

Notice of a public meeting of

Decision Session - Executive Leader (incorporating Policy, Strategy and Partnerships)

To: Councillors Aspden

Date: Wednesday, 18 September 2019

Time: 4.00 pm

Venue: The Craven Room - Ground Floor, West Offices (G048)

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00 pm on Friday, 20 September 2019.**

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

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00pm on Monday, 16 September 2019.**

1. **Declarations of Interest**

At this point in the meeting, the Executive Leader is asked to declare:

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

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

2. **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 Tuesday, 17 September 2019**. Members of the public can speak on agenda items or matters within the Executive Leader's remit.

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

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The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at

https://www.york.gov.uk/downloads/file/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809

**3. Acomb and Westfield Neighbourhood Plan (Pages 1 - 72)
Area and Forum**

This report seeks the determination of two applications submitted by the proposed Acomb and Westfield Neighbourhood Forum for (i) designation of a Neighbourhood Plan Area and (ii) designation of a Forum in order to prepare a Neighbourhood Plan. The Report also provides a summary of the consultation responses received during the recent consultation on the applications.

As the Executive Member for Economy and Strategic Planning is the Ward Member for Westfield, Councillor Waller has agreed that he should not participate in the decision relating to this item. In accordance with the Constitution the Executive Leader will determine this issue.

**4. Establishing the York Inclusive Growth (Pages 73 - 90)
Programme**

This report outlines potential inclusive growth projects for the Inclusive Growth Initiatives Fund, which will support one-off pieces of work.

**5. Coordinating the work of city centre agencies - (Pages 91 - 112)
Purple Flag and safer events**

This report sets out a proposed approach to coordinating work with residents, businesses and visitors in York city centre through the development of Purple Flag (PF), potentially leading to an application for Purple Flag accreditation, and the coordination of the city's safety advisory group (SAG).

6. Urgent Business

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

Democracy Officer:

Name: Angela Bielby

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

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

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 (01904) 551550



**Decision Session - Executive Leader
(incorporating Policy, Strategy and
Partnerships)**

18 September 2019

Report of the Corporate Director of Economy and Place

Proposed Acomb and Westfield Neighbourhood Plan Area and Forum

Summary

1. The purpose of this report is to seek determination on two applications submitted by the proposed Acomb and Westfield Neighbourhood Forum for (i) designation of a Neighbourhood Plan Area and (ii) designation of a Forum in order to prepare a Neighbourhood Plan. The Report also provides a summary of the consultation responses received during the recent consultation on the applications. The report recommends that City of York Council make amendments to the area and approve the forum application subject to the forum confirming that they are willing to act in relation to the amended area and submit an updated constitution reflective of the proposed revised neighbourhood area.

Recommendations

2. The Executive Member is recommended to:
 - (i) Approve a revised Neighbourhood Plan Area as shown on the Map in Annex 3.

Reason: to allow the Neighbourhood Plan Area to be designated.

- (ii) If Recommendation (i) is approved, to approve the Forum Application, subject to the Forum writing to the Council within 14 days to indicate that they are willing to act in relation to the revised area (see Map in Annex 3) and to confirm it is still able to meet the conditions for designation set out in Section 61F of the Town and Country Planning Act 1990 (as amended) and submitting an amended constitution in line with the amended area, that removes references to Westfield. Subject to the above to agree the designation of the forum by the Assistant Director for Planning and Public Protection in consultation with the leader of the Council.

Reason: to allow the Neighbourhood Forum to be designated.

Background

3. As part of the Localism Act 2011, local communities are encouraged to come together to get more involved in planning for their areas by producing Neighbourhood Plans for their area. Neighbourhood Plans are centred specifically round creating plans and policies to guide new development.
4. Neighbourhood planning is about letting the people who know about an area plan for it. It is led by the residential and business community, not the Council, and is about building neighbourhoods – not stopping growth.
5. If adopted by the Council, Neighbourhood Plans and Orders will have weight becoming part of the statutory plan making framework for that area. Designation of a Neighbourhood Area and a Neighbourhood Forum are the first stages in the preparation of a Neighbourhood Plan.
6. In line with National Planning Practice Guidance (NPPG) paragraph 24¹ (2019):

“An application must be made by a parish or town council, neighbourhood forum or a prospective neighbourhood forum, to the local planning authority for a neighbourhood area to be designated (see regulation 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended). This must include a statement explaining why the proposed neighbourhood area is an appropriate area”.

7. There are four stages in determining Neighbourhood Area and Forum Applications, these stages are set-out in detail in the Neighbourhood Planning (General) Regulations 2012, and are as follows:

Stage 1 – Receipt

This initial stage does not involve an assessment of the information included within the application, it ascertains that the required information is present within the application and whether or not there is

¹ Reference ID: 41-024-20190509

an existing Neighbourhood Area and/or Forum for the area. If there is already an existing Neighbourhood Area or Forum for the area and that designation has not expired or been withdrawn, the Council may decline to consider the application/s.

Stage 2 – Publicity

As soon as possible after receiving an application, and if not declined to consider under the Regulations, the Council will publish details on its website and in such other manner as considered likely to bring the application to the attention of people who live, work or carry on business in the area (for a minimum six-week period) to which the application relates, along with details on how to make representations.

Stage 3 – Consideration and determination of applications for designation

Applications must be determined within 13 weeks of first being published for consultation which in this case is 19th September 2019. In reaching a decision regarding the designation of a Neighbourhood Area and/or Forum, the Council will prepare reasons for its decision. If the decision is not to designate the specific area applied for, these reasons need to be published as part of the refusal notice referred to below. It is considered good practice for any decision to be recorded in writing along with reasons, regardless of whether the decision is to grant designation or to refuse it.

Stage 4 – Publicising a designation of a Neighbourhood Area or Forum

If approved, as soon as possible after designating a Neighbourhood Area and/or Forum, the Council will publish (in the same manner as Stage 2) the following:

- a) the name of the Neighbourhood Area and/or Forum;
- b) a copy of the written constitution of the Neighbourhood Forum, as appropriate;
- c) the name of the Neighbourhood Area or Forum to which the designation relates; and,
- d) contact details for at least one member of the Neighbourhood Area or Forum.

As soon as possible after deciding to refuse to designate a specific Neighbourhood Area applied for or Forum, the Council will publish (in the same manner as Stage 2) the following:

a) a statement setting out the decision and their reasons for making that decision (“the refusal statement”); and,

b) details of where and when the refusal statement may be inspected.

8. The regulations state that where a relevant body, in this case the prospective Acomb and Westfield Neighbourhood Forum, submits an area application it must include:
 - A map which identified the area to which the area applications relates;
 - A statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
 - A statement that the organisation or body making the application is a relevant body for the purposes of Section 61G of the 1990 Town and Country Planning Act as applied to Neighbourhood Plans by Section 38a of the Planning and Compulsory Purchase Act (2004).
9. The prospective Acomb and Westfield Neighbourhood Forum has submitted the Neighbourhood Area application and Neighbourhood Forum application simultaneously. This allows people who live, work and do business in Acomb and Westfield wards to see the proposals in context. It also removed the need to consult twice, saving time and reducing the chances of 'consultation fatigue' amongst residents. The applications, including a map showing the extent of the proposed neighbourhood area, are included in Annex 1 of this report.
10. The prospective forum highlighted that although the applications are submitted together, they are submitted as two separate applications in order to demonstrate compliance with Regulations 5 and 8 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

Reasons for the Proposed Neighbourhood Area Boundary

11. The area application states that the proposed Neighbourhood Area comprises the two wards of Acomb and Westfield. The prospective forum considers this to be appropriate to be designated as a neighbourhood area for the following reasons:
 - i. It follows the recognised/established Ward boundaries

- ii. Formal and informal networks of community-based groups already operate within these boundaries
- iii. Distinct catchment areas for schools and local facilities fall within the boundaries proposed
- iv. Consultation to date shows that there is a desire for a neighbourhood plan to cover the full ward areas

Suitability of Proposed Forum

12. The forum application highlights that the prospective Acomb and Westfield Neighbourhood Forum has been established for the express purpose of promoting or improving the social, economic and environmental wellbeing of the Acomb and Westfield Wards. It states that membership is open to:
 - i. individuals who live in the proposed Neighbourhood Area,
 - ii. individuals who work there (whether for businesses carried on there or otherwise), and
 - iii. individuals who are elected
13. The Acomb and Westfield Neighbourhood Forum current membership includes approximately 125 individuals who fall within one or more of the above categories.
14. The Council cannot refuse to designate a neighbourhood planning forum that meets the minimum statutory requirements (which include a written constitution, with a purpose to promoting or improving the social, economic and environmental wellbeing of an area; and an open membership, with a minimum of 21 individuals who live, work or are elected to represent the area). The current application meets these minimum statutory requirements.
15. The Council must designate some or all of the neighbourhood area applied for in line with Town and Country Planning Act 1990 (as amended) 61 G (5). The reasons for amending an application must be published and can be challenged in the courts.
16. Officers will consider the reasons for the proposed neighbourhood area boundary and the suitability of the proposed forum under the 'Analysis' section of this report.

Consultation

17. When an area application is received, the City of York Council must publish the following details of the Plan in line with the Regulations (2012, as amended):
- a) a copy of the application*
 - b) details of how to make representations*
 - c) the date by which those representations must be received, being-*
 - (i) in the case of an application to which paragraph (2)(b) of regulation 6A applies, not less than four weeks from the date on which the area application is first published;*
 - (ii) in all other cases, not less than six weeks from the date on which the area application is first published.*

This should be published on the website and in such other manner as is considered likely to bring the area application to the attention of people who live, work or carry on business in the area to which the area application applies.

18. Similarly, when a Neighbourhood Forum application is received, the City of York Council must publish the following details of the Plan In line with the Regulations (2012, as amended):
- (a) a copy of the application;*
 - (b) a statement that if a designation is made no other organisation or body may be designated for that neighbourhood area until that designation expires or is withdrawn;*
 - (c) details of how to make representations; and*
 - (d) the date by which those representations must be received, being not less than 6 weeks from the date on which the application is first publicised.*

This should be published on the website and in such other manner as is considered likely to bring the area application to the attention of people who live, work or carry on business in the area to which the area application applies.

19. On 27th June 2019, City of York Council published the Forum and Area applications for an 8 week consultation period until 22nd August 2019, which allowed an additional two weeks of consultation as it fell over the summer holiday period. It meets the statutory requirements and accords with the Council's adopted Statement of Community

Involvement. The consultation was publicised and responded to in the following way:

- Notices were put up in prominent public areas in the Acomb and Westfield Wards
 - A copy of the applications were put in York Explore Library, the Councils West Offices Reception and Acomb Explore Library;
 - A notification letter was sent to businesses and landowners/agents in the Acomb and Westfield Wards;
 - A notification email was sent to the elected Members in the Acomb and Westfield Wards;
 - A notification email was sent to neighbouring Ward and Parish Councils including:
 - Holgate Ward
 - Dringhouses and Woodthorpe Ward
 - Rural West Ward
 - Rawcliffe and Clifton Without Ward
 - Rufforth with Knapton Parish
 - Askham Bryan Parish
 - Clifton Without Parish
 - Nether Poppleton Parish
 - Upper Poppleton
 - A press release was written to notify the media of the consultation;
 - A new Acomb and Westfield webpage was created at: www.york.gov.uk/neighbourhoodplanning where the Acomb and Westfield applications are available to view as well as additional information on the Neighbourhood Planning process.
 - A specific email address neighbourhoodplanning@york.gov.uk was set up to receive representations as well as a freepost address.
20. Now the consultation period has ended, the Local Planning Authority has a period of time (defined by the Neighbourhood Planning (General) (Amendment) Regulations 2016) to decide whether or not to designate the forum and the boundary applied for. The power to designate a neighbourhood area is exercisable under section 61G of the Town and Country Planning Act 1990. At this stage, it is only the principle of becoming a neighbourhood area and the extent of the proposed boundary which is to be considered. The determination of the application should not pre-judge the content or approach of the proposed draft Neighbourhood Plan. When designating a neighbourhood area, a local planning authority should not make assumptions about the neighbourhood plan that will emerge from

developing, testing and consulting on the draft neighbourhood plan when designating a neighbourhood area.

21. Under section 61H of the 1990 Act, whenever a local planning authority exercises powers under 61G to designate an area as a neighbourhood area, consideration must be given as to whether the authority should designate the area concerned as a business area. The designation of the specified area can only occur if the authority considers that the area is wholly or predominantly business in nature (Section 61H (3)). The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a business area.

Responses to Consultation

22. At the end of the 8 week consultation period the Council received 14 consultation responses which are included (with personal information removed) in Annex 2 to this report.
23. In summary the responses included 1 in support of the proposed forum, 3 respondents objected to the proposed forum. There were 2 respondents in support of the proposed area boundary. One respondent did not indicate whether they supported the proposed forum and proposed area or not, and 11 respondents did not support the proposed area boundary.
24. No specific new area boundaries and no new forums were formally proposed through the consultation responses.

