number of lesbians, gay men and bisexuals in the UK as no national census has ever asked people to define their sexuality. A national study of violence against lesbians and gay men in Britain, found that one in three gay men and one in four lesbians had experienced at least one violent attack, and found that the vast majority of homophobic incidents go unreported, with around 18% reporting incidents.

The understanding of disability is enhanced by what is known as the

‘Social Model’ of disability, which recognises that disability occurs because barriers hinder disabled people from taking a full part in the community. Research by Mencap demonstrated that 8 in 10 people with learning difficulties had experienced bullying and harassment 66% of people with learning difficulties have been bullied regularly with 32% stating that bullying was taking place on a daily or weekly basis.



York Context

York's overall population is estimated to be just over 202,000 and growing. According to the Centre for Cities report 2011, York has the second fastest growing population in the UK. Significant within this growth is an increase in the black minority and ethnic (BME) community from 4.9% in 2001 to an estimated 11.4% in 2009. A study in 2010 found 78 different first languages being spoken within the city

In January 2008, City of York Council launched its first Hate Crime Strategy. However, since that launch the number of hate crimes reported to the police has declined.



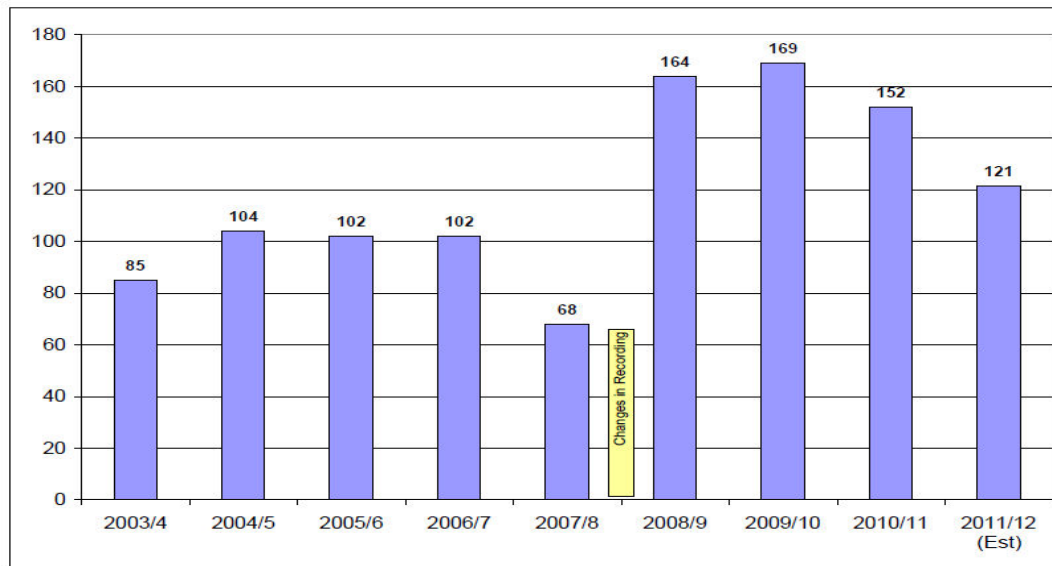
Consultation with agencies providing support to particular community groups suggests that under-reporting is a significant factor. It is widely acknowledged that the recorded statistics of hate crime reporting across all agencies may be a significant under-representation of the true picture.

SYP is a community safety partnership created under the Crime and Disorder Act 1998. The partnership is comprised of representation from City of York Council, North Yorkshire Police, York and North Yorkshire Probation, York and North Yorkshire Primary Care Trust, North Yorkshire Fire & Rescue Service.

The city is committed to reducing crime and anti-social behaviour within the City of York and aligned to that is a commitment to protect vulnerable members of the community. It is appropriate therefore that the responsibility for the development of a hate crime strategy should sit with the partnership as part of the overall remit to facilitate and co-ordinate a multi-agency problem solving approach to tackling crime.

North Yorkshire Police - York Recorded Hate Crime & Incidents

2003/4
85
2004/5
104
2005/6
102
2006/7
102
2007/8
68
2008/9
164
2009/10
169
2010/11
152
2011/12 (Est)
121



This is Data is Created from the Hate Crime / Incident Download Provided by NYP Performance Unit. It is Based on START DATE

Document created on 19/01/2012

Police data has been included in this strategy to show the local picture in relation to recorded hate crime statistics in York. However, it has been acknowledged that this may be an under-representation of the

true picture. A key action in the delivery of this strategy will be to improve the quality of data captured. This will be achieved through a combination of working closely with those agencies which represent particular community groups and ensuring that communities know how to report incidents & are confident that when making reports,

action will be taken. In developing this strategy, thirty individuals / organisations were consulted to draw upon the expertise and experience of those who represent communities of interest. This information has informed the strategic aims and objectives and the work plans which underpins delivery of the strategy.

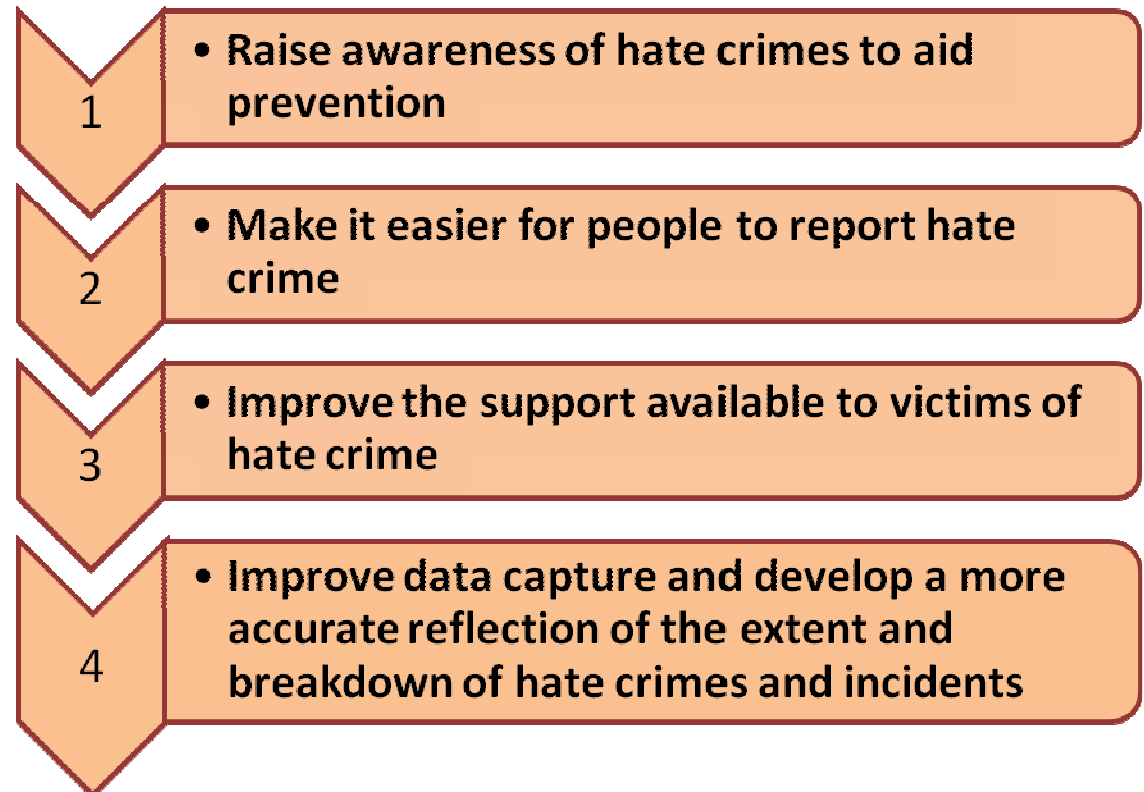
Strategic Aims & Objectives

Our overall **strategic aim** is to help stop hate crime occurring in the first place through a programme of hate crime prevention and where it does occur, to respond in a timely and effective way that addresses its impact on victims and the wider community. We will:

- develop a deeper understanding of the specific needs of communities of interest;
- Consult and listen to the view of our communities of interest to ensure that we design services that not only meet their needs but empower them with the confidence to report hate crimes to the relative authorities;
- Develop action plans to deliver our objectives and report back to our communities on the actions we have taken.

We will measure progress by monitoring the incidents of hate crime recorded by the police and Local Authority, maintaining close dialogue with support agencies to capture qualitative and anecdotal information.

Stop Hate Crime Occuring



Strategic Aim 1

Raise awareness of hate crimes to aid prevention

The current picture

At present, hate crime remains very much a hidden crime. Whilst there are many agencies (voluntary and statutory) who are engaged in work to support victims, it remains very much under reported and awareness of issues across the workforce and community within York is limited.

What we will do

We will work with all statutory and voluntary agencies to raise awareness of the impact that hate crime has on individuals, their families and our communities. We will strengthen the links between statutory and voluntary agencies engaged in working with communities of interest and with those communities themselves, ensuring they feel supported and safe. We will, through our annual Crime Summit, to encourage promotion of the work that is been done to develop services and provide support for victims of hate crime in York.

Objective	Action	Lead
i. To improve prevention of hate crime through education and awareness raising programmes within key stakeholder agencies	i. Work with Key agencies to develop multi-agency awareness training and roll out to all agencies	CYC / SYP
	ii. Develop multi-agency strategic delivery group with statutory and voluntary partners engaged in tackling Hate Crime	SYP
	iii. Develop operational links with the Anti-Bullying Steering group	SYP
ii. To increase public awareness and ensure that information on hate crime is widely available.	i. Develop web portal for information and awareness to facilitate sharing of information relating to Hate Crime	CYC/SYP
	ii. Ensure publications / posters are available in all public access building	SYP
iii. To work closely with and strengthen the links between the statutory and voluntary sector agencies engaged in tackling hate crime	i. Undertake an audit of voluntary groups and develop a directory of contacts	SYP
	ii. Develop hate crime pack (posters / leaflets / reporting forms) for all 3 rd party reporting and signposting centres.	SYP

Strategic Aim 2

Make it easier for people to report hate crime

The current picture

Anecdotal evidence from voluntary organisations who provide support to communities of interest suggests that hate crime is very much under reported. This is largely due to a lack of awareness of where, how and to whom incidents should be reported.

What we will do

We will work with our communities to ensure that they have confidence in reporting incidents and are assured that action will be taken and that they received feedback on the results of that action. We will establish a network of 3rd party reporting centres alongside all CYC customer contact services and ensure that mechanisms for reporting hate crime are widely publicised and accessible to all.

Objective	Action	Lead
i. Work with relevant agencies to improve the reporting of hate crime incidents	i. Consult with communities of interest and key agencies to ensure processes is accessible and meets the needs of the user, signed off by EAG.	CYC / Voluntary Groups
	ii. Map and publish a simple flowchart detailing the appropriate channels for reporting hate crime	CYC/SYP
ii. Develop alternative ways to report crimes that meet the specific needs of particular groups	i. Work with key media groups to develop media publicity awareness raising campaigns to increase media awareness and reporting relating to hate crime prevention work	CYC/SYP
	ii. Work with all statutory and voluntary sector organisations to develop appropriate mechanisms for reporting hate crime.	All Agencies
	iii. Increase awareness amongst all agencies and signposting of hate crime	All Agencies
iii. Develop a campaign to raise public awareness on how to report hate crime	i. Establish a network of 3 rd party reporting centres	CYC/SYP
	ii. Develop a 'Hate Crime Pack' for all media agencies to raise their awareness of the role that they have in ensuring hate crime is prevented	CYC/SYP

Strategic Aim 3

Improve the support available to victims of hate crime

The current picture

Many voluntary and statutory agencies are engaged in work to support victims of hate crime. However, the delivery landscape for support services is complex. There needs to be greater understanding between agencies and organisations of what support is available for particular community groups, and how to access that support.

What we will do

We will ensure that staff working within agencies who have a role to play in tackling hate crime have the skills and knowledge required to provide support to victims. We will create links with organisations who have an understanding of the needs of victims and the specific support they may require and ensure and ensure communities are aware of what support is available. We will ensure that the focus is on support to victims and reducing the risk of serious consequences that can result from hate crime.