Proposed Neighbourhood Forum Consultation Responses

25. The response in support of the proposed forum stated that the Forum is committed to it being an open, inclusive, community led process and has demonstrated this through the extensive consultation that has taken place to date. The neighbourhood Forum is not aligned to any particular interest group or political party.
26. The response from Consultants Rapley's who act on behalf of British Sugar Plc would like to become a member of the forum and indicated that a large part of the former British Sugar site is included within the proposed neighbourhood area designation.
27. The Lowfields Action Group have reservations about the neighbourhood forum as there are already several groups in the area which already articulate views of local people, they also comment that

some of the identified officials of the proposed forum are politically motivated. Also of concern is that the forum have associated itself with the 'Yorspace' organisation which supported building on the Lowfield playing fields.

28. A suggestion from one respondent is that the forum should focus on a smaller area such as the Front Street Conservation Area. The respondent suggests that the effect of designating the two wards as one neighbourhood planning unit would be to prevent Residents Associations from pursuing their own preferred Neighbourhood Plan and it would potentially damage community cohesion which has been hard won over the years.
29. Another respondent opposed to the forum highlighted that the figures provided by the Forum relating to the location of their membership, on their figures only 68 members live in the area which represents 0.0029% of the population of the two Wards. In addition the respondent indicates that the officers of the Forum are not listed so it is difficult to know who exactly took the decision and when to apply for a Neighbourhood Forum. Concern that the Constitution, states a requirement for 2 General Meetings per year, one of which must be the AGM and their website does not confirm whether these have taken place. There was also concern over where the chair and vice chair live and whether it is within the plan area.
30. **Conclusion: The representations regarding the Forum are not made on the basis of lack of compliance with the legislative requirements. Officers are content that the application as submitted does comply with the requirements of the legislation.**

Proposed Neighbourhood Area Consultation Responses

31. One of the responses in support of the proposed area indicated that the submitted application provides the most appropriate boundary given that the centre of Acomb Village sits at the boundary of the wards and the catchment area extends deeply into both ward areas. In addition the response highlights that given the neighbourhood plan will complement and support the Local Plan it makes sense to base it on the two ward boundaries, the areas relevant for city planning, rather than creating a new boundary with no natural or structural basis.
32. The other positive response to the proposed boundary also believes that the proposed boundary is the only one that makes sense for any plan that is developed. The response indicates the following key points:

- the central area around Front Street is instantly recognisable and has history including a conservation area. It is suggested that it has a character that feels different from other parts of York and a community that often considers itself more of a village than a suburb.
 - if the neighbourhood plan was only for a micro 'Acomb' area it would not necessarily address concerns of local residents feeling like an afterthought as many would not be covered by the plan. The response suggests that more importantly the identification of a 'micro' area is practically impossible. The conservation area straddles two council wards and does not include substantial parts of the primary shopping and market area. Additionally it fails to encapsulate the *immediate* local 'neighbourhood' by not covering roads like Beaconsfield St, Howe St, Beech Grove, Green Lane, etc, and it is not *designed* to look at the community itself.
 - the core council boundaries are drawn based on communities and neighbourhoods which are the wards. The area surrounding Front Street and York Road are in Acomb and Westfield wards, slightly more in the latter than the former, and are generally known to local residents as Acomb, so trying to separate Acomb from Westfield is not simple, with local residents often choosing to ignore 'official' naming conventions like the 2003 and 2015 border changes to ward boundaries.
 - local residents know their local village centre and from both Acomb and Westfield consider themselves part of that central community (as well as various micro communities too small for individual neighbourhood plans).
 - 'many of the council services are already geared to work with this as a known area, and many local services, organisations, social media groups and activities/clubs already market themselves and operate as if this were one single accepted area'.
 - some residents on the edge of Holgate branch, or at the other edges of the boundary, may consider themselves in or out on a case by case basis but in general people know the region of York fairly well as one suburb/village comprising two wards just like the city itself is one community comprising two parliamentary constituencies.
33. The Westfield Ward Councillors including Cllr Waller, Cllr Hunter and Cllr Daubeney all express reservations in relation to proposed neighbourhood plan area based on the following 6 points:
1. The area is too large for a genuinely local neighbourhood plan. The distances from Boroughbridge Road and Carr Lane to Acomb Wood Drive and Windsor Garth run through a number of different neighbourhoods.

2. No other neighbourhood Plan in York covers more than one ward, and the vast majority are parts of wards reflecting local geography and neighbourhoods.
3. The Councillors have concerns that the plan as proposed would not take account of the different neighbourhoods within the Westfield Ward.
4. Chapelfields is one of a number of distinct neighbourhoods in the ward, which according to the map submitted with the application has no members representing this community, nor has there been any direct engagement with the Community Association with that area.
5. Foxwood is another distinct neighbourhood and has few points of contact with the proposed plan and again no engagement with the Residents Association for this community.
6. It is hoped that the residents association for Kingsway West, Cornlands and Lowfields can be re-established and those neighbourhoods are distinct within the proposed geography.

The response by the Councillors also highlights that if the application were to be approved then this would prevent local neighbourhood plans for the communities listed in their response and be contrary to the intentions of the Localism Act.

34. Six local residents also object to the proposed boundary largely based on:
 - the large size of the area would not serve adequately the needs and objectives of the Westfield Ward, would create a lack cohesion of areas, the area is too wide to fully represent disparate parts;
 - will mean less money for the Foxwood residents, it does not take into account the local amenities that are available to those living in Foxwood and will not benefit local people;
 - the areas of Acomb, Chapelfields and Boroughbridge Road have nothing in common;
 - the plan would not serve the interests of the vast majority of Westfield residents particularly those in Foxwood, Chapelfields or Gladstone Street.
 - One resident felt that the area should be larger as it excludes the Acomb side of Holgate which to the respondent feels like a 'Greater Acomb' neighbourhood which should include the whole of the Acomb side of Holgate.
35. Foxwood Residents Association object to the proposed area boundary and considers that the two wards together (approximately 10,000 homes) encompasses a disparate group of neighbourhoods which little obvious community of interest. If agreed it would be the largest such

plan in the York area. The response indicates that Foxwood has little in common with Chapelfields or the Gladstone Street area and has even little shared interest with Ouse Acres. It is considered that Foxwood has more in common with Woodthorpe area. There is also concern that the plan would take resources away from the key task of raising public services standards in the area. A key point from the Foxwood Residents Association was that if approved it would prevent a plan, focusing on Foxwood, from being prepared by people who live in the local area. The response indicates that there is little scope for redevelopment and the focus needs to be on retaining and improving open spaces.

36. The response from Lowfields Action Group consider that the proposed plan is not manageable and which might not help local people to influence decisions which affect the street in which they live. They also feel that there is no community interest between the widely differing neighbourhoods contained within the proposed boundary which includes around 20,000 residents. The neighbourhood plan covering such a large area would be too big and the Action Group would support the production of a neighbourhood plan covering the Lowfields area and neighbouring streets.
37. Another response which objected to the proposed area suggests that it is much too large to have any commonality of interest for neighbourhood planning purposes stating that the Acomb and Westfield Wards cover approximately 10,000 homes and approximately 20,000 people which would stretch from Foxwood to Boroughbridge Road, encompassing a disparate group of neighbourhoods with little obvious community of interest. It is highlighted that if agreed, it would be by far the largest such plan in the York area and one the whole those neighbourhood plans that have been approved cover smaller villages which all have had a shared commonality of interests. The respondent also recognises that the Westfield Ward already has groups set up which seek to influence Council policy including also several Residents Associations, a “planning panel” (which scrutinises planning applications), a “ward team” and a “ward committee” together with several “action groups” which tend to focus on stimulating, or preventing, specific developments. There is concern that adding an additional tier of representation, would involve additional costs and could lead to confusion about roles and responsibilities. Again this respondent also highlights that Foxwood has little in common with Chapelfields or the Gladstone Street area and it has even less shared interest with Ouse Acres with Foxwood having more in common with the Woodthorpe area. The view of this respondent it that this proposal

represents an unwelcome diversion and could take resources away from the key task of raising public service standards in the area and suggests that Residents Associations are bested suited and of the right scale to identify changes that need to be made in local neighbourhoods and deserve more Council support. The response indicates that there is little scope for redevelopment and the focus needs to be on retaining and improving open spaces.

38. Finally a respondent objected to the proposed area on the following grounds:
1. **Proposed area to be covered:** the area proposed comprises a population of 23,440. The response suggests that one of the reasons York is such a great city in which to live is the diversity and vibrancy of its neighbourhoods, each with its own ethos, which are not confined within the boundaries of Wards but in many cases straddle Wards e.g. the Hob Moor area of Westfield probably has more in common with the Holgate area whilst Foxwood has more in common with parts of Dringhouses & Woodthorpe. Residents tend to look for facilities within their own neighbourhood in the first instance and the respondent can see little synergy between Acomb and Westfield, which appears to have a larger number of accessible community facilities than Acomb. The respondent suggests that consultation with local people on issues can and does take place through resident associations. The respondent feels that the proposed area is too large, the ability of people to influence decisions covering very unique areas will be lost.
 2. **Duplication and cost:** there is already a Ward Committee system in operation and there is the option to have a Planning Panel in each Ward although this is something which neither Ward has taken up. There was also concern over where the money may come for to fund the plan.

Conclusion: There are a number concerns over the area proposed due to its size and encompassing a variety of different and unique neighbourhoods. Officer's consideration of the proposed area is given in the analysis section of this report.

Options

39. The Council is obliged under the Neighbourhood Planning Regulations to decide any applications to designate a Neighbourhood Area and / or Neighbourhood Forum. In doing so, the Council must have regard to the relevant statutory requirements and base its decision on the requirements set out therein. The Council can either approve or reject the request for designation of the Forum and must publish the reasons

for refusing any application. For requests to designate a Neighbourhood Area, it can also amend the proposed boundary based on sound planning reasons. If the Council refuses to designate the specific area applied for, it must give reasons why it considers the area applied for is not appropriate.

40. The following options are available for the Executive Leader to consider:

Option 1 – approve both the applications to designate the neighbourhood area and forum for an Acomb and Westfield Neighbourhood Plan, as per the applications (attached at Annex 1) without modification;

Option 2 – approve a different revised neighbourhood area, to be determined at the Decision Session;

Option 3 – If Recommendation (i) is approved, to approve the Forum Application, subject to the Forum writing to the Council within 14 days to indicate that they are willing to act in relation to the amended area (see Map in Annex 3) and to confirm it is still able to meet the conditions for designation set out in Section 61F of the Town and Country Planning Act 1990 (as amended) and submitting an amended constitution in line with the amended area, that removes references to Westfield. Subject to the above to agree the designation of the forum by the Assistant Director for Planning and Public Protection in consultation with the leader of the Council.

Analysis

Proposed Forum Designation Analysis

41. The 1990 Act sets out four criteria that a prospective neighbourhood forum needs to meet if it is to be designated:

- (a) It is established for the express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned;
- (b) Its membership is open to individuals who live in the neighbourhood area, individuals who work there (whether for businesses carried on there or otherwise) and individuals who are elected members any of whose area falls within the neighbourhood area concerned;

- (c) Its membership includes a minimum of 21 individuals each of whom live in the area, work in the area or are elected members for the area; and
 - (d) It has a written constitution.
42. The 1990 Act also requires the Council, in considering whether to designate a neighbourhood forum, to consider whether the:
- (a) Forum has secured, or taken reasonable steps to secure, membership that includes at least one individual from the three categories i.e. people who live, work or are elected members for the area;
 - (b) Membership is drawn from different places in the area and different sections of the community in the area; and
 - (c) The purpose of the forum reflects (in general terms) the character of the area.
43. The Forum is not, however, required to have a member from each membership category in order to be designated.
44. The above requirements give the Council limited discretion in determining applications for the designation of a neighbourhood forum; the proposed Forum either meets the requirements or it doesn't.
45. Once designated, a forum ceases to have effect after 5 years unless it is re-designated. The Council is also able to withdraw a designation where it considers that the Forum is no longer meeting the statutory conditions for designation as a neighbourhood forum.
46. The nature or merit of any draft or initial proposals is not a relevant consideration in the decision to designate a neighbourhood forum.
47. Officers have assessed the proposed Forum in relation to the submitted application. Officers consider that the proposed Forum meets the statutory requirements outlined above.

Conclusion

48. There is nothing in the initial membership or in the submitted constitution of the proposed forum that could prevent the Council from concluding that the Forum would be an appropriate qualifying body, suitable for designation for the purposes of neighbourhood planning. If officers recommendation to designate a smaller neighbourhood area is

approved the draft Constitution will need to be amended to reflect the area recommended to be designated which will also need to remove references to Westfield.

Proposed Neighbourhood Area Boundary Designation Analysis

49. As the Local Planning Authority, the City of York Council has a statutory duty to determine applications to establish neighbourhood areas. In determining the application for designation, the Act requires the Council to:
 - (a) consider whether the area is an appropriate area to be designated as a neighbourhood area; and
 - (b) designate all or part of the proposed area as a neighbourhood area provided at least some of the proposed area has not already been designated as a neighbourhood area.

50. The Council has discretion in determining the boundary of a neighbourhood area pursuant to section 61G of the Act. Such discretion has been tested and confirmed by the Court of Appeal (see *Daws Hill Neighbourhood Forum v Wycombe District Council 2014*). The judgments of the High Court and Court of Appeal in the Daws Hill litigation state that in determining an application under section 61G the LPA should have regard to a specific 'factual and policy matrix' that applies to that area. On this basis and in the context of national legislation and guidance, Table 1 below sets out the specific factual and policy matrix, and its component elements, that officers have considered in assessing the area application and developing their recommendations and the rationale for including these elements. Map 1 below also helped officers come to the conclusions in Table 1.

Map 1:

Acomb & Westfield Neighbourhood Plan

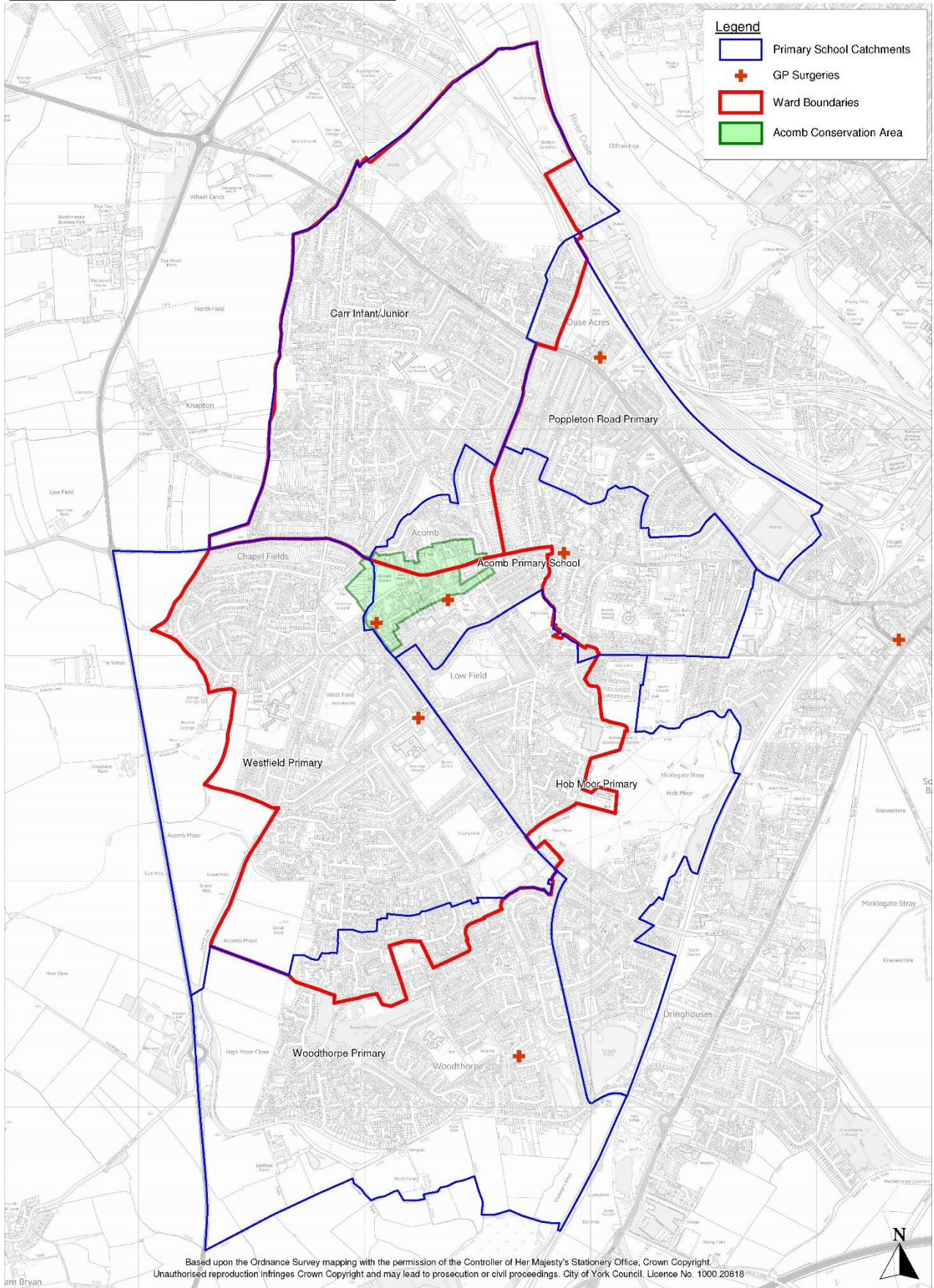


Table 1: Factual and Policy Matrix for the Proposed Neighbourhood Area

	Factual and Policy Matrix Elements	Assessment
1.	National Planning Practice Guidance (PPG) paragraph 033 Reference ID 41-033-20140306 Consideration	The National Planning Practice Guidance(paragraph 033 Reference ID: 41-033-20140306) sets out nine considerations for deciding the boundary of a neighbourhood area. The proposed neighbourhood area has been assessed against these considerations. Please refer to the analysis 1.i)-1.ix) below.
1.i)	Village or settlement boundaries, which could reflect areas of planned expansion	<p>Such a consideration is not directly relevant to a built-up urban area. However, given the size of the ward boundaries the proposed area does include a number of discrete neighbourhoods and villages as picked up in the consultation for example the area around Gladstone Street, Chapelfields and Foxwood.</p> <p>The proposed area also includes Acomb Conservation Area (as shown on Map 1 above) which gives a distinct boundary on the map. The Conservation Area was designated in 1975. It combines the earlier (1968) Front Street and Acomb Green Conservation Areas. The Conservation Area includes Two 15th Century houses in Front Street, these are the oldest buildings in Acomb and the only remaining complete timber frame structures. Acomb Primary School is a more recently Listed Building. It was designed in 1894 by Walter Brierley. Acomb House, Front Street, is mostly mid-Georgian.</p>

		<p>The Green retains its open village character. Although it is now surrounded on all sides by largely 19th Century development, it continues to form an important amenity space in this built up suburban area. It is one of the few areas in York where the changing contour of the ground adds to the interest of the scene with the church dominating the horizon.</p> <p>The scale of development around the green is of two and three storey buildings. Acomb Front Street also retains something of the village main street, despite being bisected by recent road improvement.</p> <p>There are several distinguished 18th Century buildings although much of the architecture is domestic in both scale and character. The main elements of the character and appearance are:</p> <ol style="list-style-type: none">(1) Acomb Green, with its open village green character(2) Acomb Front Street, as the village main street.(3) The interest generated by the topography of the area. <p>The wards of Acomb and Westfield give two clear administrative boundaries. The proposed neighbourhood area includes both wards.</p> <p>The proposed area includes the majority of the former British Sugar site which was given outline planning consent for 1,100 houses on appeal in September 2018 (Planning Application Reference 15/00524/OUTM). This site will expand the area to the north of Acomb ward increasing the population by approximately 2,500 persons (based on an average household size of 2.3 persons per household).</p>
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		<p>The proposed neighbourhood area also includes the former Lowfields School Site within Westfield ward. An overall outline application for 165 houses on the former Lowfields School site (Planning Application Reference 17/02429/OUTM) was granted in August 2018. Also in August 2018, 140 houses were granted full planning consent (Planning Application Reference 17/02428/FULM) for the Lowfields School site. 19 Community Houses were also given consent on the Lowfields School Site in March 2019 (Planning Application Reference 18/02925/FULM).</p> <p>The former British Sugar Site and the Former Lowfield School Site will further increase the population within the two wards .</p> <p>Summary: The wards boundary for of Acomb and Westfield give clear, established administrative boundaries.</p> <p>The proposed neighbourhood area includes a number of discrete or historic neighbourhoods and villages. Planned expansion at the former British Sugar Site and Former Manor School Sites form a small part of the two wards as a whole.</p>
1.ii)	The catchment area for walking to local services such as shops, primary schools, doctors' surgery, parks or other facilities	Acomb district centre comprises approximately 100 units and provides a wide variety of uses. The centre has a good convenience provision, including a large supermarket which offers a main food shopping destination within the centre. There is a good provision of both off and on street parking within Acomb. The centre provides for a wide catchment area outside the city centre. Overall, Acomb is a centre that has a good mix of uses with a good representation of shops and other local services however, the centre does have a high representation of

		<p>uses such as betting shops, hairdressers, opticians and charity shops which is reducing the critical mass of comparison shopping in the centre.</p> <p>There are 3 NHS GP surgeries within the proposed neighbourhood area with two on Front Street and one on Cornlands Road (see Map 1 above).</p> <p>There is a patchwork of primary school catchments in the Acomb and Westfield wards including: Carr Infant/Junior, Poppleton Road Primary, Acomb Primary school, Westfield Primary School, Woodthorpe Primary School and Hob Moor Primary School. (see Map 1 above). York High School is the only Secondary School located within the proposed neighbourhood area and the catchment for this school covers the majority of the Acomb and Westfield ward.</p> <p>There are a number of sports clubs and one public sports centre - Energise on Cornlands Road.</p> <p>Summary: There are distinct differences with respect to the proposed neighbourhood area and catchment areas for local schools and GP facilities. The concentration of local services in the central area around Front Street within Acomb District Centre are used by residents in both wards and beyond.</p>
1.iii)	The area where formal or informal networks of community based groups operate	<p>Due to the size of the two wards there are a number of formal and informal network of communities and groups which exist in both wards.</p> <p>There are separate ward committees for Acomb and Westfield Wards.</p>

		<p>Neither Acomb or Westfield Ward have a planning panel.</p> <p>There are several Residents Associations including:</p> <p>Carr Area Residents Association (Acomb) Chapelfields Community Association (Westfield) Cornlands and Lowfields Residents Association (Westfield) Foxwood Residents Association (Westfield) Gale Farm Court Residents Association (Westfield) Kingsway Area Residents Association (Westfield)</p> <p>The application material provides little detail as to the geographic extent of these, but by their nature (resident / community groups) the extent of their membership will be focused on the established residential areas.</p> <p>Summary: Membership of formal and informal networks of community based groups in the area with focus on distinct residential areas but will also have an interest in the wider area.</p>
1.iv)	The physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style	<p>A City of York Historic Characterisation Project undertaken by the Council in 2013 analyses character and significance of areas across York. It has split the Acomb and Westfield Wards into the following areas:</p> <p>Area 27: Acomb - General Character: Acomb contains a variety of properties ranging from a handful of buildings dating to the 16th century, Georgian townhouses, Victorian terraces to developments spanning the whole of the 20th century. The village has a designated green (1965), formerly a quarry, and retains its medieval street layout with a modern commercial area located at the east</p>

		<p>end of the village. Dominant Housing Type: Mixture of post-medieval and 19th to 20th century dwellings. Other Housing Types: Mixture of late 20th century development.</p> <p>Area 28: Acomb North - General Character: A mixture of private and social housing spanning the 1930s-2000s, covering several housing estates of varying size on the north side of Boroughbridge Road, the west side of Beckfield Lane and the east side as far as Carr Lane. This character area extends southward towards the north of Acomb village. Dominant Housing Type: Post-war council housing – two storey, semi detached, front gardens (often now providing parking area), rear gardens and coal houses. Other Housing Types: One-two storey inter-war housing, mid 20th century private housing and late 20th century development in private estates.</p> <p>Area 25: Acomb South General Character: Three detached zones of inter-war and post-war council housing to the south and west of Acomb, covering several housing estates from Moor Lane and the main line railway to the south and Chapelfields to the north-west and to the rear of Acomb village to the north. Dominant Housing Type: Two-three storey post-war social housing in planned estates with wide streets and grass verges. Houses contain front and rear gardens – many front gardens have since been converted into driveways. On-street and communal parking provision. Other Key Housing Types: Late 19th century industrial terrace and early 20th century terrace housing, inter-war and 1960s housing.</p> <p>Area 26: Westfield, North Acomb and Holgate - General Character: Mix of predominantly late Victorian terraced housing and inter-war housing estates with pockets of</p>
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		<p>mid to late 20th century development which includes social housing encircling Acomb village on all sides except the south, where medieval toft and croft boundaries remained clearly visible until post-war development.</p> <p>Dominant Housing Type: Inter-war, private housing in planned estates, horizontal emphasis, front and rear gardens, driveways and garages, generally semi-detached with bay windows and hipped roofs. Late Victorian terraced housing in linear street pattern, vertical emphasis, pitched roofs, rear yards, on-street parking</p> <p>Other Housing Types: Mid 20th century private and social housing, 1970s low rise flats and modern short terraces.</p> <p>Summary: The proposed area contains a number of distinct characteristics including different housing styles and scales.</p>
1.v)	Whether the area forms all or part of a coherent estate either for businesses or residents	<p>As explain in section 4 above the proposed boundary encompasses a mixture of different types of housing from different eras. The area also includes the Acomb District Shopping Area around Front Street.</p> <p>Summary: The proposed area contains a variety of distinct residential areas with a commercial area in the middle of the two wards.</p>
1.vi)	Whether the area is wholly or predominantly a business area	<p>The area contains a mixture of residential and non-residential uses especially in the Front Street area.</p> <p>Summary: The proposed area is not predominantly a business area.</p>
1.vii)	Whether infrastructure or physical features define a natural boundary, for	<p>The Acomb and Westfield Wards are predominantly urban in character with housing predominantly up to the urban edge of both wards with Rural West Ward beyond providing a distinct boundary. There are no</p>