Objective	Action	Lead
i. Ensure that information relating to support groups is made widely available to the public and key partners engaged in tackling hate crime	i. Work with relevant support groups to ensure that information on their services is widely available to victims of hate crime	CYC / Voluntary Groups
	ii. Ensure that a complete network of support information is incorporated into the multi-agency training	All Agencies
ii. Develop multi-agency training that will result in a measurable improvement in services to victims and an increase in victim confidence	i. Involve support groups and victims in the development of multi-agency training	CYC/SYP
	ii. Ensure training is tailored to meet the specific needs of the recipients	All Agencies
iii. Ensure a victim centered approach to multi-agency problem solving	i. Work with wider Neighbourhood Safety and ASB task group to develop s victim centred approach to multi-agency problem solving.	All Agencies

Strategic Aim 4

Improve data capture and develop a more accurate reflection of the extent and breakdown of hate crimes and incidents

The current picture

Data capture for recording levels of hate crime is currently very reliant on police crime recording systems. However, hate crimes can be recorded within that system under many other categories e.g. Anti-social behaviour and therefore the available data may not represent the true picture. We are aware from work with support agencies that much hate crime is unreported.

What we will do

We will ensure that the quality of data and information is improved and that we share this information freely with our partners and with the community. We will facilitate opportunities for agencies, statutory and voluntary, to meet together with members of the community to discuss issues that concern them.

Objective	Action	Lead
i. Work with statutory and voluntary sector agencies to improve the capture and analysis of data relating to hate crimes and incidents	i. Establish comprehensive understanding of all data currently captured by agencies and how it is used	CYC / SYP
	ii. Develop links with educational establishments to ensure data and information is shared to ensure early interventions and prevention approach is developed	All Agencies
	iii. Map reported hate crime incidents with all crime data to support multi-agency problem solving	SYP
ii. Ensure that mechanisms are in place to identify repeat and/or vulnerable victims and flag these to the relevant agencies and support groups	i. Work with NYP to ensure that repeat / vulnerable victims of hate crime are included in ongoing work to identify vulnerable victims of ASB	CYC/SYP
	ii. Identify the role of NYP IAG can play in this forum	SYP/NYP
iii. Create opportunities for agencies to share information and experiences.	i. Work with key agencies to develop an annual forum for all agencies to share information and experiences relating to tackling hate crime.	SYP

Governance



How will we measure success?

Success of the hate crime work will be measured through delivery of the strategic objectives within the hate crime delivery plan.

Delivery against the detailed action plans aligned to the aims and objectives of the strategy will be managed by the Hate Crime / Prevent Coordinator within the councils Community Safety Team reporting into the multi-agency Anti-Social Behaviour task group. Reports on delivery of and performance against the action plans will be submitted to the Safer York Partnership Board at six and twelve monthly intervals with an annual update to the Cabinet Member for Crime & Community Safety.

These reports will also be provided to the relevant stakeholder' internal groups e.g. EAG within City of York Council and the Independent Advisory Group, North Yorkshire Police.

The hate crime strategy is a live document. We will continue to engage and consult with the communities most affected by hate crime to ensure that the strategic aims and objectives remain pertinent.

Baseline Data

Disability

Disability related hate crimes in York are shown in the graph below.

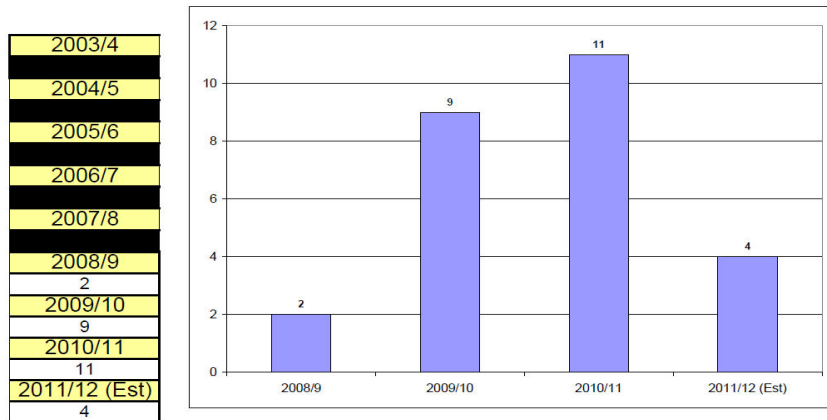
Race

Racist hate crime is arguably the most widely recognised form of hate crime. The graph shows racially motivated hate incidents recorded by North Yorkshire Police in York.

NYP Recorded HATE Crime and Incidents in York

Pg. 1 of 2

North Yorkshire Police - York Disability Incidents



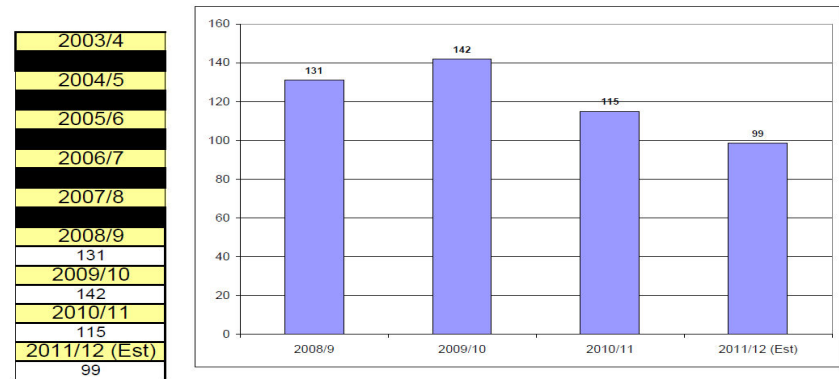
This is Data is Created from the Hate Crime / Incident Download Provided by NYP Performance Unit. It is Based on START DATE

Document created on 19/01/2012

NYP Recorded HATE Crime and Incidents in York

Pg. 1 of 2

North Yorkshire Police - York Racial Incidents



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Document created on 19/01/2012

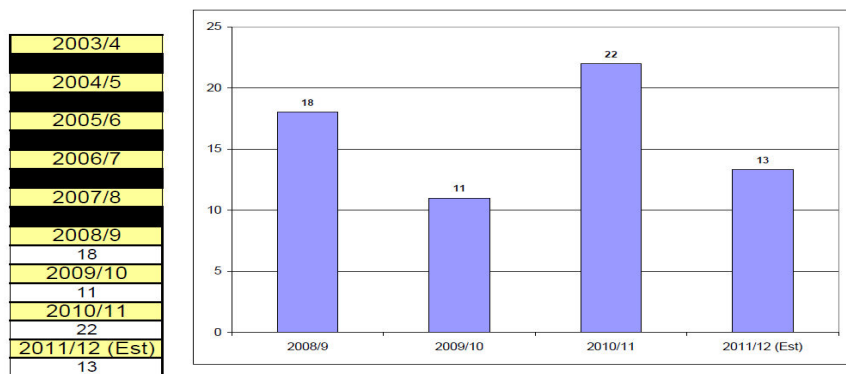
Sexual Orientation

The following graph show the Homophobic incidents reported to North Yorkshire Police.

NYP Recorded HATE Crime and Incidents in York

Pg. 1 of 2

North Yorkshire Police - York Homophobic Incidents



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Document created on 19/01/2012

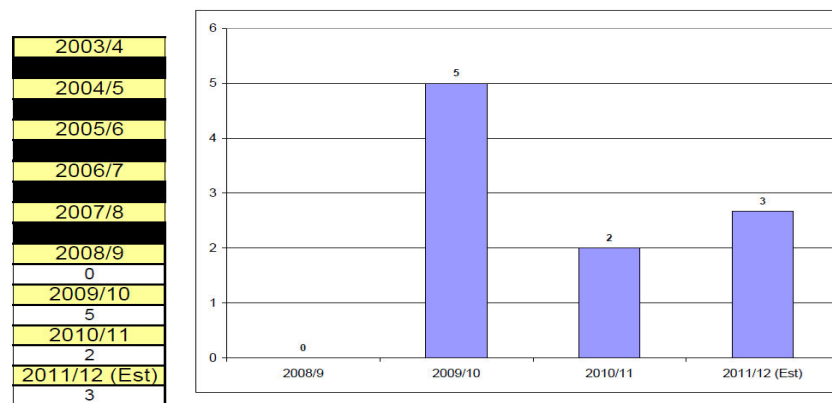
Religion or belief

Religious incidents reported to North Yorkshire Police

NYP Recorded HATE Crime and Incidents in York

Pg. 1 of 2

North Yorkshire Police - York Religious Incidents



This is Data is Created from the Hate Crime / Incident Download Provided by NYP Performance Unit. It is Based on START DATE

Document created on 19/01/2012

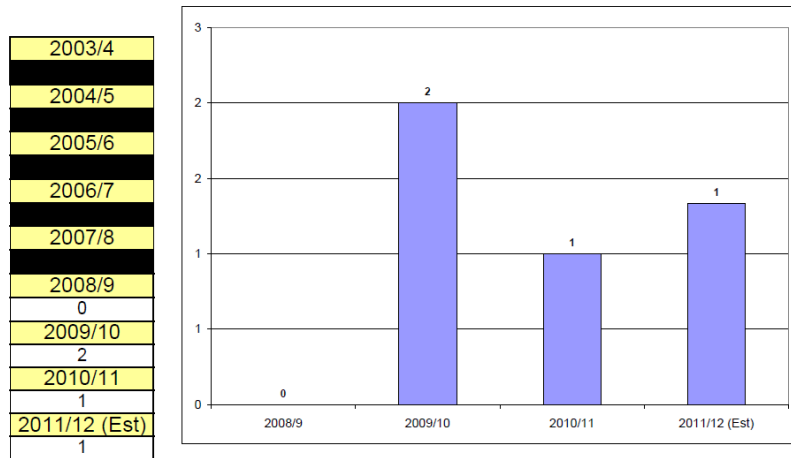
Transgender

Transphobic incidents reported to North Yorkshire Police shown on the graph below:

NYP Recorded HATE Crime and Incidents in York

Pg. 1 of 2

North Yorkshire Police - York Transphobic Incidents



This is Data is Created from the Hate Crime / Incident Download Provided by NYP Performance Unit. It is Based on START DATE

Document created on 19/01/2012

Date of Request	Consulted with Organisation / Individual	Nature of current relationship with responding organisation	Method of consultation	Comments
Jan 12 & Aug 12	City of York Valuing People Partnership Board	Ongoing work with the Valuing People Partnership Board to improve hate crime reporting	Email	Request made for age to be made clearer on how both I law and locally we would treat an incident where age is a factor
Jan 12 & Aug 12	CYC Housing	Ongoing work to refresh the ASB Strategy and ensure that there is cross reference to the Hate Crime Strategy. Hate Crime panels will link in to the MAPS (Multi Agency Problem Solving) process	Email	<ul style="list-style-type: none"> • Over reliance on police data • Existing structures for dealing with hate crime • Postholder responsible for actions • Flow chart for reporting needed • Hate incident panel? • Powers available under Housing Act 1998
Jan 12	CYC EPU		Email	All ok no specific response received
Jan 12	CYC ELG	Head of Community Safety is a member of ELG and will ensure updates provided on Hate Crime work	Attendance at meeting	Verbal update given. Strategy sent to members for comment

<p>July 12</p>	<p>CYC EAG (Members: York Independent Living Network, YREN, Access York, York Mental Health Forum, LGBT Forum, York Partially Sighted) Cllr Jeffries, Cllr Crisp, Charlie Croft, Older Peoples Assembly</p>	<p>Annual reports will be provided to EAG</p>	<p>1. Jackie Jackson attended meeting and gave verbal update 2. Emailed strategy to group 3. Sue Lister sent an email to 14 members</p>	<p>Older People's Assembly (response below) CVS (response below)</p>
<p>July 12</p>	<p>CYC Anti-Bullying Steering Group</p>	<p>The Hate Crime Co-ordinator is linked in to the anti-bullying steering group and is working closely with ACE.</p>	<p>Email</p>	<p>Received and took to the ASG meeting for comments and feedback – none received</p>
<p>July 12</p>	<p>University of York Equalities Dept</p>	<p>Contact has been made with the University in relation to specific incidents work is now in progress to ensure the university are engaged in work to deliver the action plan</p>	<p>Email</p>	<p>No response</p>