	example a major road or railway line or waterway	major roads, railway lines or waterways which define the area.
1.viii)	The natural setting or features in an area	<p>The City of York Historic Characterisation Project undertaken by the Council in 2013 provides details of the natural setting of Acomb and Westfield as follows:</p> <p>Area 27: Acomb - Situated on relatively high ground overlooking the flood plain of the River Ouse with underlying drift geology of glacio-fluvial sand and gravel.</p> <p>Area 28: Acomb North - The land rises from Acomb in the south towards Boroughbridge Road</p> <p>Area 25: Acomb South - Generally flat terrain throughout with a slightly higher sand and gravel deposit to the north which includes Acomb centre.</p> <p>Area 26: Westfield, North Acomb and Holgate - Predominately higher ground consisting of underlying sands and gravels overlooking the flood plain of the River Ouse to the north east and low lying land to the south.</p> <p>Summary: There are no major natural setting or features which distinguish the area.</p>
1.ix)	The size of the population (living and working) in the area. Electoral Ward boundaries are also indicated as a useful starting point	<p>Based on the 2011 Census the Office of National Statistics considers that Acomb has a population of 8,914 and Westfield has a population of 13,611. The wards have a combined population of 22,525.</p> <p>The City of York Council Business Intelligence Hub updates the ward profiles on a regular basis and as of August 2019 the population figures for the two wards stand at:</p>

	for discussions on the appropriate size of a neighbourhood area; these have an average population of about 5,500 residents	<p>Acomb: 9269 residents, Westfield: 14,171 residents. The wards have a combined population of 23,440.</p> <p>Summary: The number of people living within the two wards is well above the 5,500 benchmark.</p>
2.	The strategic significance of sites.	The Court of Appeal (Daws Hill Neighbourhood Forum v Wycombe District Council) has confirmed that local planning authorities have the discretion to consider the strategic significance of sites as part of the factual and policy matrix in deciding whether or not such sites should be included in a proposed neighbourhood area. The emerging Local Plan has two strategic sites of significance including ST1: British Sugar / Manor School and H5 Lowfields. The applications in relation to these two sites are analysed in 1.i) above.
3.	Consultation Responses	Consultation responses are a material consideration in determining the appropriateness of a neighbourhood area. Please refer to the consultation section of this report (paragraphs 22-38)
4.	The character of the proposed Neighbourhood Area	<p>Character is considered to be a key element of the factual and policy matrix due to its inclusion in the following elements of guidance:</p> <p>a) NPPF paragraphs 126 and 131 recognise the importance of new development making a positive contribution to local character.</p> <p>b) National Planning Practice Guidance paragraph 033 Reference ID: 41-033-20140306 sets out nine considerations for deciding the boundary of a neighbourhood</p>

		<p>area. Four of these relate to the physical character of an area. These are:</p> <ul style="list-style-type: none"> i. the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style ii. whether the area forms all or part of a coherent estate either for businesses or residents iii. whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway iv. the natural setting or features in an area <p>The Character of the proposed Neighbourhood Area have been analysed in the sections 1.iv), 1.v), 1.vii) and 1.viii) of this table.</p>
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51. Based on the above assessment officers consider that the neighbourhood area applied for (shown in Annex 1) is not the most appropriate boundary for a neighbourhood plan. Government Guidance suggests that ward boundaries are a useful starting point and they suggest an average size for a neighbourhood area of around 5,500 population. The population of Acomb and Westfield wards based on the 2011 Census give an overall population of 22,525. More up to date population statistics put the current population of the two wards at 23,440 which is more than 4 times the suggested benchmark figure. The large population also means that a variety of housing types, styles and tenures exist within the proposed area which include distinct communities and community groups which may not have the same objectives and visions for the area. This view is shared by a number of the consultation comments received which make reference to the size of the population proposed to be covered by the neighbourhood plan and also the number of distinct, established communities which form separate neighbourhood areas including the Chapelfields, Foxwood and Ouse Acres areas.
52. The Council must designate some or all of the neighbourhood area applied for to be in line with Town and Country Planning Act 1990 (as amended) 61 G (5). Officers consider that the neighbourhood area proposed should be reduced in size to cover the Acomb ward area. This area is shown in Annex 3. This would reduce the size of the proposed neighbourhood area to an existing population of circa 9,200 persons and an estimated population of circa 11,700 once the

development at the Former British Sugar site has been completed. Whilst this area still includes a large population it is considered that the size would be appropriate and coherent for the purposes of producing a neighbourhood Plan.

53. A number of other options have been considered and discounted by officers as they do not comply with the regulations.

Next Steps

54. If Option 1 is approved, Acomb and Westfield Neighbourhood Forum can begin preparing the Neighbourhood Plan with appropriate advice and assistance from the Council.
55. If Option 2 or Option 3 are approved and the area is amended then the Neighbourhood Planning Forum must be asked to confirm in writing to the Council within 14 days that they are willing to act in relation to the amended area and to confirm it is still able to meet the conditions for designation set out in Section 61F of the Town and Country Planning Act 1990 (as amended) and submit an amended constitution in line with the amended area that removes references to Westfield. Subject to the above the Council will designate the forum under delegated authority by the Leader of the Council in consultation with the Assistant Director for Planning and Public Protection

Council Plan

56. The proposed Neighbourhood Plan will be a positive contribution to the Council Plan priority: *'A council that listens to residents - to ensure it delivers the services they want and works in partnership with local communities'*.

Implications

57. **Financial/Programme** – If a neighbourhood plan progresses to independent examination, the council will be required to pay for the examination and the subsequent referendum. The costs of these statutory processes will be met in part by central government funding sources from the Ministry of Housing, Communities and Local Government (MHCLG). Any shortfall will need to be accommodated within existing resource.

Human Resources – None.

Equalities – None.

Legal – The designation of Neighbourhood Plan Areas is to be made in accordance with the Neighbourhood Planning (General) Regulations 2012, the Neighbourhood Planning (General) (Amendment) Regulations 2015, the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 and the provisions of the Localism Act 2011.

Crime and Disorder – None.

Information Technology – None.

Property – None.

Risk Management

58. If the neighbourhood area is amended strong planning reasons for this must be set out and can be challenged in the courts.

Contact Details:

Authors

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Chief Officer Responsible for the report

Michael Slater
Assistant Director Planning and Sustainable Development

Report Approved

Date 10.09.2019

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Wards Affected: Acomb and Westfield



For further information please contact the authors of the report.

Annexes:

Annex 1 – Acomb and Westfield Neighbourhood Area and Forum applications including the constitution.

Annex 2 – Redacted Responses received to the Area and Forum Consultation.

Annex 3 – Map of Proposed Revised Neighbourhood Area.



██████████
Development Officer City of York Council

Dear ██████████

Application for designation of Neighbourhood Area and Neighbourhood Forum for Acomb & Westfield

We have taken a parallel approach by submitting the Neighbourhood Area application and Neighbourhood Forum application together. This will allow people who live, work and do business in Acomb & Westfield Wards to see the proposals in context. It will also remove the need to consult twice, saving time and reducing the chances of 'consultation fatigue' amongst residents.

Although, these applications are submitted together, they are presented as two separate applications in order to demonstrate the compliance with Regulations 5 and 8 of the Neighbourhood Planning (General) Regulations 2012.

We look forward to working closely with the City of York Council.

Yours sincerely

████████████████████

- Dr Mike Heyworth MBE - Chair
- Louise Ennis - Vice-Chair
- Katie Lomas - Secretary

Item	Name	Description
1	Application A	Neighbourhood Area Designation Application. Regulation 5
2	Application B	Neighbourhood Forum Designation Application. Regulation 8
3	Annex A	Map of the Proposed Neighbourhood Area (Acomb & Westfield Wards)
4	Annex B	Extract from Section 61F(5) of the 1990 Act
5	Annex C	Acomb & Westfield Neighbourhood Forum Written Constitution

Application A

Regulation 5: Application for the Designation of a Neighbourhood Area

- a) A map is attached at Annex A showing the full extent of the area proposed to be designated as a Neighbourhood Area. This follows the same boundary as the Acomb & Westfield Ward boundaries (as at the date that the latest boundary was agreed).
- b) This area is considered to be appropriate to be designated as a neighbourhood area for the following reasons: -
 - i. It follows the recognised/established Ward boundaries
 - ii. Formal and informal networks of community-based groups already operate within these boundaries
 - iii. Distinct catchment areas for schools and local facilities fall within the boundaries proposed
 - iv. Consultation to date shows that there is a desire for a neighbourhood plan to cover the full ward areas
- c) We are making this application as an organisation or body which is capable of being designated as a neighbourhood forum. An application has been submitted alongside this application for the designation of an Acomb & Westfield Neighbourhood Forum.
- d) We consider that the proposed Acomb & Westfield Neighbourhood Forum (see attached Application B) is the appropriate body to lead neighbourhood planning in this area. We believe that we have demonstrated in the attached application that the group is capable of meeting the conditions for designation contained in section 61F(5) of the Town and Country Planning Act 1990.

Application B

Regulation 8: Application for the Designation of a Neighbourhood Forum

- a) The name of the proposed Neighbourhood Forum is 'Acomb & Westfield Neighbourhood Forum'
- b) A copy of the written constitution of the Acomb & Westfield Neighbourhood Forum is attached as Annex C.
- c) The proposed name for the Neighbourhood Area is 'Acomb & Westfield Neighbourhood Area'. The map attached at Annex A shows the proposed area.
- d) The Chair of the proposed Neighbourhood Forum is:

Name Dr Mike Heyworth MBE

Address [REDACTED]

Phone [REDACTED]

Email [REDACTED]

- e) The statement below explains how the proposed neighbourhood forum meets the conditions in section 61F(5) of the 1990 Act. An extract from the Act is included at Annex B.

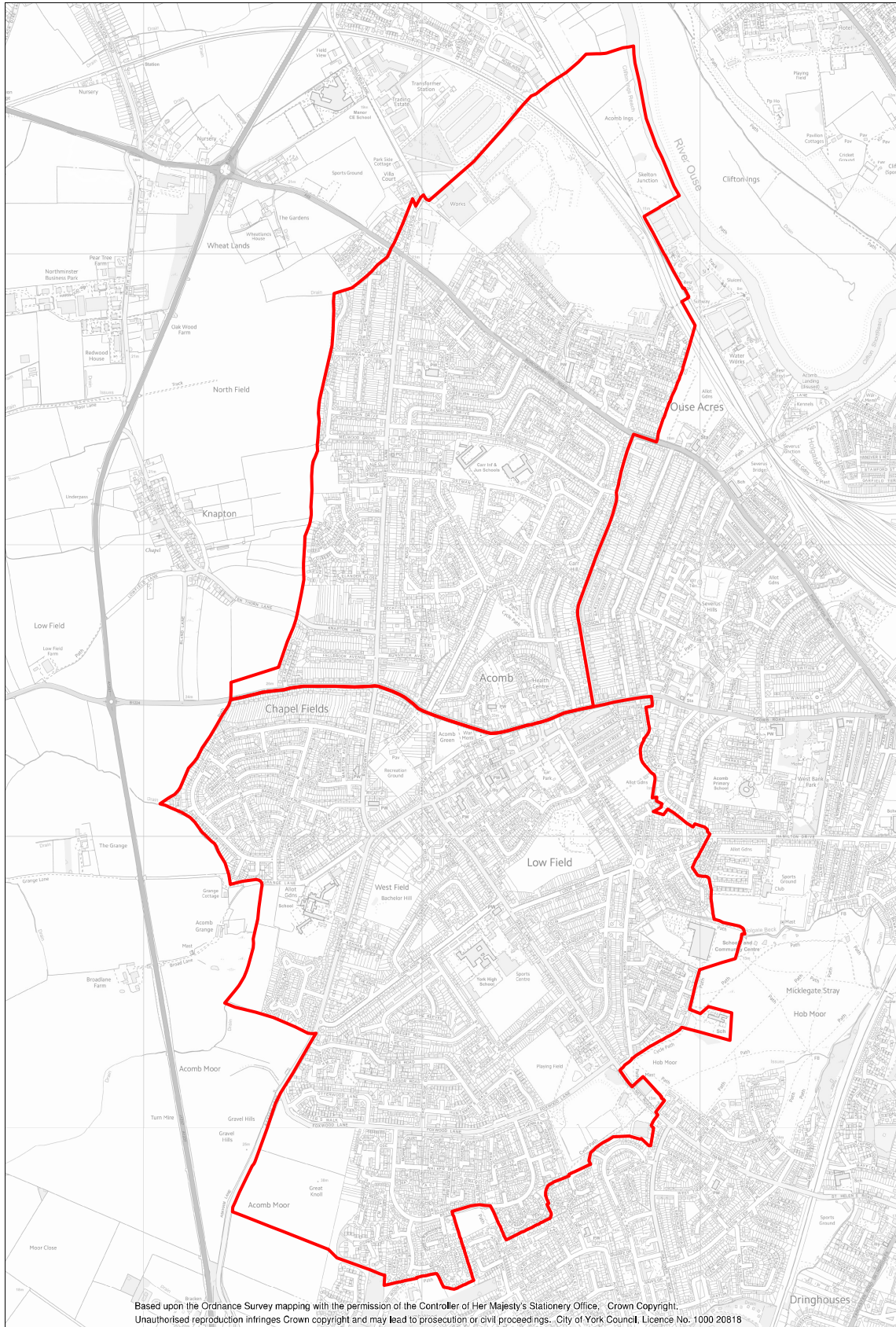
As the written Constitution makes clear, the Acomb & Westfield Neighbourhood Forum has been established for the express purpose of promoting or improving the social, economic and environmental wellbeing the Acomb & Westfield Wards.