July 12	YREN (part of EAG)	The Hate Crime Co-ordinator has had regular meetings with YREN and is ensuring that YREN are linked in to delivery of the action plan	EAG meeting and email	Grammatical corrections and questioned axis on one of graphs (actioned)
July 12	Refuge Action York	Work is ongoing with Refuge Action York in developing the hate crime information pack	Email	No specific response but thanked Jackie Jackson for consulting
July 12	Citizens Advice Bureau	Work is ongoing with the CAB to develop the third party reporting centre and in development of the information packs and posters	Email	No response
July 12	North Yorkshire County Council	The Hate Crime Co-ordinator is liaising with County Council in the development of the information pack and promotional literature to ensure a consistent approach between the City and the County	Email and meetings	Working with Lesley Dale NYCC to ensure consistent approach in City & County

July 12	Probation	The Hate Crime Coordinator will continue to keep probation informed on the development of the action plan. They will continue to be part of the distribution list for updates and relevant information.	Email	No response
July 12	North Yorkshire Police	Hate Crime is a priority within the Police and Crime Plan. Work is ongoing with Inspector Drummond as NYP portfolio holder to ensure that NYP are linked in to the Hate Crime Strategy and associated action plans	Email and meetings	Grammatical corrections. Working with Insp Neil Drummond to ensure consistent approach with Police Hate Crime work
July 12	Yorkshire MESMAC	The Hate Crime Co-ordinator is still trying to make contact with MESMAC to ensure that they are involved in delivery of the action plan.	Email	No response

<p>July 12</p>	<p>LGBT Forum (part of EAG)</p>	<p>The Hate Crime Co-ordinator attends the LGBT forum meetings and has facilitated the development of a hate crime page on their website</p>	<p>EAG attendance and email</p>	<p>Requested anonymous reporting Requested reports treated as anonymous Third party reporting centres need to be equipped to cope with all eventualities LGBT should be counted on census – would like to see improvement in statistics on number of LGBT in York Fear of retaliation for those with learning disability or older people in care homes is a key question; do we have a solution</p>
<p>Aug 12</p>	<p>NYP Independent Advisory Group</p>	<p>The Hate Crime Co-ordinator has attended IAG to provide updates on the development of the strategy and delivery of the action plan.</p>	<p>Presentation</p>	<p>JJ gave verbal update and sent strategy for comment York People first responded that was not an easy read Provided Braille Version to Anne Smith & 2nd version sent to Anne Verbal update given again Oct 12</p>

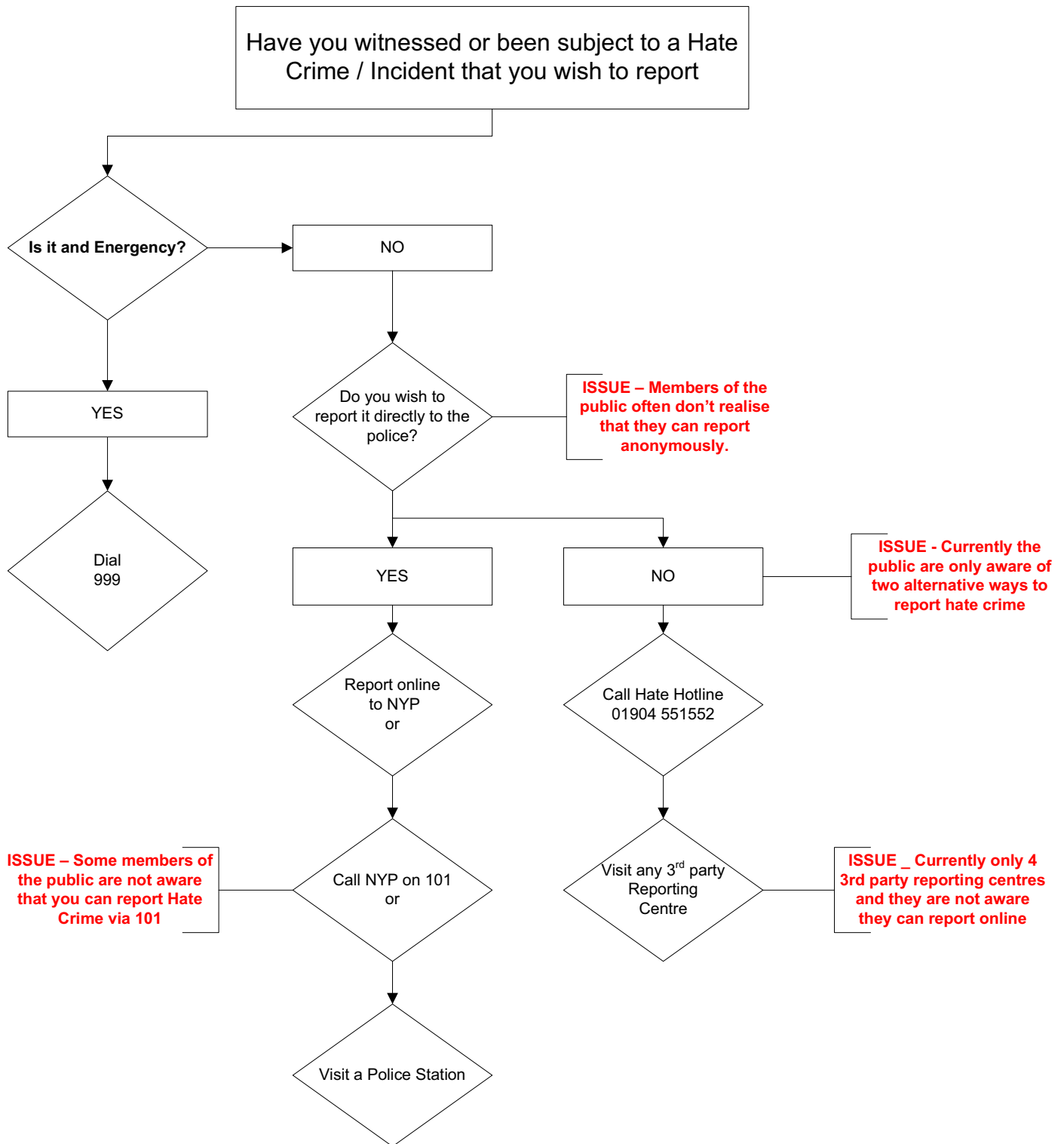
July12	York CVS	CVS are engaged in work to develop the reporting centres and in development of the information pack	Email	Presentation corrections made Expand social model of disability description Increase label size on tables Request for further engagement to allow them to promote through their own networking
July 12	York Independent Living Network	No progress has been made in engaging with the Independent Living Network. The Hate Crime Co-ordinator is still trying to establish links	Email	<ul style="list-style-type: none"> • Emailed to arrange a meeting. Cllr Jeffries highlighted that the email address was incorrect • JJ emailed again to correct address, cc'd to Cllr Jeffries but no response received • Oct 12 – JJ emailed again. Cllr Jeffries responded in Dec 12. JJ not been able to arrange meeting with Cllr Jeffries
July 12	York Mencap	The Hate Crime Co-ordinator is still trying to establish links with MENCAP. NYP are	Email	No response

Appendix B

Jan 12	York People First	York People First are involved in establishing a reporting centre and are actively involved through the Valuing People Partnership	Email & verbal update at meeting	Strategy not easy read (has now been changed) Policy based Apr 12 JJ updated group
July 12	York Older People's Assembly (EAG)	Hate Crime Co-ordinator is linked with York Older People's Assembly through the LGBT forum which shares the same secretary.	EAG & email	Wording changes, grammatical corrections Needs mention of hospital and Vale of York Clinical Commissioning Group Flow chat needed (now done) Common terminology needed
July 12	York University Students Union	The Hate Crime Co-ordinator is actively engaged with the University Students Union and they are engaged in delivery of the action plan	Email	Thanked JJ for work done Suggested use of gender identity (including trans) as transgender doesn't capture all people Happy to work in partnership and get involved with ongoing work

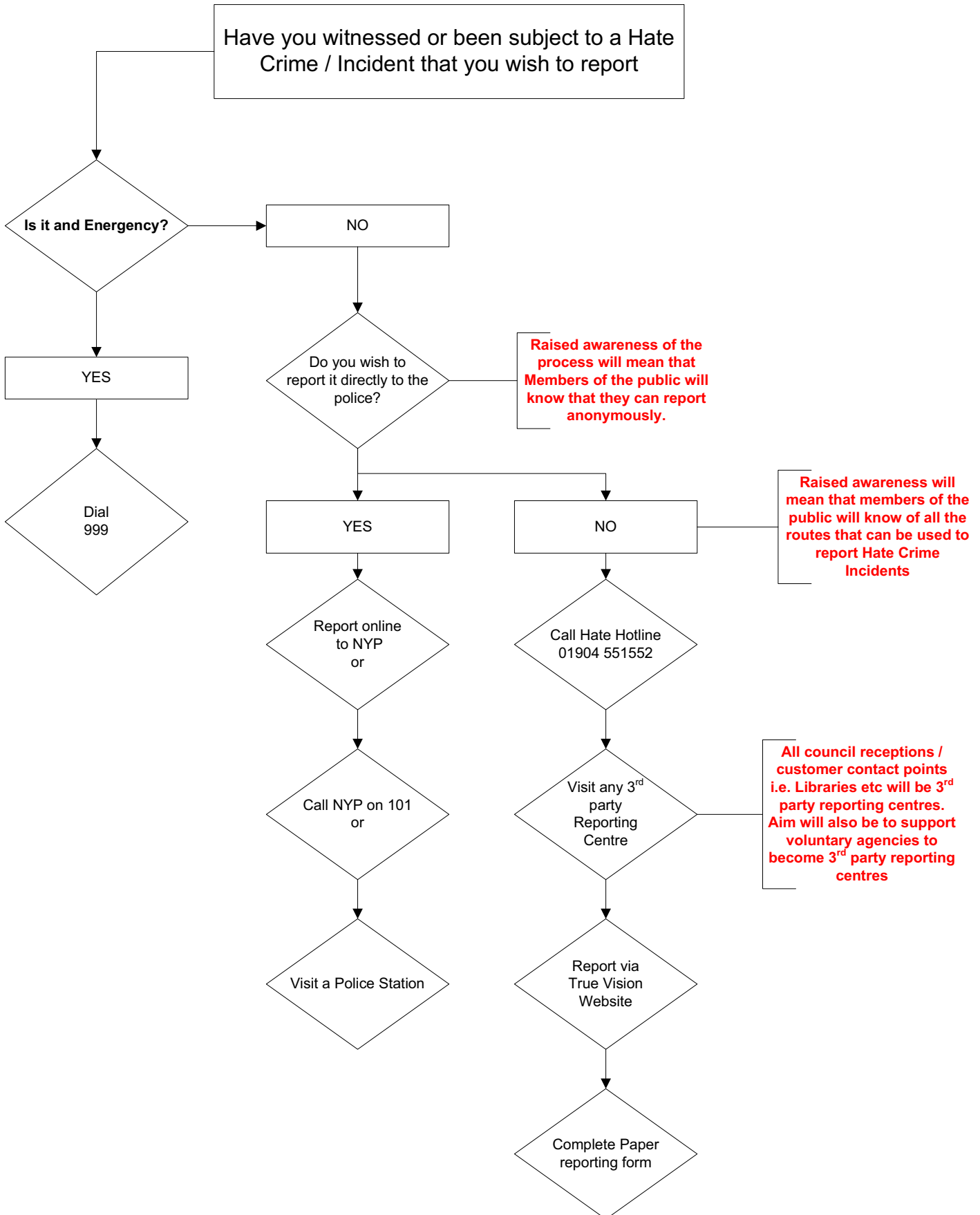
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Current Hate Crime Reporting Process



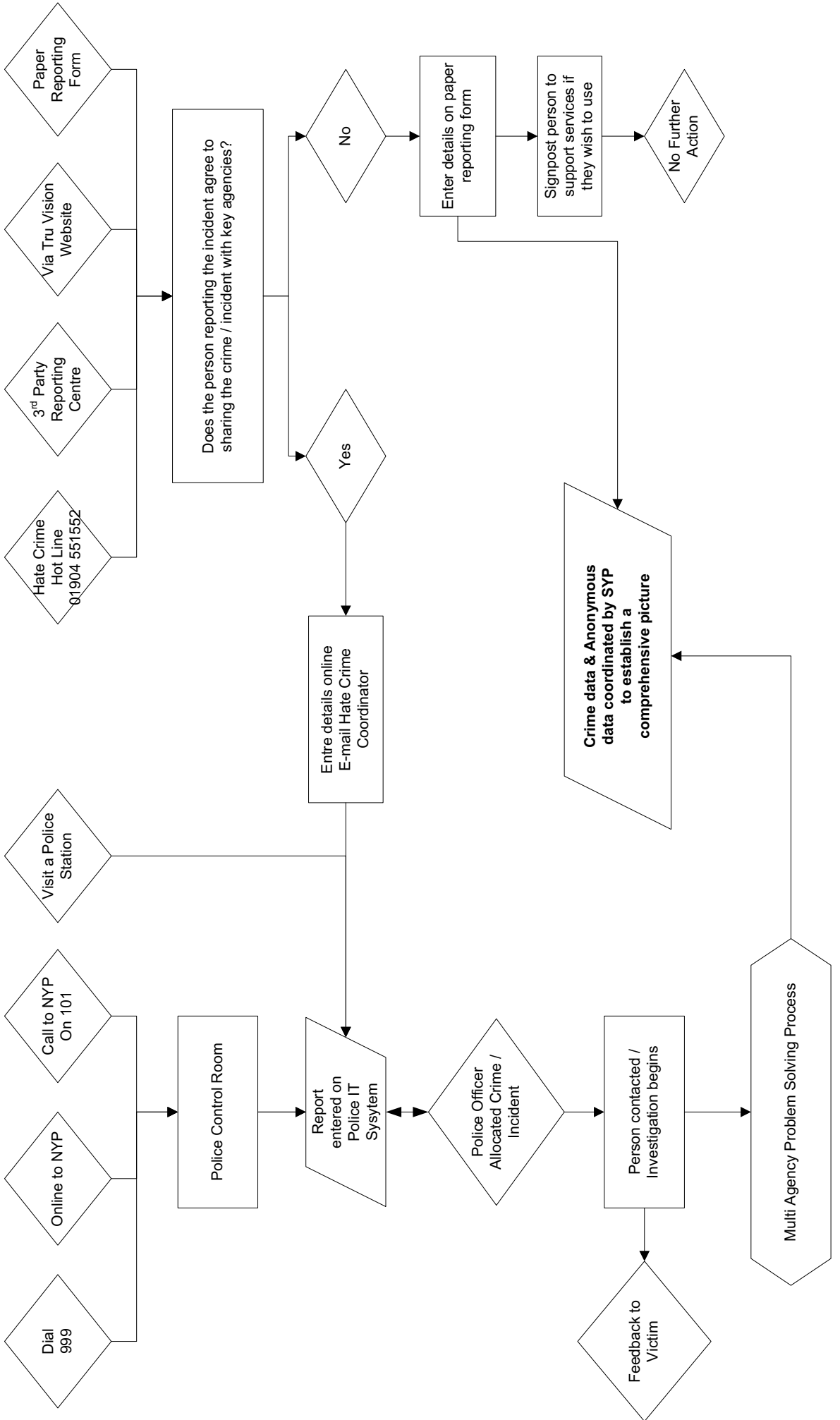
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Proposed Hate Crime Reporting Process



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Process after a Hate Crime Incident report



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Community Impact Assessment Form (CIA)

The council's vision is to promote **equal life outcomes¹ for everyone** living, working and visiting York, through inclusive design in everything the council does. This is to ensure that no-one is unintentionally excluded in York because of specific personal characteristics. In the council, we call these characteristics "Communities of Interest or Identity" – "Cols" for short.

To help realise the vision, council officers are required by Cabinet to assess the impact of council policies, processes and behaviours on customers and staff from the Communities.

This process was previously called Equality Impact Assessment (EIA). To stress the importance of assessing the impact of everything we do on people from the Communities, starting June 2012, we have renamed the process Community Impact Assessment (CIA).

The assessment **should be done at the development stage** of any policy, review, project, service change etc, **before any decision is taken**. It should also be done every time there are changes to policies and practices, **before the changes are finally agreed** by decision makers.

In addition, the Equality Act 2010 came into force on the 1st October 2010. Under the Act the council has a legal duty to show that our policies, practices etc further the aims below:

- Actively and proactively eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share an identity and those who do not

¹ In health, safety and security, personal freedom and choice, housing, education and lifelong learning, jobs and leisure activities and the infrastructure that supports these outcomes.

- Foster good relations between people who share an identity and those who do not.

In completing **Community Impact Assessments (CIAs)** officers are also required to state how what they are assessing meets and contributes to these aims.

1	Name and Job Title of person completing assessment	Jackie Jackson Prevent & Hate Crime Coordinator
2	Name of service, policy, function or criteria being assessed	Embracing Diversity – Hate Crime Strategy
3	What are the main objectives or aims of the service/policy/function/criteria?	<ol style="list-style-type: none"> 1. Raise awareness of hate crimes to aid prevention 2. Make it easier for people to report hate crime 3. Improve the support available to victims of hate crime 4. Improve data capture and develop a more accurate reflection of the extent and breakdown of hate crimes and incidents
4	Date	January 2013

Stage 1: Initial Screening	
5	<p>What evidence is available to suggest that the proposed service, <u>policy</u>, function or criteria could have a negative or positive effect on quality of life outcomes² for people (both staff and customers) from the communities? Document the source of evidence in the columns below. You can find evidence via:</p> <ul style="list-style-type: none"> • Data from the Business Intelligence Hub - http://colin.york.gov.uk/beSupported/business_intelligence_hub/ • Council Consultation and Engagement Calendar – contact Sophie Gibson, 551022. • Council consultation - http://colin.york.gov.uk/beSupported/inhouse_services/research_consultation/

² See appendix 1

- Workplace Wellbeing Survey – contact the Health and Safety team for more info – 554131. CaN results are here: http://colin.york.gov.uk/beConnected/about_CYC/structure/CAN/can_healthwellbeing_results/
- Staff Equalities Reference Group – See feedback reports here - http://colin.york.gov.uk/beSupported/equalities_inclusion/SERG/
- Equality Advisory Group (a customer group) - <http://democracy.york.gov.uk/mgCommitteeDetails.aspx?ID=445>
- EIA Fairs Feedback Newsletters - http://colin.york.gov.uk/beSupported/equalities_inclusion/EIAs/consultation_feedback/
- Previous EIAs – see annual EIA lists - http://colin.york.gov.uk/beSupported/equalities_inclusion/EIAs/

Community of Interest/Identity	Source of evidence that there is or is likely to be a negative or positive impact:			
	Staff		Customers/Public	
	Positive	Negative	Positive	Negative

Race			<p>Report to Cabinet (3.4.12) outlines the strategy focus across the 5 reported equality strands, disability, race, religion or belief, sexual orientation and transgender as outlined in the governments hate crime action plan (Challenge it, report it stop it, March 2012)</p> <p>Various national reports indicate that providing a joined up service benefits victims and their families if they have been victims of hate crime.</p> <p>Locally: March 2011- EIA fair main areas of feedback highlighted; the need for more reporting centres; more raising awareness of hate crimes.</p> <p>Consultation with voluntary, statutory and communities of identity groups identified the need for different approaches to be used when raising awareness of hate crimes and how to report hate crimes. (consultation January 2012 & Aug 2012.)</p>	
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Religion / Spirituality /Belief			Consultation outlined the need to raise awareness of different cultures within our communities	
Gender			As for sexual orientation	
Disability			Consultations highlighted; Providing documents in various formats to communities when raising awareness of hate crimes and increasing reporting centres would improve reporting.	
Sexual Orientation			Local consultation with voluntary groups identified anonymous reporting as a key to increasing reporting amongst this community particularly with the LGBT community.	National studies show that the lack of reporting facilities can reduce the reporting of hate crimes.
Age			Current legislation does not specifically cater for age and gender; the criminal justice agencies are alert to offences where hatred is a factor.	
Pregnancy/ maternity				
Gender Reassignment			As for sexual orientation.	
Marriage and Civil Partnership				

Carers of older and disabled people				
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If there is **no** evidence the service/policy/function will affect **any of the communities**, please proceed to section 9.
 If there **is** evidence the service/policy/function will affect **one or more of the communities**, continue to Stage 2, Full Impact Assessment.

Stage 2: Full Impact Assessment

6 How could different communities be affected by the proposed or reviewed service/policy/function/criteria? Record negative and positive effects below. **Expand the boxes** to take up as much room as you need. See the [2 EIA Guidance documents](#) on Colin for help about effects to consider.

A1	Public/customers – positive effects	<p><u>Disability community</u>; increasing the links with various disability groups supporting the community will increase awareness and facilitate improved relationships with both Police and SYP this will in turn increase confidence for groups and individuals to report hate crime within the community. The Valuing People Partnership Forum disability forum is working with the hate crime coordinator to increase the number of reporting centres specific to the disability community.</p> <p>Sharing of reported hate crime data has now been initiated to communicate actual reports that are occurring in York across the 5 reported hate crime strands; disability, race; sexual orientation; religion or belief and transgender as set out in the governments hate crime action plan.</p> <p>Hate Crime training has been developed by the hate crime coordinator and a member of staff within CBSS directorate. This has been piloted and is now ready to be shared with statutory and voluntary groups within York –</p> <p>Communicating using the easy read reporting forms produced by the government will become a standard approach allow easy access when reporting hate crime and will be included in the ‘hate crime information packs’, developed by the hate crime coordinator.</p> <p><u>Race</u>; Hate crime awareness raising has been carried out with the Turkish women’s group in</p>
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		<p>Clifton building the important links with SYP and the Police officers within this community. Linking with other voluntary groups, (Islamic society of York), and the reporting centre has been established for this community (YREN).</p> <p>Work is also being progressed with the Gypsy and Traveller community through Travellers Trust and the housing officers who support the G&T council sites and the Police.</p> <p>Hate crime Training programmes will be offered to key voluntary groups during 2013.</p> <p><u>Sexual Orientation</u>; Working with the LGBT forum and establishing links with MesMac to increase the channels for reporting hate crime are part of the work to ensure this community has a voice around hate crime.</p> <p>Linking up LGBT web pages with NYP and SYP will support work around making access to reporting hate crime easier, along with having phone and face to face access.</p> <p><u>Transgender</u>; as above for the Sexual orientation.</p> <p><u>Religion or belief</u>; the policy will promote and ensure that voluntary groups are aware of how they can report; raise awareness of hate crime , details of support available for individuals who experience hate crimes will also be promoted using the ‘hate crime information pack’.</p>
A2	Public/customers – negative effects	<p>Disability; the community could be negatively affected if the single point of contact within SYP is not maintained with the community.</p> <p>Race; Ensuring work to consistently highlighted the experience of those who suffer hate crime through various organisations could lead the community to perceive that York is not a fair and equal city, sensitive communication is vital. The Centre for Cities 2011 reported that the York has the second fastest growing population in the UK; regular messages to mitigate the negative reputational damage this could have on our growing communities will be important. We know that York has 78 first languages spoken within the city; communication is a key factor to the success</p>

		<p>of raising awareness of hate crime.</p> <p>Sexual orientation; failure to maintain links with voluntary groups who support and work with this community will impact on reporting hate crimes and potentially the wellbeing of individuals.</p> <p>Religion or belief; SYP plays a vital part in linking up both statutory and voluntary groups with supporting individuals who may be victims of hate crimes.</p> <p>Transgender; as for sexual orientation.</p>
B1	Staff – positive effects	<p>All the above comments relate equally to staff as they will for the general public;</p> <p>Race; Disability Sexual Orientation Transgender Religion or belief</p> <p>CYC media team will be promoting hate crime awareness through the internal electronic magazine Buzz. Posters will also be put up around the council supported by a programme of hate crime awareness training for staff.</p>
B2	Staff – negative effects	<p>Communications regarding hate crime awareness needs to be sensitive and handled carefully to mitigate mixed messages to ensure alarm and fear are not heightened.</p>
7	Can any negative effects be justified? For example:	

	<ul style="list-style-type: none"> ▪ As a proportionate means to achieve a legitimate aim ▪ In support of improving community cohesion ▪ To comply with other legislation or enforcement duties ▪ Taking positive action to address imbalances or under-representation ▪ Because of evidence-based need to target a particular community or group e.g. younger/older people. <p>NB. Lack of financial resources alone is NOT justification!</p>
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We cannot justify negative effects; however, it would be misguided to assume that negative effects around the complex issues of hate crime have the potential to happen.

Improving communication around sensitive hate crime messages will need to be approached using CYC media teams to ensure when raising awareness with staff and the public this will ensure a balanced message is shared explaining the low numbers of reported hate crime and the anecdotal evidence reported from partners to support the national reports that hate crime is under reported, but at the same time encouraging all our communities of the vital importance to report all incident to the police and partners to support the preventative work.