- f) Our membership is open to:
 - i. individuals who live in the proposed Neighbourhood Area,
 - ii. individuals who work there (whether for businesses carried on there or otherwise), and
 - iii. individuals who are elected

Our current membership includes more than 25 individuals, each of whom falls within one or more of the above categories.

Annex A

Map of the Proposed Neighbourhood Area (Acomb & Westfield Wards)



Annex B

Extract Section 61F(5) of the 1990 Act

61F Authorisation to act in relation to neighbourhood areas

(5) A local planning authority may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions

- (a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),
- (b) its membership is open to
 - (i) individuals who live in the neighbourhood area concerned,
 - (ii) individuals who work there (whether for businesses carried on there or otherwise), and
 - (iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
- (c) its membership includes a minimum of 21 individuals each of whom
 - (i) lives in the neighbourhood area concerned,
 - (ii) works there (whether for a business carried on there or otherwise), or
 - (iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
- (d) it has a written constitution, and
- (e) such other conditions as may be prescribed.

Annex C

Written Constitution for Acomb & Westfield Neighbourhood Forum

The written constitution is attached to this document.

The Forum Secretary is the custodian of the Constitution and also the current list of Forum Members.

Name: Katie Lomas

Address: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Annex C

Written Constitution for Acomb & Westfield Neighbourhood Forum

The Forum Secretary is the custodian of the Constitution and also the current list of Forum Members. The Forum Secretary acts as the Data Protection Officer for the purpose of adhering to the General Data Protection Regulation.

Name: Katie Lomas

Address:

Phone:

Email:



Acomb & Westfield Neighbourhood Forum Constitution

1. Name and Area

- 1.1. The name of the Forum will be the Acomb & Westfield Neighbourhood Forum, referred to in the rest of this Constitution as the Forum.
- 1.2. The Forum will pursue its objectives in the area delineated by the Acomb and Westfield Ward boundaries (see attached Map). This may be adjusted by the Forum or City of York Council under its statutory powers.
- 1.3. This is the area designated by the Forum for the purpose of the preparation of a Neighbourhood Plan under the Neighbourhood Planning (general) Regulations 2012.
- 1.4. The Neighbourhood Plan is a community-led framework for guiding the future development and growth of Acomb & Westfield. It is likely to contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development.
- 1.5. Neighbourhood plans relate to the use and development of land and associated social, economic and environmental issues. It may deal with a wide range of issues (like housing, employment, heritage and transport) or it may focus on one or two issues that are of particular importance in the local area.

2. Forum Objectives

- 2.1. The objectives of the Forum shall be to:
 - 2.1.1. Have the express purpose of promoting or improving the social, economic and environmental well-being of the Acomb & Westfield Neighbourhood Area.
 - 2.1.2. Prepare a Neighbourhood Plan for Acomb & Westfield from start to completion and adoption.
 - 2.1.3. Identify and exploit means by which the whole community can be involved in the formulation and preparation of the Plan. Special attention will be made to youth and elderly groups.
 - 2.1.4. Encourage the participation of residents and businesses in all aspects of life in Acomb & Westfield.
 - 2.1.5. Work in partnership with York City Council in the preparation of the Neighbourhood Plan; and Neighbouring Forums, Wards and Parishes in joint endeavours.
 - 2.1.6. Encourage the participation of other supporting organisations, including the voluntary sector to ensure they play a key role in the preparation of the plan.

- 2.1.7. Be responsible for planning, budgeting and monitoring expenditure on the production of the Neighbourhood Plan and associated projects, including identifying sources of funding.
 - 2.1.8. Ensure the Acomb & Westfield Neighbourhood Plan conforms with relevant local and national policies.
 - 2.1.9. Ensure the Forum shall not be affiliated to any political party.
 - 2.1.10. Further develop excellent community relations and pride already existing in the area.
 - 2.1.11. Identify any special needs for training and self-development.
 - 2.1.12. Seek assistance, support and advice, when needed, from service providers and organisations and individuals.
 - 2.1.13. Proactively seek out best practices, lessons learned and advice from other Forums and bodies, both locally and nationally. Avoid re-inventing wheels wherever possible.
 - 2.1.14. The Forum and Steering Group will aim to follow the Nolan Principles of public life; encompassing Selflessness, Integrity, Objectivity, Accountability, Openness and Honesty.
- 2.2. The Forum is to make the plan in the first place and therefore, at least until the plan is made, shall not express any views on any particular planning application (other than those it makes itself) prior to the completion of the Neighbourhood Plan. Individual members are free to comment on any planning applications but not in the name of the Forum.
 - 2.3. All members shall act in meetings of the Forum and Steering Group in the best interests of the Forum and residents of the area and shall follow Good Governance Guidelines as at <http://www.goodgovernancecode.org.uk>.
 - 2.4. All members should act and interact considerately and respectfully with all sections of the local community – respecting diversity, different roles and boundaries, and avoiding giving offence.
 - 2.5. Members should seek to promote inclusion, involvement and engagement of all parts of the Acomb and Westfield community including those parts of the community that can be at times excluded or marginalised.

3. Powers

In furtherance of the Objectives, but not otherwise, the Steering Group of the Forum may exercise power to:

- 3.1. Invite and receive contributions and raise funds where appropriate, to finance the work of the Forum, and to open a bank account to manage such funds.

- 3.2. Publicise and promote the work of the Forum and organise meetings, training courses, events or seminars etc.
- 3.3. Work with groups of a similar nature and exchange information, advice and knowledge with them, including cooperation with other voluntary bodies, charities, statutory and non-statutory organisations
- 3.4. Employ staff and volunteers (who shall not be members of the Steering Group) as are necessary to conduct activities to meet the objectives.
- 3.5. Buy or rent premises/equipment/employ services as required.
- 3.6. Conduct research.
- 3.7. Produce and disseminate information among Acomb & Westfield residents and workers. Attention will be paid as to how residents can easily feedback on this information.
- 3.8. Take any form of action that is lawful, which is necessary to achieve the objectives of the Forum, including taking out any contracts which it may see fit.

4. Membership

- 4.1. Applicants for membership will apply to the Steering Group which shall have the power to accept members.
- 4.2. All members of the Forum have a duty to declare at application stage any financial interests or associations through party political or other organisations, employment or land ownership that could have an impact on the Forum's work.
- 4.3. Any member who wishes to resign must provide the Secretary with written notice for Forum records, stating either a) With Immediate Effect -or- b) A time-frame acceptable to the Steering Group.
- 4.4. The Steering Group may refuse membership or may suspend or terminate membership of any member by resolution passed at a Steering Group Meeting where it is considered membership would be detrimental to the objectives and activities of the Forum.
- 4.5. Membership is open to all who reside or work in the area of benefit of the Forum.
- 4.6. Membership is open to all business operators in the area of benefit of the Forum.
- 4.7. Membership is open to all constituted voluntary and community groups operating in the area of benefit of the Forum
- 4.8. Membership is open to elected Councillors in the Ward Areas of benefit of the Forum.
- 4.9. Membership will be drawn from the area of benefit to achieve inclusiveness and a fair representation of all social and age groupings.

5. Meetings

5.1. General Forum Meetings

- 5.1.1. All Forum members will be invited to at least two general meetings every year.
- 5.1.2. For general meeting business to be conducted, a quorum of twenty-five (25) members must be present at the meeting.
- 5.1.3. All members shall be given at least fourteen (14) days notice of when a meeting is due to take place.

5.2. Annual General Meetings/Special Meetings

- 5.2.1. One of the General Meetings of the Forum shall be the Annual General Meeting (AGM) where the Steering Group Officers will be elected, reports of activities made by the Chair and a financial report by the Treasurer.
- 5.2.2. For AGM business to be conducted a quorum of twenty-five (25) members must be present.
- 5.2.3. All members are entitled to vote at the AGM. Voting shall be by a show of hands on a majority basis. Members unable to attend the meeting may lodge their vote in advance with the Chair to cast a vote on their behalf. This facility will only apply to voting to accept the accounts, officer elections and constitutional changes.
- 5.2.4. All members shall be given twenty-eight (28) days' notice of when an AGM meeting is due to take place via email or text.
- 5.2.5. Special Meetings may be called from time to time by the Steering Group solely to consider amendments to the Constitution or dissolution of the Forum. These shall be subject to the same rules as the conduct of the AGM.

6. Forum Steering Group

- 6.1.1. The Forum shall be administered by a Steering Group (SG) of no less than five (5) members and no more than nineteen (19) who must be at least 16 years of age drawn from the wider Forum Membership.
- 6.1.2. The role of the SG is to deliver the objectives of the Forum in line with this Constitution and manage the day-to-day running of the Forum.
- 6.1.3. Officers of the Steering Group will be elected by the Forum for the period between Annual General Meetings and can be nominated and stand for re-election at the Forum's AGM.
- 6.1.4. Members of the Forum (other than Officers) can join the Steering Group via more than one route
 - 6.1.4.1. Volunteering - where the member simply offers their services and is accepted by the SG.

- 6.1.4.2. Election - where there is competition for a place on the Steering Group, then the Steering Group will vote for candidates, and those getting the most votes will join the Steering Group.
- 6.1.4.3. Adoption - where a Forum Member, through their knowledge and expertise, could assist the Forum in achieving its objectives. The Steering Group would invite the Member to join the Steering Group in this case.
- 6.1.5. The SG may delegate powers on specific matters to such persons and groups as agreed in meetings and minutes.
- 6.1.6. The SG may authorise individual members to make minor decisions considered of benefit to the membership but inexpedient to await the next scheduled SG meeting.
- 6.1.7. The SG will meet at least 6 times per calendar year. Each Forum year begins on the 1st of April.
- 6.1.8. One quarter (25%) of the Steering Group members must be present in order for a meeting to take place.
- 6.1.9. All members of the SG shall be given at least two weeks (14 days) notice of when a meeting is due by email, text or whatever means agreed.
- 6.1.10. If an elected member does not attend three successive Steering Group Meetings without good reason, their membership of the Steering Group will cease. The Chair or Secretary will confirm this dismissal in writing.
- 6.1.11. No member of the Steering Group shall use their position for financial or personal gain.
- 6.1.12. The Steering Group shall make decisions relating to expenditure from the Forum accounts at its meetings and report back on these decisions to the Forum general meetings.

6.2. Executive roles and responsibilities on the Steering Group shall be:

6.3. Chair

- 6.3.1. To call and manage regular meetings of the SG (for which a quorum will be one quarter of its members) and to ensure all meetings are held in accordance with the Forum Constitution.
- 6.3.2. Act on behalf of the Forum and represent it externally.
- 6.3.3. Have power to take action on urgent matters between meetings of the Steering Group.
- 6.3.4. Interpret the Constitution. The Chair's interpretation of the Constitution may be overturned by two-thirds of those present at the Steering Group.

6.3.5. Act as a joint signatory on the Forum Account. Two joint signatures will be required for all transactions.

6.4. Vice-Chair

6.4.1. To stand-in for the Chair whenever they cannot fulfil their role, for whatever reason.

6.5. Secretary

6.5.1. Will maintain a list and contact details of all Forum Members, Steering Group Members and Steering Group Office holders. These details will be made available to other Members at their request. The Forum Secretary acts as the Data Protection Officer for the purpose of adhering to the General Data Protection Regulation.

6.5.2. Shall be responsible for organising meetings, maintaining the minutes and Constitution of the Forum. Also making them available to Members.