8	What changes will you make to the service/policy/function/criteria as result of information in parts 5 & 6 above?
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Ensure all consultation feedback is considered when reviewing the policy.

Establish if the hate crime training could be aligned with the Dignity at Work training.

9	What arrangements will you put in place to monitor impact, positive and negative , of the proposed service/policy/function/criteria on individuals from the communities?
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The Embracing Diversity – hate crime policy will have a detailed action plan and will be performance managed by Safer York Partnership board on a six and twelve monthly basis, along with this it will also be communicated to the various stakeholder groups within the City of York council and the Independent Advisory group, North Yorkshire Police.

Monitoring of individual cases will be undertaken by the ASB panel on a regular basis.

- 10 List below actions you will take to **address any unjustified impact and promote equality of outcome (as in appendix 1)** for staff, customers and the public from the communities. The action could relate to:
- Procedures
 - Service delivery
 - Training
 - Improvement projects

Action	Lead	When by?
The detailed action plan will show the impact of actions carried out by both SYP and partners	Jackie Jackson	Six and twelve monthly annually
11 Date CIA completed	18 January 2013	

Author: Jackie Jackson
 Position: Prevent and Hate Crime Coordinator
 Date: 18 January 2013

12	Signed off by	
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I am satisfied that this service/policy/function has been successfully impact assessed.

Name:

Position (Head of Service and above) :

Date:

Please send the completed signed off document to equalities@york.gov.uk. It will be published on COLIN as well as on the council website.

Appendix 1 - Quality of Life Indicators (also known as “the 10 dimensions of equality”)

Think about the positive and negative impact in these areas:

- ❑ Access to services and employment
- ❑ Longevity, including avoiding premature mortality.
- ❑ Physical security, including freedom from violence and physical and sexual abuse.
- ❑ Health, including both well-being and access to high quality healthcare.
- ❑ Education, including both being able to be creative, to acquire skills and qualifications and having access to training and life-long learning.
- ❑ Standard of living, including being able to live with independence and security; and covering nutrition, clothing, housing, warmth, utilities, social services and transport.
- ❑ Productive and valued activities, such as access to employment, a positive experience in the workplace, work/life balance, and being able to care for others.
- ❑ Individual, family and social life, including self-development, having independence and equality in relationships and marriage.
- ❑ Participation, influence and voice, including participation in decision-making and democratic life.
- ❑ Identity, expression and self-respect, including freedom of belief and religion.
- ❑ Legal security, including equality and non-discrimination before the law and equal treatment within the criminal justice system.

Indicators from: The Equalities Review 2007 and the Equality Framework for Local Government.



Cabinet**2nd April 2013**

Report of Leader of City of York Council and Cabinet Member for Corporate Services.

Facing the Challenge of Poverty in York

Summary

1. The purpose of this report is to provide Cabinet with;
 - As assessment of the poverty challenge in York
 - Set the ambition for the city in reducing poverty
 - Detail the main work programmes currently addressing poverty
 - Identify the work that needs to be done to bring forward further proposals for tackling poverty in York
2. Over the last few years, the Council has done much to support the most marginalised in York. The work of the Fairness Commission has provided a city-wide insight into life for around 13,000 residents who live in the most deprived parts of the city. There is a better understanding about the issues of poverty, life expectancy, crime and social exclusion that affect some residents. Investment has been made in some of our communities in initiatives helping the most vulnerable, including some innovative projects in places like Acomb, Tang Hall, Heworth and Westfield. Some of these interventions have been life changing for many vulnerable people. The Council's work on financial inclusion will also continue to be critical over the next few years as the impact of reduced public spending begins to bite further.
3. Despite the effectiveness of the work already undertaken, as this paper illustrates, the Council is under pressure to meet the needs of those struggling with debts, the lack of affordable housing and rising energy and transport costs.

Poverty in York, although below national average, is on the increase and, critically for the Council, the number of those at risk of falling into poverty is increasing at a rate beyond the ability of the Council, in isolation, to manage. The Government’s welfare reforms in the absence of growth in adequately paid jobs will create specific problems in 2013/14.

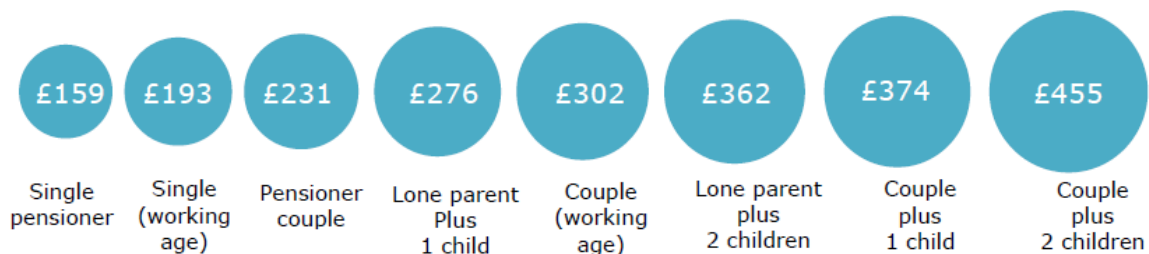
4. This paper explores the development of a new framework to capture the scale of poverty in the city and to generate a city wide response to alleviating it.

Background

What do we mean by poverty?

5. When defining poverty today, we rarely mean malnutrition or the levels of squalor of previous centuries or even the hardships of the 1930s before the advent of the welfare state. ‘Poor’ people are those who are considerably worse off than the majority of the population – a level of deprivation heavily out of line with the general living standards enjoyed by the majority.
6. The most commonly used measure is ‘relative income’ poverty. Each household’s income, adjusted for family size, is compared to median income. (The median is the “middle” income: half of people have more than the median and half have less.) Those with less than 60 per cent of median income are classified as poor. This ‘poverty line’ is the agreed international measure used throughout the European Union.
7. The table below, based on data from the Joseph Rowntree Foundation, estimates the minimum weekly income requirements for a range of family types to protect them from falling into poverty.

Minimum Income by Family Type



As can be seen, the minimum income standard for a single person is £193 per week. For a person over 21 earning the minimum wage of £6.19 per hour and working 24 hours a week (the number of hours at which most in-work benefit support stops) would generate just £149 per week.

8. Low income is just one indicator of poverty. A fuller picture looks at all resources, not simply income. This can include access to decent housing, community amenities and social networks, and assets, i.e. what people own. Somebody who lacks these resources can be said to be in poverty in a wider sense.
9. Child poverty is frequently highlighted as a major issue. Its calculation is based on the data in paragraphs 3 and 4 and can be summarised as 'Children living in households with income below 60% of the median'.
10. Fuel poverty. People who spend more than 10 per cent of their net income on heating and lighting and electricity are defined as living in fuel poverty.

National Picture on Poverty

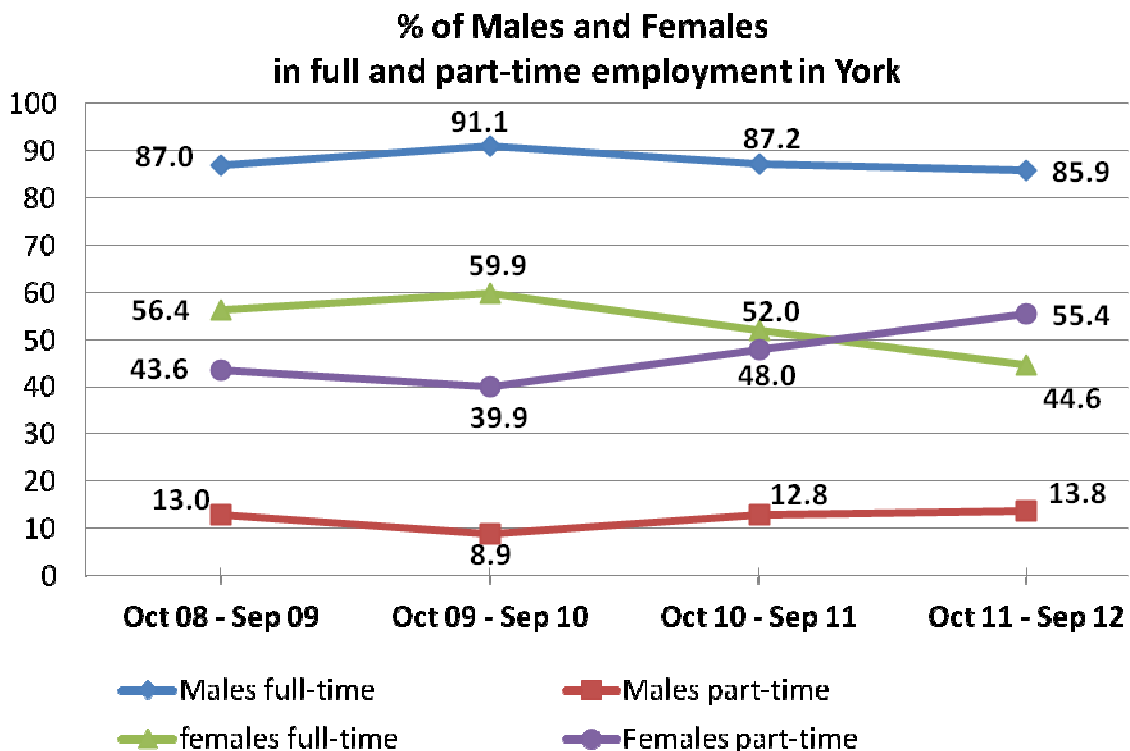
11. It cannot be denied that there is real and disturbing hardship in parts of the country and that it is growing. According to the Government's own statistics, and despite this being the seventh richest country in the world, last year there were 3.6 million children living in poverty in the UK after housing costs were met. And it is projected to get worse. The respected independent think-tank the Institute for Fiscal Studies estimates that an extra 400,000 children will be pushed into poverty by 2015, and then another 400,000 by 2020. The popular caricature is that poor children come from broken families on benefits – depicted by some as the undeserving poor. However this is not borne out by the facts. The majority of children in poverty have at least one parent in work. Their parents are often working long hours to give their children the best chance they can.
12. Since 2009, there has been a real surge in working households who are in poverty with research showing that as many as 6.1 million people are in this category. Wage levels are a factor and nationally, though predominantly outside of South Eastern England, there are 4.4 million jobs paying less than £7 per hour. There are 3.3 million working families currently receiving working tax credits. Part time work is on the increase but over 1.4 million part time workers want full time work.

13. Food poverty is becoming more prevalent across our cities. In 2008/9, 26,000 people in the UK relied on emergency food aid from a foodbank. By 2015 that figure is set to reach three quarters of a million. Last year the largest foodbank organisation, The Trussell Trust, fed 130,000 people, including 20,000 children while leading charity FareShare feeds 36,500 people a day through their network of 700 charities.
14. On the surface one of the causes of increased food poverty is obvious. The price of food is increasing and last year food inflation in the UK was the highest in the EU outside Hungary. Over the past five years prices have gone up by 12% in real terms, with the cost of essentials like fruit, milk, cheese and eggs rising as much as 30%. Last year this added £233 per year to the shopping bill for a family of two adults and two children.
15. Fuel poverty is increasing and is a particular issue for older people, particularly those on their own. Age UK estimate that over three million older people in receipt of a state pension are in fuel poverty because of the rate at which fuel costs have risen in recent years.
16. The Government's Welfare Reform Programme which aims to save £18 billion from the annual welfare bill will begin to be implemented from April 2013. It will eventually overhaul the entire benefit system in the UK. Aspects of the programme are controversial and it is widely acknowledged that it will lead to increased poverty for some households. The bedroom tax will impact on 1,276 housing benefit claimants in York who will lose on average £726 per year. Over 6500 people will pay additional council tax as a result of the Government's decision to reduce council tax support for those unemployed. On average that will amount to £254. However it is the introduction of Universal Credit for new claimants that is causing concern. The system is designed to be 'digital by default', so applicants will need both internet access and a bank account to get their benefits.
17. There is consensus that poverty will increase nationally over the next few years although the reasons for this are widely debated. It is the product of a combination of low wages, austerity economics, spiralling food/fuel prices, a lack of affordable housing, unsustainable levels of personal debt and insufficient supply of jobs.

York assessment of poverty

18. The picture in York is complex and in some ways presents a number of contradictions. The city economy is strong with lower levels of unemployment than regional or national averages so in some respects the overall position on poverty is far better than in many cities. However, where deprivation and poverty does exist, it tends to be at a more severe level than national or regional comparators.
19. York has 4,575 children living in poverty. Statistically, this represents 13% of the children in the city against a national average of 20%. When considered in the context of parliamentary boundaries, the percentage within York Central is 19% compared to 6% in York Outer. However, over half of the children in poverty are living in the Westfield, Clifton, Heworth, Hull Road and Guildhall wards. York also has a higher ratio of lone parents in child poverty than most other cities. There are related issues for children and young people in these wards. Westfield has the highest rate of under 18 pregnancies and a large proportion of those classified as Not in Employment, Education and Training (NEET) reside in these wards. Throughout these wards over 450 families are being supported by the YorOK Parenting Strategy Team.
20. At Annex 1 is a diagram that illustrates the households in the city most at risk of being in child poverty. Also there are details of the households most at risk of pensioner poverty. Seventy-nine per cent of those in receipt of pension credit have no partner and, given the geographical spread of these households, this presents a real risk of social exclusion.
21. The links between poverty and health are well understood and the York Health & Wellbeing Strategy is developing work programmes to support those at risk. The challenge is significant. Life expectancy between the most and least deprived areas of York is four years difference for a woman and ten years for a man. Health inequalities in the most deprived 10% of York's population also lead to 76 additional deaths per year.
22. York has statistically a lower level of unemployment than regional and national averages. In January 2013, 3,038 people were claiming Jobseekers Allowance (JSA) in York, which is 2.3% of the working age population – less than half of the national average of 4.9%. Yet the picture in York is of increasing long-term unemployment and young claimants. These groups are particularly vulnerable to poverty.

23. In terms of average income, York once again ranks higher than the rest of the region. However, the lowest paid 10% represent some of the lowest paid in the region, so a gap is opening up between the lowest paid in the city and other workers. This may be partially attributable to the size of the tourism and retail sectors with a higher percentage of part time workers and those being paid the minimum wage.
24. The table below illustrates the changing pattern in full and part-time work.

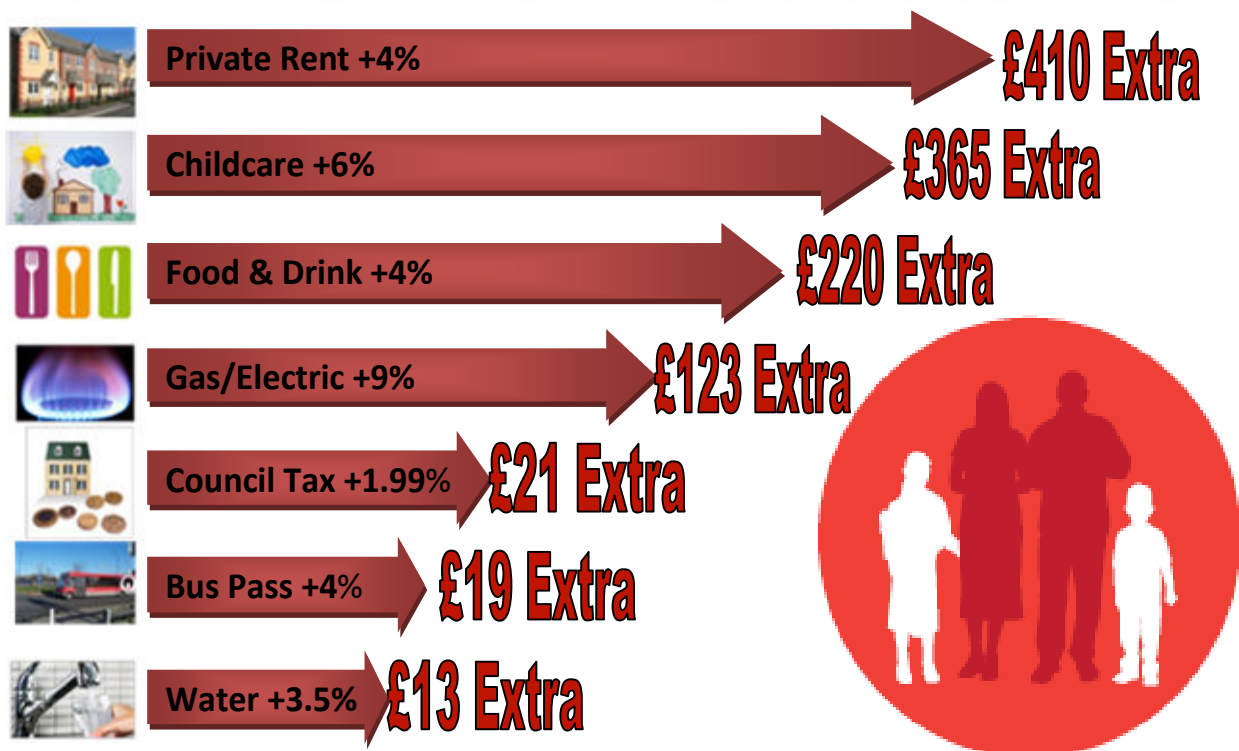


25. What is immediately striking is the speed with which women in York are moving from full to part-time work. The reasons for this are not yet fully understood yet. It may be as a result of job losses in the public sector which have always employed larger numbers of women than men. The change may also be related to the high costs of childcare or an increase in women caring for relatives. The reason for concern is that poorly paid part time work presents a greater risk that a household will be in poverty.
26. Housing is a significant issue in York and a key factor that pushes some residents into poverty. There are a growing number of households in the city as a result of York having the third fastest growing population in England. Rising housing demand is resulting in high house prices and long waiting lists for affordable housing.

Currently there are over 3000 households on the waiting list. The average house price (£182k) to incomes (£22,500 pa) ratio in the city is 8:1 and with constrained access to borrowing, many are shut out of owner-occupation. Although the private rented sector is expanding, it is being geared towards young professionals and students and increased average rents are making it impossible for those who are vulnerable or on low incomes to secure good accommodation. The city has a low level of social rented homes – around 15% (12,500 properties). Additionally new housing supply is at its lowest level for many years due to the economic slowdown. Estimates show that the city needs 790 additional affordable homes a year to meet its needs. All of this means that housing costs account for a significant part of household budgets and there is extremely limited availability for those on low earnings.

27. The table below illustrates the estimated increases in the cost of living for a typical family in York during 2013/14.

Potential cost of living pressures in 2013 for a family of 2 adults and 2 children



*Note: The figures above are the annual cost increase for each element listed, derived from the following figures: Private rent - average monthly bill £856 * 4%, Childcare - 3 days PW at £39 per day * 6%, Food and Drink – Average monthly bill £106 * 4%, Fuel – average annual bill £1.365 * 9%. Council Tax - based on Band B*

28. In the context of average wage increases in the city, it is apparent that there will be further pressure on household budgets during 2013 that will push some into poverty and place others at risk.

The Council's response

29. In part, the fact that poverty is less prevalent statistically in York is due to the extensive work undertaken by the Council and its partners to combat it. The current Council plan prioritises work to support the expansion of the city economy by creating the right environment for job growth. The new economic strategy aligns the development of skills for young people alongside the emerging needs of business. The Council is investing heavily in infrastructure projects through its Economic Infrastructure Fund with a view to not just encouraging existing businesses to grow but also to increasing inward investment to the city. The new Local Plan will also provide an opportunity to increase house building to ease some pressure on supply.
30. Alongside this, the Council is also prioritising work to protect vulnerable people. Over 7,000 adults currently receive social care services in York. The council's overall objective is to safeguard these residents, promote their independence and enable them to make choices over their daily lives. While the majority of these residents are not in poverty there is a significant number who are. Equally, the Council is concerned for young people too, especially as children from the most deprived communities start school already behind their peers in terms of development. The Council's children's poverty strategy, a benchmark for other authorities, is prioritising and directing limited resources to the families and children that most need it. The strength of the council's work in this area is in part due to the development of a city wide partnership with the voluntary sector, health services, schools and the private sector.
31. In 2011/12 the Council commissioned a Fairness Commission with the specific purpose of helping it identify what more could be done to address inequality in the city. The commission set out a compelling vision of a more caring, cohesive and fairer society where child poverty is a thing of the past and where those in work earn enough to make ends meet. The council has adopted all the fairness principles set out by the Commission and this year will implement one of its most significant recommendations; payment of a Living Wage.

From 1 April 2013, the Council will pay a minimum of £7.45 per hour, the national living wage. This will provide additional pay to many employees in Grades 1 and 2.

32. In addition, the Council has also developed a Financial Inclusion Strategy and has set in train work to support residents with better coordinated advice and information on welfare reform. It is also increasing capacity to provide support to those in debt who are statistically likely to be at risk of poverty. The financial inclusion work is also strengthening the links between the council and health services by identifying those suffering from stress as a result of debt or financial problems. It is the case that some residents cannot be supported into work until their financial circumstances are stabilised. The council has run a number of pilot projects during 2012 to develop models for how these services can be successfully delivered in the city.
33. Annex 2 identifies the key council work programmes that are aimed at alleviating poverty in the city.

What does the Council want to achieve?

34. The Council has stated a clear ambition to create a fairer, more inclusive city where every individual and community is supported to reach their potential and where poverty is not an acceptable norm. This vision reconnects with the vision civic leaders had towards the end of the 18th and early 19th centuries when the debates in the city were about those getting left behind – the sick and poor. The energy, industry and commitment that companies such as Rowntree and Terry's showed to fostering the wider social good has shaped York profoundly and their legacy still resonates through the city.
35. The current campaign by The Press to highlight to the wider city the poverty some residents face is welcome and the response to it illustrates that residents do want to see a much fairer city. Also the work being done to remove the stigma associated with poverty is particularly welcome and needs to be built upon.
36. A key strategic objective is to create an 'affordable city'. Whilst this paper will reflect later on the need to develop a programme to reduce the cost of living, there is a much wider objective of establishing a far more affordable city. This will incorporate the themes of sustainability, the development of local supply chains, reciprocity and mutualism. Many residents are incurring costs because they lack a local support

network for example around childcare and care support for the elderly. So there is a challenge for the City about how local support networks can be built within communities alongside the more traditional activities such as local food growing, car sharing, cheaper bus travel etc.

Way Forward

37. It is critical that further work to address poverty across the city is coordinated across partners and businesses and includes residents in the shaping of the programme. The Council has already shown city-wide leadership to adopt the living wage but in order to address the scale of challenge now being faced; the resources of a larger number of groups need to be brought together.
38. It is proposed that over the next two months a framework is populated which identifies the totality of work being done across the city to address poverty. This will help to reveal where further work needs to be undertaken and whether existing work programmes need to be coordinated in a different way. During the development of the Financial Inclusion Strategy, it became apparent that there was some duplication of effort and so work programmes will be reviewed at a city level to consider whether resources are being used as effectively as possible.
39. It is proposed that this proposed framework be structured around three distinct themes;
 - Strategic poverty prevention. These are the strategies and work programmes that aim to support people into work or ensure that people are able to maximise their life chances. Generally these will be initiatives targeted towards the majority of residents in the city.
 - Work programmes for those most at risk of poverty. These are the work programmes and activities related to those groups most at risk of falling into poverty such as those pensioners in receipt of pension credit. The work will be preventative in nature and in particular will aim to stabilise the financial circumstances of residents.
 - Work targeting those currently in poverty. These are the immediate activities being taken to alleviate the consequences of poverty for residents in the city.
40. Looking at the larger work programmes that the Council is currently undertaking or supporting, the framework would include work as such as:

Strategic Poverty Prevention

- Through our Child Poverty Strategy, we have sought to “narrow the gap” for the most disadvantaged.
- Our Older People Housing Strategy has focussed on providing affordable accommodation that supports independent living
- Our Homelessness Strategy is helping to improve people’s circumstances and support them back into permanent accommodation

Work programmes for those most at risk of poverty

- Through introduction of the Living Wage for council employees, we are supporting that the lowest paid of our staff, reducing the chances of them slipping into poverty
- Coordinating an Energy Switch Scheme to achieve cost savings for consumers through identifying the best deals and brokering group switching deals
- Providing advice on available benefits and support with money management, to help people make the best of what is available to them

Work targeting those currently in poverty

- Supporting Food Banks to connect those in need with an obtainable supply of food
- CAB Debt Advice supporting those in severe financial difficulty to address their debt problems
- *Housing Support- Mortgage rescue*
- *Sheltered Accommodation Team*
- *Arc Light Hostel*

41. Although it is recommended that the Council works across the city to determine what more needs to be done, it is apparent that priority

needs to be given to those already in poverty and options will be brought forward to do this.