6.5.3. Take the Chair if Chair & Vice-Chair are Absent.

6.5.4. Act as a joint signatory on the Forum Account.

6.6. Treasurer

6.6.1. Shall be responsible for maintaining the accounts of the Forum.

6.6.2. Will present an annual budget for the following year after the AGM.

6.6.3. Submit detailed accounts to the Steering Group at every Steering Group meeting.

6.6.4. Act as joint signatory on the Forum Account.

6.6.5. Take the Chair if the Secretary is absent.

6.6.6. Take the Minutes if the Secretary is absent or in the chair.

6.7. Additional roles

6.7.1. As and when required to fulfil Forum's Objectives.

6.7.2. Appointed by the Steering Group by a simple majority.

7. Working Groups

7.1. Forum Members may from time to time be asked to form small groups to address particular issues. These groups shall be known as Working Groups and shall have specific Terms of Reference as set out by the Steering Group.

7.2. These Groups will be able to investigate, discuss and make recommendations, but, unless specifically authorised by the Steering Group, will not have the power to make decisions on behalf of the Forum.

7.3. Meeting location, recording and frequency will be the responsibility of the Working Groups. A record of the meeting should be kept and passed to the Secretary of the Steering Group for wider publication.

8. Complaints

- 8.1. Any complaints about the Steering Group, Forum or Working Groups, in relation to the work undertaken; shall be made in confidence, in writing to the Secretary - unless the complaint is about the Secretary in which case it shall be made to the Chair.
- 8.2. The Elected Officers of the Steering Group will investigate the complaint and decide on action as appropriate. If the complaint concerns the officers themselves, other members of the Forum will be appointed in their place.
- 8.3. Appeals will be held by three members of the Steering Group who have not been involved in investigating the complaint or determining action.

9. Constitutional Amendments

- 9.1. Proposed amendments to this Constitution or dissolution of the Forum must be conveyed to the Secretary formally in writing.
- 9.2. The Secretary and other members of the Steering Group shall then decide whether to put the proposed amendments to a General Forum Meeting.
- 9.3. The Constitution can only be changed at an AGM or SGM; on receiving a simple majority vote in favour of the amendment.

10. Dissolution and Winding Up

- 10.1. The Forum is designated for a period of 5 Years. However, the Forum can apply to have the designation renewed.
 - 10.2. The Forum may be dissolved if deemed necessary by the members in a two thirds majority vote at a special meeting. This must be a duly advertised meeting for this specific purpose and to which all Forum Members are invited to attend.
 - 10.3. In the event of the forum being dissolved, the assets (after payments of debts due) will be returned to their providers or be transferred to local charities or similar groups at the discretion of the Steering Group. This will be decided by a simple majority vote of the Steering Group.
-

Arrangements until the first Annual General Meeting of the Acomb & Westfield Neighbourhood Development Plan Forum

Until the first Annual General Meeting takes place, this constitution shall take effect as the Acomb & Westfield Neighbourhood Forum terms of reference.

Signed Chair

Signed..... Secretary

Signed..... Steering Group Member

Adoption of Constitution of Acomb & Westfield Neighbourhood Forum

This Constitution was adopted as the Constitution of the Acomb & Westfield Neighbourhood Forum

..... At the first Annual General Meeting

Of..... Held on the

Where the following persons were elected as Trustees and Steering Group Members for

.....

Signed Chairperson

Signed Vice-Chairperson

Signed Secretary

Signed Treasurer

Signed

Signed

Signed

Signed

Signed

..... DATE

Neighbourhood Forum boundary: Acomb and Westfield Ward boundaries

See ward boundaries on <https://www.york.gov.uk/homepage/46/wards>

Annex 2 - Redacted Responses received to the Area and Forum Consultation



Tuesday, 02 July 2019

Your ref: Acomb & Westfield Neighbourhood Forum
Forum
Our ref: SFG

[Redacted]

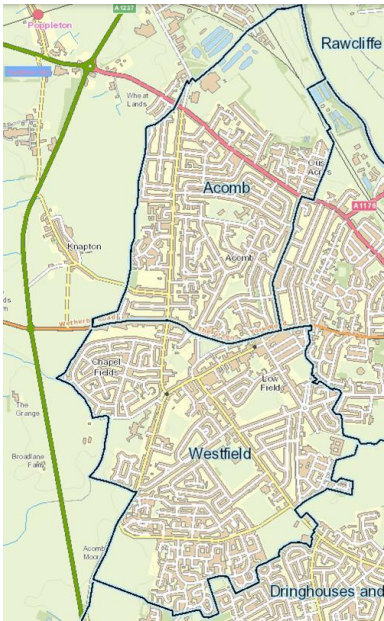
Tel: [Redacted]
Mobile: [Redacted]
Email: [Redacted]
Web: [Redacted]
Twitter: [Redacted]

City of York Council
Planning Department (by email)

Dear Sirs,

Consultation on the formation of an “Acomb and Westfield neighbourhood Forum” and the preparation of a “Neighbourhood Plan” for the same area

I refer to the above consultation. I record my objection to the establishment of a “forum” and the drawing up of a “neighbourhood Plan” for the combined Acomb and Westfield Wards. The proposed area is much too large to have any commonality of interest for neighbourhood planning purposes.



I represented the Westfield area on the Council for 38 years and I can say that, although there were demands from some residents for more extensive delegated decision-making arrangements, I can recall no request for planning activities to be undertaken on the suggested boundary.

It appears that a small group of residents, mainly living in the Front Street area, want to establish a “neighbourhood plan”. It would supplement the Councils own Local Plan which itself is subject to a public hearing over the summer months.

Unfortunately, the area they hope to cover includes the whole of the Acomb and Westfield wards This covers approximately 10,000 homes and some 20,000 residents.



It would stretch from Foxwood to Boroughbridge Road, encompassing a disparate group of neighbourhoods with little obvious community of interest (see map).

If agreed, it would be by far the largest such plan in the York area. In the main those neighbourhood plans that have been approved cover smaller villages. All have had a shared commonality of interests.

The Westfield ward is not short of groups which seek to influence Council policy.

There are several Residents Associations, a “planning panel” (which scrutinises planning applications), a “ward team” and a “ward committee” together with several “action groups” which tend to focus on stimulating, or preventing, specific developments.

Adding an additional tier of representation, albeit only a consultative body, would involve additional costs and could lead to confusion about roles and responsibilities.

When it comes down to it, Foxwood has little in common with Chapelfields or the Gladstone Street area.

It has even less shared interest with Ouse Acres and vice versa.

Arguably Foxwood has more in common with the Woodthorpe area.

In my view, this proposal represents an unwelcome diversion and could take resources away from the key task of raising public service standards in the area. Residents Associations are bested suited – and of the right scale – to identify changes that need to be made in local neighbourhoods.

They deserve more Council support.

In most built up sub-urban areas, there is little scope for redevelopment anyway with the focus being to retain and improve existing open spaces.

There is an opportunity for more public open space on land lying between the existing development and the A1237 bypass. The proposed Neighbourhood Plan boundaries pointedly exclude this land from consideration.





Ward Councillors are already aware of the need to pursue more vigorously the provision of additional public open space in the area.

In the light of the current problems at the Bowling Club building site, I acknowledge that the older part of Westfield – particularly the Front Street Conservation Area - may require better protection from aggressive developers.

The “Forum” organisers would be wise to focus on a smaller area like this – where there may be a need for more clarity on its future – rather than try to “boil an ocean”.

The effect of designating the two wards as one neighbourhood planning unit would be to prevent Residents Associations from pursuing their own preferred neighbourhood plan. Many of the existing Residents Associations are already recognised by the City of York Council and have been, in many cases, in existence for several decades. Allowing this, relatively, new group to hijack their traditional position would represent a major snub.

It would potentially damage community cohesion which has been hard won over the years.

I hope therefore ask that the Council will reject this plan.

Should a proposal subsequently come forward, for a neighbourhood plan to cover a smaller, more focused, area, then that can be treated on its own merits.

Yours sincerely,

[Redacted signature]

[Redacted name]

From: Lowfields Action Group [REDACTED]
Sent: 03 July 2019 10:13
To: neighbourhoodplanning@york.gov.uk
Subject: Acomb and Westfield Forum and Neighbourhood Plan

Follow Up Flag: Follow up
Flag Status: Flagged

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

We have been advised that you are consulting on the above.

Our residents group takes an interest in planning matters in the Lowfields area. We were originally formed to oppose the Councils plans to build on the Lowfields playing field.

As time has progressed we have also sought to influence other planning and public service issues affecting our community.

We think that it is particularly important that local people have a real say in how their local area develops. Such influence was sadly missing during the recent deliberations on the Councils plans for the Lowfields school site.

More recently we were appalled at the Councils unilateral decision to site a building compound on land that they own to the rear of Lowfields Drive, without any consultation with residents.

In principle, therefore, we might be prepared to support the production of a neighbourhood plan covering the Lowfields area and neighbouring streets

However, the suggested boundaries for the plan, as published on your web site, go far beyond anything that could be regarded as manageable and which might help local people to influence decisions which affect the street in which they live.

There is simply no community of interest between the widely differing neighbourhoods contained within the proposed boundary

There are around 20,000 people living in the Acomb and Westfield Wards combined. The advocates for the plan boundaries appear to have secured the support of only around 120 for their proposal.

A neighbourhood plan covering such an area would simply be too big.

We also have reservations about the so called “neighbourhood forum”. There are several groups in the area like ours which already articulate the views of local people.

We have a particular problem with the identified officials of the proposed “forum” many of whom are politically motivated (Council candidates and/or party officials). The “forum” has also associated itself with the “Yorspace” organisation which supported building on the Lowfields playing field during consideration of the planning application last year. The “Yorspace” directors do not live in the area.

We, therefore, formally record our objection to the proposal. We will view with an open mind any counter proposals which may come forward and which may be limited to the Acomb village area.



An independent residents group dedicated to conserving the natural environment and improving public services in York's Lowfield neighbourhood. We are not connected with the City of York Council or any political party

Facebook: [Save Lowfields Playing Field](#)

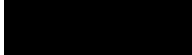


From: [Redacted]
Sent: 10 July 2019 18:53
To: neighbourhoodplanning@york.gov.uk
Subject: neighbourhood plan.

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I am E mailing to object to the proposed neighbourhood plan as it would not serve the interest of the vast majority of Acomb residents particularly those in Foxwood,Chapelfields or Gladstone street.

Sent from Windows Mail



From: webadmin@york.gov.uk
Sent: 11 July 2019 16:40
To: neighbourhoodplanning@york.gov.uk
Subject: FW: [Redacted] has sent comments

Hi There,
We've received the following message (see below) via the City of York Council website 'comment on this page' button - the message is not directly related to web pages, so I'm forwarding it for your attention.

Please be aware that so far, the customer has only recieved an automated response from WebAdmin which advises that a response will be forthcoming in 5 working days.

In order to maintain good customer service, we must provide an appropriate reply on behalf of the council... I'd be grateful if you could respond to our customer, or relay this message to the right individual/team to do so (and copy WebAdmin into the email trail).

If you're unable to respond to the customer within 5 working days (as mentioned by the website auto-response), or your team's SLA is different, please reply to WebAdmin, so we are aware of the situation and can work to find a solution to meet Customer Services SLAs.

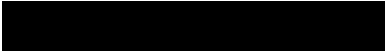
Many thanks
Web Admin

City of York Council | Customer and Corporate Services
West Offices, Station Rise, York, YO1 6GA
www.york.gov.uk | facebook.com/cityofyork | [@CityofYork](https://twitter.com/CityofYork)

-----Original Message-----

From: [Redacted]
Sent: 11 July 2019 16:37
To: webadmin@york.gov.uk
Subject: [Redacted] has sent comments

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

 has sent you comments on the following content from City of York Council Online:

http://www.york.gov.uk/info/20051/planning_policy/686/neighbourhood_planning

Comments: "Neighbourhood plan " I am totally against this plan .it will lose community interest. Less money for the foxwood community. Foxwood has nothing in common with Acomb, Chapelfields, Bourobridge Rd.We have more in common with Woodthorpe .So let's have some common sense. SCRAP IT

[REDACTED]

From: [REDACTED]
Sent: 11 July 2019 20:46
To: neighbourhoodplanning@york.gov.uk
Subject: Feedback on Acomb and Westfield neighbourhood plan

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello

I wanted to provide some feedback on the proposed area for the Acomb and Westfield neighbourhood planning area. [REDACTED] we access most local services in the Acomb district centre. [REDACTED] the library, childrens groups, GP, shops, and so on are all hugely important [REDACTED]. I think this is a common experience for people in our area of Holgate. [REDACTED] West Bank Park which [REDACTED] I'm sure lots of families in Acomb and Westfield wards do as well as it is one of the best parks in the city.

I would therefore like to object to the boundaries for the neighbourhood planning area excluding the Acomb side of Holgate, which to me is part of a clear "Greater Acomb" neighbourhood which includes the whole Acomb side of Holgate. Holgate does not have its own district centre and depending on which part of it you live in you would have a different community hub you look to.

Many thanks,

[REDACTED]



Virus-free. www.avast.com

[REDACTED]

From: [REDACTED]
Sent: 13 July 2019 15:32
To: neighbourhoodplanning@york.gov.uk
Subject: Acomb proposal

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[REDACTED] [REDACTED] would like to register our opposition to the current proposal of a "neighbourhood plan" for Acomb?Foxwood/Westfield.