42. Two significant gaps exist and the Council will take steps to champion these. Firstly, it is essential to change the way people in poverty or facing poverty in York are perceived. There is a stigma attached to residents in some parts of the city or those having to use services such as foodbanks which is unhelpful and unfair. Work needs to be done to create a better understanding of the causes of poverty in the city and to ensure that a less judgemental approach is taken. The Joseph Rowntree Foundation, our Voluntary Sector and The Press offer an opportunity to do more of this.
43. Secondly, as the graph earlier illustrates, households face increased costs of living. Steps need to be taken to determine how costs for energy, transport and food can be reduced for those in poverty or at risk. The council has signed up to a community energy switching project to help residents reduce their energy bills which may offer lessons on how this approach could be used to secure community savings on other living costs.
44. The populated framework and proposals for addressing these two key areas will form part of a paper to Cabinet in June.

Implications

- **Financial** – This specific report does not make any financial recommendations however there will be a follow up report that makes recommendations for new work. How this new work is resourced and its impact on Council budgets will be fully discussed in the normal way as proposals are developed.
- **Human Resources (HR)** - None
- **Equalities** – The recommendations in this paper contributes significantly to taking forward the Council's commitment to fairness and equality. The work is focussed on some of the most vulnerable in the city. As the work progresses the impact of any proposed changes will need to be assessed to ensure that our equalities obligations are fully considered in decision making.

- **Legal** – This report does not have legal implications but the follow up paper will address procurement and partnership working and legal advice/clearance will be sought in the normal way.
- **Crime and Disorder** – This work will contribute towards improving social cohesion.
- **Information Technology (IT)** – None
- **Property** - None
- **Other** - None

Risk Management

45. None at present however this will be addressed in the follow up paper.

Recommendations

46. Cabinet is asked to:

- Note the statistical data provided on the extent of poverty in the city
- Agree to the population of the city-wide framework and to the development of measures/activities to reduce poverty, to be brought back to Cabinet in June as proposals for further work.
- Agree the emphasis in priority to those in poverty.

Reason: To address the issues of fairness and equality in the city.

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	Report Approved	<input checked="" type="checkbox"/>	Date 20 March 2013
Specialist Implications Officer(s) None			
Wards Affected: List wards or tick box to indicate all		All	<input checked="" type="checkbox"/>

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Background Papers:

None.

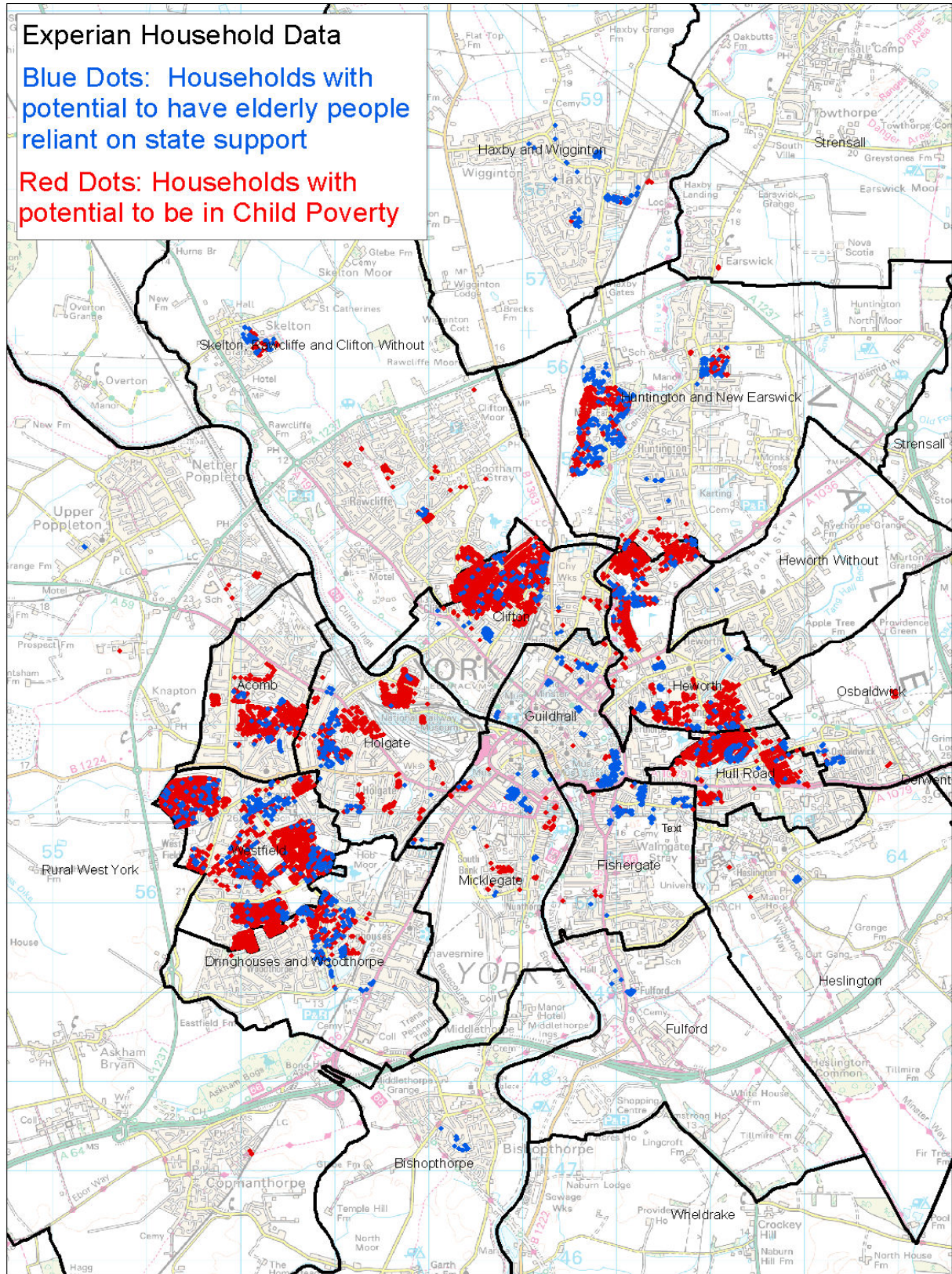
Annexes

Annex A – Experian Customer Profile - Households with potential to be in poverty

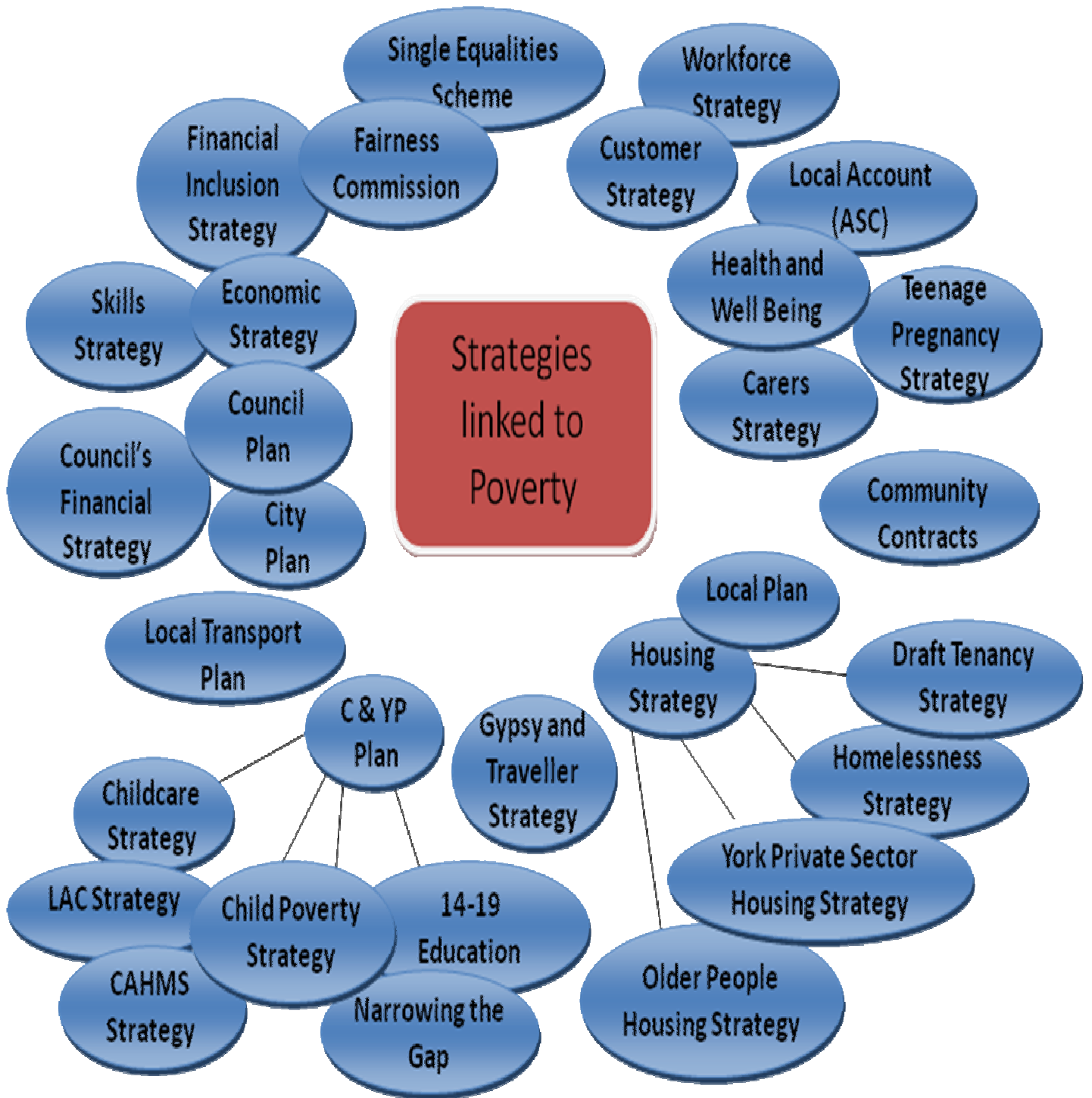
Annex B - Existing Council Strategies linked to Poverty

Annex A – Experian Customer Profile

Households with potential to be in poverty



Annex B - Existing Council Strategies linked to Poverty





Cabinet**2nd April 2013**

Report of the Cabinet Members for Crime & Stronger Communities, Transport Planning & Sustainability & Health, Housing & Adult Social Services

MAXIMISING THE OPPORTUNITIES FROM THE GREEN DEAL IN YORK**Summary**

1. The purpose of this report is to outline the business case for the Leeds City Region (LCR) Green Deal, and to consider City Of York Council's level of participation within the scheme.

Background to the Green Deal and the Leeds City Region (LCR)**Model:**

2. The Green Deal (GD) is one of the Government's flagship initiatives and will operate by providing energy efficiency and other works at no up-front cost to the householder across all tenures and businesses.
3. The costs of the improvements will be met by a GD loan attached to the property. This loan is repaid by the savings made from the property's electricity and heating bills as a result of having the energy efficiency measures installed. This is an innovative and significant step change from the previous grant culture.
4. A critical part of the GDs is the 'Golden Rule' whereby the annual financial savings made as a result of the installed GD measures must be greater than the annual GD loan repayment - therefore the net cost to householder/ business will always be zero.
5. When considering the above, it is clear that in some cases, especially where the properties are hard to treat, the financial savings alone will not cover the costs of the loan. Therefore to overcome this an 'Energy Company Obligation' (ECO) has been developed.

6. Energy companies will be obliged to set aside funds to pay for efficiency improvements. This will replace all the existing subsidies and grants for home energy conservation measures. ECO will be in three strands:
 - 1) *Affordable Warmth ECO*: Pays for any qualifying measure that will reduce heating costs. Targeted only at vulnerable households with low incomes or on benefits;
 - 2) *Carbon Saving ECO*: This is a subsidy towards the cost of expensive measures such as solid wall insulation. Any householder is eligible, and the measures will be installed as part of a Green Deal package. The subsidy allows these costly measures to meet the golden rule. The Carbon saving element of ECO is the most relevant for the Green Deal, as it will be used to top up the cost of some Green Deal measures;
 - 3) *Carbon Saving Communities*: A sub-set of “carbon saving ECO” will be targeted at low income communities (the 15% most deprived Lower Super Output Areas) so measures can be installed on an area basis. There are two such super output areas in York which will qualify for this funding.
7. From the 28th January 2013 private Green Deal Providers have been operating and are able to fund energy efficiency, affordable warmth and area-based energy efficiency measures to all householder in the private sector. Although it should be noted that nationally uptake has been slow.
8. By the end of March 2013 other forms of funding streams as Warmfront, Carbon Emission Reduction Target (CERT) and Carbon Energy Saving Programme (CESP) will no longer available. Leaving the GD/ECO as the only viable option left for residents to improve their homes.
9. A cross directorate team with officers from sustainability, housing, finance, legal procurement and property services was set up in 2012 to consider the options available to the council to maximise the opportunities for the city. These include:
 - Support for the maintenance and generation of local jobs and skills

- Support for wider local strategic priorities in particular our ambitious target to reduce carbon emissions by 40% by 2020 and better health outcomes. Without the Green Deal (or its predecessors such as CERT) it will be difficult to secure funding for the levels of retrofit required to support York reaching its challenging carbon reduction targets by 2020.
 - A framework to help to reduce fuel bills for local residents and businesses and thereby reduce fuel poverty levels in the city;
 - Opportunities for local economic and physical regeneration; There are two Lower Super output areas in the city which have been identified as being eligible for measures for one of the strands of ECO
10. This group has investigated options to maximise delivery of the Green Deal in York. These included
- be a provider and deliver the Green Deal directly to their local residents and businesses, co-ordinating finance and delivery;
 - work in partnership with commercial Green Deal providers and community partners to deliver and facilitate delivery;
 - only promote and act as advocates for the Green Deal locally.
 - Do nothing at all
11. To maximise the benefits of the Green Deal in York, and to achieve benefits as outlined in paragraph 27, options 3 and 4 were discounted. Models in line with options 1 and 2 have only been investigated.

LCR Model

12. The LCR business case was developed in conjunction with the consultants. Essentially the current proposal is that the LCR Councils will procure a commercial partner to deliver the GD/ECO. It is important to be clear that the Green Deal will still be available to all York residents from the national commercial registered providers who will be contacting households to offer their brands. However the council branded scheme's aims, provided in partnership with a private sector partner, are to drive competition in the market, improve take up, to try and ensure that our more vulnerable

residents are offered additional grant funding (through the ECO) and perhaps could help drive down overall prices. The LCR option will allow us to focus on helping the more vulnerable residents and ensure that a provider targets the more difficult to treat homes (solid wall properties), not just the easy to treat homes in York, in addition to the general market coverage.

13. The Council 'brand' is also considered critical to promoting take-up, to provide reassurance to householders of the legitimacy of the Green Deal as a scheme. In Birmingham the access to the council brand was essential and was of more importance to their provider than access to capital funding. This trusted brand is becoming increasingly important as there are already reports of non-accredited companies offering deals under the Green Deal banner at over-inflated costs and repayment schedules, which may affect perceptions and take-up overall.
14. Soft market testing is being undertaken by the LCR with the industry to gauge their interest and support for working in partnership with the Council.
15. In order to attract sufficient companies capable of managing a city region-wide Green Deal it will be critical to have a scheme of significant scale. The consultant's advice is that the scheme needs to guarantee a minimum contract value of about £80m (of which at least £20m is Carbon Saving ECO) which would provide green deal packages of improvement for approximately 12,000 homes. It is estimated that this regional procurement exercise would take 9-12 months, incurring £600,000 start-up costs.
16. Until recently, there was uncertainty surrounding the level of funding the LCR scheme could secure through the Green Deal Finance Company (GDFC) to deliver green deal packages. Without access to this finance option, LCR council partners have also investigated prudentially borrowing money to pay for and deliver Green Deal Packages through a commercial partner. It is now believed that the LCR model can utilise GDFC finance to deliver the regions' GD packages. This means the LCR model no longer needs to seek councils to prudentially borrow and fund delivery of GD packages and measures.
17. If we wish to invest in the Green Deal we would need to have direct dialogue with the GDFC as it is now outside of the LCR proposal. It should be noted that we are discussing this with Finance to assess

the risks of such a approach but that this doesn't affect the decision whether to join the LCR procurement but it should be noted that currently there is no funding identified to support these additional costs

18. The proposed LCR scheme would initially be a three-year project. Taking into account the time needed for Council agreements, procurement via the OJEU, and marketing, the expected launch date would be in March 2014.
19. Across the LCR there is a collective ambition to target between 14 - 19,000 homes indicating that the minimum target of 12,000 homes required by the business case should be able to be met, although it should be noted that ultimately the key figure is the total value of works carried out rather than the number of properties.
20. In terms of York's own ambitions, we would expect to be able to install measures in 615-1230 homes over the first three years. This range is based around installing measures to our accessible market (having taken into account which will be difficult to target e.g. listed buildings/homes in conservation areas etc) and is in line with the take-up we have achieved in previous home energy efficiency campaigns.
21. If York wants to be part of the formal procurement process to secure a LCR GD provider they must confirm their continued participation by the 11th of April 2013 to enable the LCR to begin a competitive Dialogue OJEU procurement process from May 2013. There are considerable concerns that if a viable scheme is not in place by March 2014, that the LCR Councils may be unable to access ECO funding as it may have already been committed until the next round which will start in 2015.
22. York will also have to sign a Memorandum of Understanding and agree to fund £41k towards the total procurement stage cost.
23. In addition to the £41k, and to maximise delivery in York, a further £5k is recommended to support the collation and analysis of data to target properties in fuel poverty or that are hard to treat.
24. The recent guidance to local authorities issued pursuant to the Home Energy Conservation Act 1995 (HECA) clearly recognises and expects that council will use their position to improve the energy efficiency of all residential accommodation in their area. It is clear

we will need to provide progress reports to government on uptake of the Green Deal and ECO alongside other significant efficiency improvements and measures which the council has developed to implement improvements cost effectively.

Options

25. There are currently 2 options to maximise delivery of the Green Deal in York which Cabinet are being asked to consider:
 - **Option 1** proceed with the LCR scheme as a partner and proceed to full procurement stage (~£41k)
 - **Option 2:** not to proceed with LCR GD scheme and look at other local options (currently none are as developed as the LCR model)

Analysis

26. Option 1 – LCR Delivery Model: Whilst details are still to be confirmed this option has potential to deliver a credible programme. It also has greater potential for local job creation, training and skills development and to tackle climate change and fuel poverty priorities in the City.
27. When considered against The Council Plan priorities this option will support three of the five priorities with real opportunities to create jobs and grow the economy if the procurement phase is able to ensure the use of local installers and new job opportunities for York. In addition it will fulfil the requirements of HECA.

Advantages of option 1	Risks associated with option 1
<p>Potential local training / employment opportunities Potential for direct stimulation of local economy</p> <p>More scope to ensure the most vulnerable / less attractive properties in York will be included in the programme (private GD providers are more likely to 'cherry pick' the best properties to maximise profits)</p> <p>Will enable the council to fulfil its legal requirements under HECA</p> <p>Support for wider local strategic priorities in particular our ambitious target to reduce carbon emissions by 40% by 2020 and better health outcomes. Without the Green Deal (or its predecessors such as CERT) it will be difficult to secure funding for the levels of retrofit required to support York reaching its challenging carbon reduction targets by 2020.</p>	<p>Depending on the procurement of a LCR GD programme, there is the risk that training / employment opportunities and direct stimulation of local economy may only occur in Leeds with no or reduced local benefit to York</p> <p>Lower than expected uptake of GD measures so unable to sign up the minimum 12,000 homes across the region and sufficient homes in York to make the model financially viable/stable.</p> <p>Reputational risk to LAs associated with poor installations and customer service Green Deal provider/s could be put off by over prescriptive tendering process</p> <p>Length of time before procurement process completed means it is unlikely any measures will be installed before 2014</p> <p>Potential future changes in government policy (ala the feed in tariffs programme) once operating, and without additional capacity / resource to support roll out, current internal staff may be unable to maximise delivery of the model in York.</p>

28. Option 2 – Not to proceed: This option would let the market deliver GD as it sees fit, with little or no council involvement. This would mean that CYC would have no designated model to deliver energy efficiency improvements to the private housing stock post 2013 and this will greatly affect the city's ability to improve housing standards, reduce fuel poverty and decrease carbon emissions from the

domestic sector (currently approx. 38% of York's carbon footprint). It would also mean that we would have very limited involvement in the homes and areas targeted, and could result in those in greatest need missing out.

Advantages of option 2	Risks associated with option 2
<p>No upfront investment required by public sector bodies so no financial risks to LAs</p> <p>No resource expenses / burden No or less reputational risk to LAs as a result of poor performance</p> <p>Arguably more scope for private sector expertise / commercial know how and innovation resulting in a more effective / deliverable approach</p>	<p>Less influence over stimulus for local jobs and the economy No potential for income generation stream for LAs</p> <p>Potential failure to achieve priorities on fuel poverty / climate change as Green Deal Providers opt to work in other local authority areas through agreed partnership GD programmes such as the LCR model.</p> <p>Exclusion of those who need assistance most</p> <p>Won't enable the council to fulfil its legal requirements outlined in HECA</p> <p>Less support for wider strategic priorities including reducing carbon emissions and improving health.</p>

Council Plan

29. When considering the impact of the proposals against the priorities set out in the council plan, the recommended option positively impact on three of the priorities:

- Create jobs and grow economy – The procurement stage of this work has the potential to have a positive impact. Opportunities could be local and regional;
- Protect the Vulnerable – Whilst not always a direct relation, often those properties in most need house some of the most

vulnerable in our city. The council will have some ability to ensure that areas most in need are targeted;

- Protect the environment – The work carried out under the scheme will have a direct impact on reducing carbon emissions within the city.

Communications

30. There has been significant communication between officers from the council with LCR colleagues and the industry. There have been regular briefings on the LCR business model to the LCR Chief Executive and Leader's meeting.

Implications

31. The majority of the implications of this report are considered within the body of the report. Key implications are:

- **Financial:** The following tables illustrate the proposed revised procurement and legal set up costs and local authority contributions (please note this has been reduced from £1.75m). The revised breakdown are presented as revised **maximum** costs and subject to further confirmation

Action	Cost (£)
Pre-Procurement development and OJEU competitive dialogue procurement support by LCC PPU	278,000
External legal advisors	50,000
External procurement advice, supplier warming and industry workshops and events	30,000
Local Authority and other specialist officer support through the Competitive Dialogue process	100,000
Job creation and supply chain strategy and delivery plan	7,000
Market research	50,000
LCR Partnership and technical coordinator	35,000
Contingency	50,000
TOTAL	600,000

LA	Share of Private Sector Stock (1.04m) (agreed CXs 19/11/2012)	
Barnsley	8.01%	£48,000
Bradford	16.1	£96,000
Calderdale	7.45	£45,000
Craven	2.29	£14,000
Harrogate	6.03	£36,000
Kirklees	14.28	£86,000
Leeds	25.22	£151,000
Selby	3.01	£18,000
Wakefield	10.79	£65,000
York	6.82	£41,000
		£600,000

A Delivery Innovation Fund bid has been successful and fully covers the York's contribution towards the procurement costs. In addition the bid enables the council (£5k) to purchase energy performance data of the stock and collate and analyse data to create a targeted approach to maximising the LCR model in York. To date officers have not identified any other costs to the council as a result of this programme such as additional officer time to help deliver the scheme.

- **Human Resources (HR):** None
- **Equalities:** The Green Deal including ECO will be the only option available for residents from the beginning of 2013, following the demise of current government programmes such as CESP/CERT and Warmfront.
- **Legal:** None
- **Crime and Disorder:** None
- **Information Technology (IT):** None
- **Property:** None

Risk Management

32. The risks associated with this proposal are set out within the body of the report.

Recommendations

33. That Cabinet is asked to:

- Approve option 1 to proceed with the LCR scheme as a partner and proceed to full procurement stage.

Reason: To ensure that the council participate in a trustworthy scheme partnership with other local authorities and benefit from the economies of scale and by doing so improve take up and help to ensure that our more vulnerable residents are offered additional grant funding (through the ECO).

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	Report Approved		Date 27 February 2013
		✓	
Specialist Implications Officer(s) None			
Wards Affected: List wards or tick box to indicate all			All ✓

For further information please contact the author of the report

Annexes

None