We believe this area is too wide to fully represent its disparate parts and therefore should not be approved.

[REDACTED]



Virus-free. www.avast.com



Objection to neighbourhood plan boundaries

We understand that a small group of residents, mainly living in the Front Street area, want to establish a “neighbourhood plan”. This proposal was discussed at our meeting held on 17th July 2019. The following represents the view of the Foxwood community.

Unfortunately, the area that they hope to cover includes the whole of the Acomb and Westfield wards (approximately 10,000 homes). It would stretch from Acomb Wood Drive to Boroughbridge Road, encompassing a disparate group of neighbourhoods with little obvious community of interest.

If agreed, it would be by far the largest such plan in the York area. In the main, those plans that have been approved, cover smaller villages.

Foxwood has little in common with Chapelfields or the Gladstone Street area. It has even less shared interest with Ouse Acres and vice versa.

Arguably Foxwood has more in common with the Woodthorpe area.

In our view, this proposal represents an unwelcome diversion and could take resources away from the key task of raising public service standards in the area. Residents Associations are bested suited – and of the right scale – to identify improvements needed at local neighbourhood level.

Critically, if approved, it would prevent a plan, focusing on Foxwood, from being prepared by people who live in the local area.

In most built up sub-urban areas, there is little scope for redevelopment anyway, with the focus being to retain and improve open spaces.

There is an opportunity for more public open space on land lying between the existing development and the A1237 bypass.

The proposed Neighbourhood Plan boundaries not only exclude most of this land from consideration, but also omit parts of the Thanet Road Sports Area, Hob Moor, **the Foxwood Park, Acomb Wood, Acomb Wood Meadow** and part of Acomb Moor.

These areas represent an important amenity for Foxwood residents.

We therefore oppose this proposal.

An alternative plan covering a smaller area may emerge at a later date. We believe that such a plan should be limited to Foxwood and its immediate surrounding area. Other neighbourhoods would, of course, be free to submit their own proposals.

[REDACTED]

From: [REDACTED]
Sent: 02 August 2019 16:36
To: neighbourhoodplanning@york.gov.uk
Subject: Acomb/Westfield Neighbourhood Plan

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

We object to the above proposed plan on the grounds that it does not serve adequately the needs and objectives of the Westfield Ward. It does not take in the local amenities that are available to those living in Foxwood and will not benefit the local populace.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 10 August 2019 20:23
To: neighbourhoodplanning@york.gov.uk
Subject: Consultation on the Neighbourhood Area and Neighbourhood Forum Applications
- Acomb and Westfield Neighbourhood Plan

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good evening,

I would like to comment on the proposed boundary for the Acomb & Westfield neighbourhood plan to agree with the proposed area and explain my reason for it.

The central area around Front St is instantly recognisable and has history including a conservation area. It has a character that feels different from other parts of York and a community that often considers itself more of a village than a suburb and feels often forgotten or railroaded by central York plans.

Having a neighbourhood plan for a micro 'Acomb' area would not necessarily address these concerns of local residents feeling like an afterthought as many would not be covered by the plan - but more importantly the identification of a 'micro' area is practically impossible. The conservation area straddles two council wards and does not include substantial parts of the primary shopping and market area. Additionally it fails to encapsulate the *immediate* local 'neighbourhood' by not covering roads like Beaconsfield St, Howe St, Beech Grove, Green Lane, etc, and it is not *designed* to look at the community itself.

There are continuous redrawn boundaries in York for myriad reasons but the core council boundaries - drawn based on communities and neighbourhoods - are wards. The area surrounding Front Street and York Road are in Acomb and Westfield wards, slightly more in the latter than the former, and are generally known to local residents as Acomb, so trying to separate Acomb from Westfield is not an easy task, especially with local residents often opting to ignore 'official' naming conventions like the 2003 and 2015 border changes to ward boundaries. Local residents know their local village centre and from both Acomb and Westfield consider themselves part of that central community (as well as various micro communities too small for individual neighbourhood plans).

Many of the council services are already geared to work with this as a known area, and many local services, organisations, social media groups and activities/clubs already market themselves and operate as if this were one single accepted area. I would agree that some residents on the edge of Holgate branch, or at the other edges of the boundary, may consider themselves in or out on a case by case basis but in general people know the region of York fairly well as one suburb/village comprising two wards just like the city itself is one community comprising two parliamentary constituencies.

I believe that any group willing to put the community first and put their desires above their own opinions (and that isn't part of any political groups) would be able to develop a good neighbourhood plan for this area, but I personally believe it is the only boundary that makes sense for any plan that is developed.

With kind regards,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 16 August 2019 14:31
To: neighbourhoodplanning@york.gov.uk
Subject: Objection to merging of Acomb and Westfield into one neighbourhood area

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I wish to express my reservations and opposition to the plan. To put Acomb and Westfield together in one Neighbourhood Plan will create an area far too large and there will be a lack of cohesion of areas. The plan as is now works very well.

Please do not create a Monster . Leave well alone.

[REDACTED]

Sent from [Mail](#) for Windows 10

From: [REDACTED]
Sent: 17 August 2019 21:10
To: neighbourhoodplanning@york.gov.uk
Subject: Acomb & Westfield Neighbourhood Plan - consultation response

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Neighbourhood Planning Team

I am writing in support of the application to designate Acomb & Westfield Neighbourhood Area and to designate the Acomb & Westfield Neighbourhood Forum as the body to develop the neighbourhood plan.

Although the combined area of Acomb and Westfield wards is larger than most neighbourhood plan areas, I believe that this is a logical area for the plan given that the centre of Acomb village sits at the boundary of the wards. The village centre catchment area therefore extends deeply into both ward areas. Given that the neighbourhood plan will complement and support the local plan, it makes sense to base this on ward boundaries, the areas relevant for city planning, rather than create a new boundary with no natural or structural basis.

I am a member of the Neighbourhood Forum and support it taking forward the task of developing a neighbourhood plan. The Forum is committed to this being an open, inclusive, community-led process and has demonstrated this through the extensive consultation that has taken place to date. The Neighbourhood Forum is not aligned to any particular interest group or political party. At a practical level, the Forum has researched the work required to develop a neighbourhood plan, is realistic about the effort required to achieve this, and committed to working constructively with the Neighbourhood Planning Team.

I hope that both applications will be approved.

Yours sincerely

[REDACTED]

NJ/abl/1119/114/3

19th August 2019

Neighbourhood Planning
 Planning and Environmental Management
 City of York Council
 West Offices
 Station Rise
 York
 YO1 6GA

55 Spring Gardens
 Manchester M2 2BY

0370 777 6292
 info@rapleys.com
 rapleys.com

LONDON
 BIRMINGHAM
 BRISTOL
 CAMBRIDGE
 EDINBURGH
 HUNTINGDON
 MANCHESTER

Dear Sir / Madam,

Re: Consultation On The Proposed Acomb And Westfield Neighbourhood Area And Neighbourhood Forum Applications.

We act on behalf of British Sugar Plc (British Sugar) and write to make representations on the proposed Acomb and Westfield Neighbourhood Area and Neighbourhood Forum Applications. The Acomb and Westfield Neighbourhood Forum has applied to:

- Be designated as 'The Neighbourhood Forum'; and
- Designate a neighbourhood area to be known as the 'Acomb and Westfield Neighbourhood Area'.

If the Neighbourhood Forum and Neighbourhood Area applications are approved, the Neighbourhood Forum will be able to develop a Neighbourhood Plan for the Neighbourhood Area. These applications have been submitted to the City of York Council (CYC) in line with the Neighbourhood Planning (General) Regulations 2012 (Amended). The 8 week consultation period for representations, with regard to this initial stage of plan preparation, runs from Thursday 27th June to Thursday 22nd August 2019.

British Sugar has worked closely with CYC since the closure of the former British Sugar site to progress its sustainable redevelopment. As you will be aware, outline planning permission and associated detailed planning permissions have now been granted to enable the regeneration of the site to provide up to 1,100 new homes, new community uses, new public open spaces and associated infrastructure and landscaping. British Sugar continues to work with CYC in the preparation of the various reserved matters applications necessary to bring forward the proposals for the site.

A large part of the former British Sugar site is included within the proposed neighbourhood area designation. As a key stakeholder in the proposed Neighbourhood Area, it is important that British Sugar has the opportunity to be involved in the preparation of the proposed Neighbourhood Plan from the outset.

On the basis of the above, we kindly request that British Sugar be afforded the opportunity to become a member of the Neighbourhood Forum, and request that we are notified of all future consultations, meetings and any other relevant updates relating to the Acomb and Westfield Neighbourhood Forum and Neighbourhood Plan preparation.

For information, we have contacted the Neighbourhood Forum representatives directly to make the same request.

We look forward to receiving confirmation that this representation has been duly received.

If you would like to discuss any of the aspects above, please contact me.

Yours faithfully,

[Redacted signature block]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

E mail: [REDACTED]

20 August 2019

Dear Sirs

CONSULTATION ON PROPOSED ACOMB & WESTFIELD NEIGHBOURHOOD FORUM

I write in objection to the above proposal on the following grounds:-

1. Proposed area to be covered
2. Duplication and cost
3. Validity of application

1. Proposed area to be covered

The area proposed to be covered - Acomb and Westfield Wards - comprises a population of 23440 with Westfield Ward having nearly double the number of people of with Acomb.

One of the reasons York is such a great city in which to live is the diversity and vibrancy of its neighbourhoods, each with its own ethos, which are not confined within the boundaries of Wards but in many cases straddle Wards e.g. the Hob Moor area of Westfield probably has more in common with the Holgate area whilst Foxwood has more in common with parts of Dringhouses & Woodthorpe.

Residents tend to look for facilities within their own neighbourhood in the first instance and I can see little synergy between Acomb and Westfield - which appears to have a larger number of accessible community facilities - than Acomb.

There is the opportunity to establish residents associations covering all tenures but, whilst this is something which happens in Westfield, which has active residents associations going back to 1986, this is not something which Acomb appears to have embraced. Consultation with local people on issues can and does take place through these bodies.

I believe that the proposed area is too large, the ability of people to influence decisions covering very unique areas will be lost, and the case for the forum based on this area is opposed by me.

2. Duplication and cost

There is already a Ward Committee system in operation and there is the option to have a Planning Panel in each Ward - something which neither Ward has ever taken up.

I was alarmed to read in the constitution of the Forum (3.5) that they could employ staff and have offices and wonder where the money for this might come from. It must not come from the York taxpayers.

3. Validity of Application

Looking at the figures provided by the Forum relating to the location of their membership, on their figures only 68 members live in the area which represents 0.0029% of the population of the two Wards.

The Officers of the Forum are not listed so it is difficult to know who exactly took the decision and when to apply for a Neighbourhood Forum.

Turning to their Constitution, I note the requirement for 2 General Meetings per year, one of which must be the AGM.

Their website gives details of those meetings as follows:-

16 November 2017 - Steering Group
January 2018 - agenda published for 11 April meeting
11 April 2018 - yet again a copy of the agenda
3 July 2018 - Steering Group
16 October 2018 - Steering Group

No minutes appear to be published for the 2018 AGM, nor is there any indication that a properly constituted AGM was held in 2019. Neither does there appear to have been a general meeting in 2018. So the requirement for 2 general meetings pa seems not to have been met.

At the 3 July 2018 Steering Group the Chairman and Vice Chairman said they were leaving Acomb and would be standing down at the AGM. I understand that they now reside out of area and are involved in other campaigns. I am left wondering why it is that people who do not reside in the area, wish to impose, through this Forum, their views on others.

Yours faithfully

██████████



Westfield Ward Councillors
City of York Council
West Offices
Station Rise
York YO1 6GA

Date: 16/08/19

Dear Sir/Madam,

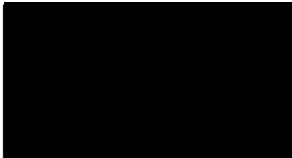
Re : Consultation on Acomb and Westfield Neighbourhood Plan

As the three ward councillors for Westfield Ward we would make the following points expressing our reservations in relation to the proposals for the Neighbourhood Plan being consulted upon by City of York Council.

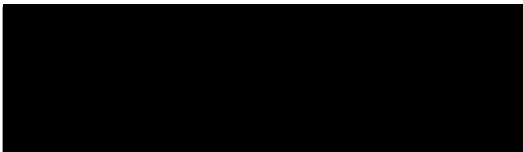
1. The area is too large for a genuinely local neighbourhood plan. The distances from Boroughbridge Road and Carr Lane to Acomb Wood Drive and Windsor Garth run through a number of different neighbourhoods.
2. No other Neighbourhood Plan in York covers more than one ward, and the vast majority are parts of wards reflecting the local geography and neighbourhoods.
3. We have concerns that the plan as proposed would not take account of the different neighbourhoods within the Westfield Ward;
4. Chapelfields is one of a number of distinct neighbourhood in the ward, which according to the map submitted by the organanistion making the application has no members representing this community, nor has there been direct engagement the Community Association for that area.
5. Foxwood is another distinct neighbourhood and has few points of contact with the proposed plan, and again no engagement with the Residents Association for this community.
6. It is hoped that residents associations for Kingsway West, Cornlands and Lowfields can be re-established and those neighbourhoods are distinct within the proposed geography.

Were the application to be approved then this would prevent local Neighbourhood Plans for the communities listed above which we feel would be contrary to the intentions of the Localism Act.

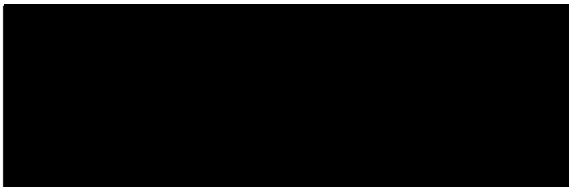
Yours sincerely



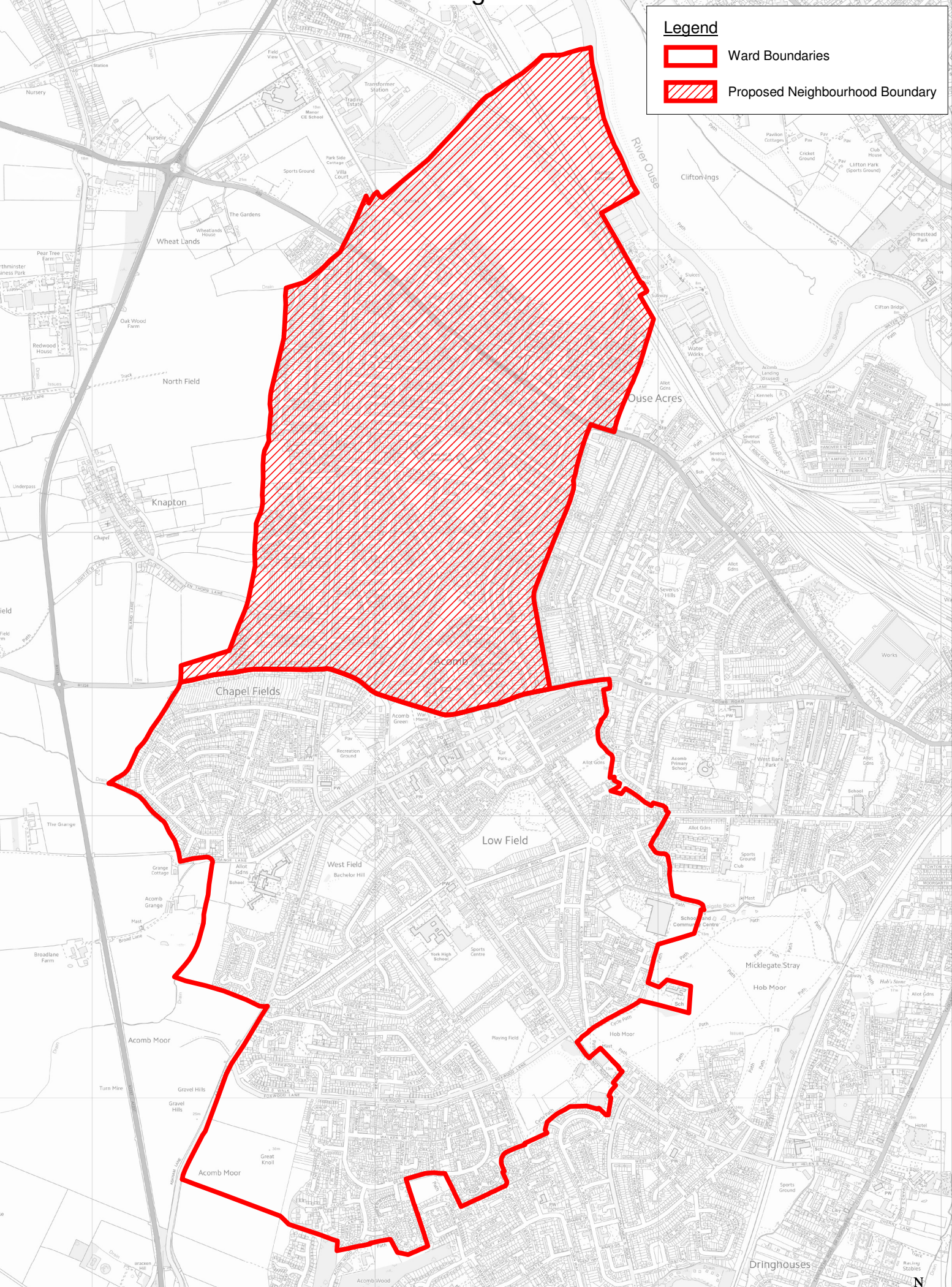
Cllr Andrew Waller





Cllr Sue Hunter



Cllr Simon Daubeney



Legend

-  Ward Boundaries
-  Proposed Neighbourhood Boundary



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**Decision Session – Executive Leader
(incorporating Policy, Strategy and
Partnerships)**

18 September 2019

Report of the Head of Economic Growth

Establishing the York Inclusive Growth Programme

Summary

1. Full Council has reallocated £300k of LCR Business Rates Pool funding from the City Narrative project to support inclusive growth. The Council proposes to use this fund to establish an Inclusive Growth Initiatives Fund, which will support one-off pieces of work.
2. This report outlines potential projects for the fund, and these fall under the five core themes:
 - Strengthening our approach to child poverty;
 - Greening the high street;
 - Promoting lifelong learning;
 - Working with small businesses to build community links; and,
 - Driving inclusive growth.
3. We are seeking approval from the Executive Leader to develop the list of potential projects into full project briefs, which will be presented to a further decision session of the Leader, once proposals have been fully developed.

Recommendations

4. The Executive Leader is asked to:
 - 1) Agree that Officers develop the list of proposed inclusive growth projects into full project briefs, as part of the Inclusive Growth Initiatives Fund.

Reason: So that the Council develops a pipeline of projects that

positively addresses inclusive growth in the City of York.

Background

5. Full Council, through its emergency budget, reallocated £300k of LCR Business Rates Pool funding from the City Narrative project to support inclusive growth. Officers propose using the funding to establish an Inclusive Growth Initiatives Fund, which will support one-off pieces of work to support inclusive growth across the city. The intention here is that these projects could either be subsumed into mainstream budgets or become self-sustaining.
6. The budget report set out three core themes for projects. These were:
 - Strengthening our approach to child poverty;
 - Greening the high street; and,
 - Promoting lifelong learning.
7. Subsequent consultation with the Executive Leader and the Executive Member for Economy and Strategic Planning, and discussions with Council officers, has seen two further themes emerge that would be suitable for the Inclusive Growth Initiatives Fund, these are:
 - Working with small businesses to build community links; and,
 - Driving inclusive growth.
8. Eight projects have been developed that fall under these themes. These are as follows:
 - Establishing a York Poverty Commission – bringing together individuals who have direct experience of living in poverty with key decision makers to build a shared understanding of how we can take practical steps in York;
 - Community hubs as drivers of growth – building on the community hubs model to give a sharper focus on local economic development and financial inclusion;
 - Greening our retail estate – surveying the Council's commercial tenants and the buildings they occupy to establish some workable options which would reduce both energy and occupancy costs;

- Community jobs fairs – funding to continue the community-based jobs fairs delivered in Chapelfields and Burnholme, alongside the central jobs fair at the Railway Institute;
- 14+ vocational training and work experience at York High School – supporting non-academic routes for young people at risk of becoming NEET;
- Independent retail growth fund – establishing a fund for trader-led projects through local traders associations;
- Mental health, wellbeing and employment – supporting the Good Help Programme in York which focuses on mental health and wellbeing and community engagement;
- York Economic Partnership – develop an inclusive, strategic economic partnership and work with that partnership to draft a new economic strategy for York.

9. A full description of projects, associated themes and proposed budget can be found in Annex A. These project proposals have been informed by consultation with the Executive Leader and the Executive Member for Economy and Strategic Planning, and developed through discussions with Council officers.

Consultation

10. Consultation on potential projects for the Inclusive Growth Initiatives Fund has taken place with the Executive Leader and the Executive Member for Economy and Strategic Planning. A draft of this report, and the list of potential inclusive growth projects, was taken to CMT to ask for further suggestions for projects from Directorates and for comments on the project proposals.

Options

11. Option 1 - The Leader confirms that he is happy with the list of potential projects for the Inclusive Growth Initiatives Fund and recommends that Officers develop the list of projects into full project briefs, in order to bring back at a future decision session.
12. The Executive Leader may wish to suggest alternative or additional activities, which is Option 2.

Analysis

13. Option 1 will allow Officers to progress work to develop a range of projects that will address inclusive growth in York.
14. The Executive may wish to suggest alternative or additional activities, which is Option 2.

Council Plan

15. The new Council plan, currently under consultation, will have outcomes which reflect a good quality of life in York. The projects proposed under the Inclusive Growth Initiatives Fund will address the following outcomes:
 - Good health and wellbeing;
 - Well-paid and an inclusive economy;
 - A better start for children and young people;
 - A greener and cleaner city; and,
 - Safe communities and culture for all.

Implications

- **Financial** – no new financial commitments. Previous commitments within the body of the report;
- **Human Resources (HR)** – no implications;
- **One Planet Council / Equalities** – the proposed project to green the Council's retail estate will help address the Council's climate change challenge. A number of the proposed projects will positively support the Council's equalities objectives;
- **Legal** – no implications;
- **Crime and Disorder** – no implications;
- **Information Technology (IT)** – no implications;
- **Property** – depending on the findings of the survey, the proposed project to green the Council's retail estate will have property implications. Any measures taken to improve the energy efficiency of the Council's commercial stock will need to balance commercial viability with environmental benefits.

Risk Management

There are no specific risks identified in respect of the recommendations.

Contact Details

Author:

Simon Brereton
Head of Economic Growth
Economy & Place
x2814

Alex Dochery
Economic Growth Manager
Economy & Place
x2080

Chief Officer Responsible for the report:

Neil Ferris
Corporate Director - Economy & Place

Report **Date** 10 September 2019
Approved

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Full Council Budget report

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MIId=11333&Ver=4>

Annexes

Annex A – List of Inclusive Growth Projects

Annex B - Inclusive growth evidence base

List of Abbreviations Used in this Report

CMT – Corporate Management Team

LCR – Leeds City Region

NEET – not in employment, education or training

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Annex A: Inclusive Growth Initiatives Fund – Potential Projects List

Theme	Project Title	Description	Budget
Strengthening our approach to child poverty	Poverty truth commission	Learning from work in Scotland and Leeds, we are proposing to work with others to establish a York Poverty Commission, bringing together individuals who have direct experience of living in poverty with key decision makers, in order to build a shared understanding of how we might take practical steps in York on this key theme. The Council will contribute towards a budget of £60k, subject to other funders being prepared to support.	£20,000
Strengthening our approach to child poverty	Community hubs as drivers of growth	Building on the community hubs model to give a sharper focus on local economic development and financial inclusion. This could include support for coordination of existing and emerging hubs, together with targeted work around the challenges of low-income families around living costs. For example looking at childcare, transport, housing, food and energy costs and working with families in poverty to find ways to maximise earning	£40,000

		potential and minimise living costs. The Council's contribution will be used to employ a local economic development co-ordinator for the hubs	
Greening the high street	Greening our retail estate	A survey of the Council's commercial tenants & the buildings they occupy to establish some workable options which would reduce both energy costs and occupancy costs. This would support our climate change agenda, while helping independent retailers to be commercially sustainable. £20k of funding will be used to conduct a survey, with the remaining budget spent on installing energy efficiency measures	£80,000
Promoting lifelong learning	Community jobs fairs	Currently delivered through the community hubs initiative, community-based jobs fairs have been delivered in Chapelfields and Burnholme, alongside the central jobs fair at the Railway Institute. We are proposing that funding is secured for three years to support forward planning and promotion	£30,000
Promoting lifelong learning	14+ vocational training and work experience at York High School	Supporting non-academic routes to work for young people at risk of becoming NEET is a priority of the Administration. The Head of Education and Skills is	£50,000

		currently working up a proposal with York College that seeks to address this priority.	
Working with small businesses to build community links	Independent Retail Growth Fund	Establishing a fund for trader-led projects through local traders associations (as set out in Cllr Keith Aspden's decision session in February 2019).	£50,000
Working with small businesses to build community links	Mental health, wellbeing and employment	Providing additional support for the Good Help programme, with the Commissioning team. This will provide a focus on mental health & wellbeing and community engagement – match to NESTA project.	£27,500
Driving inclusive growth	York Economic Partnership	Develop strategic economic partnership and work with that partnership to draft a new economic strategy for York. Three sub-groups proposed on skills, business support and community voice. Budget will cover meeting costs, publicity and print costs.	£2,500
		Total Costs	£300,000

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ANNEX B: Inclusive growth evidence base

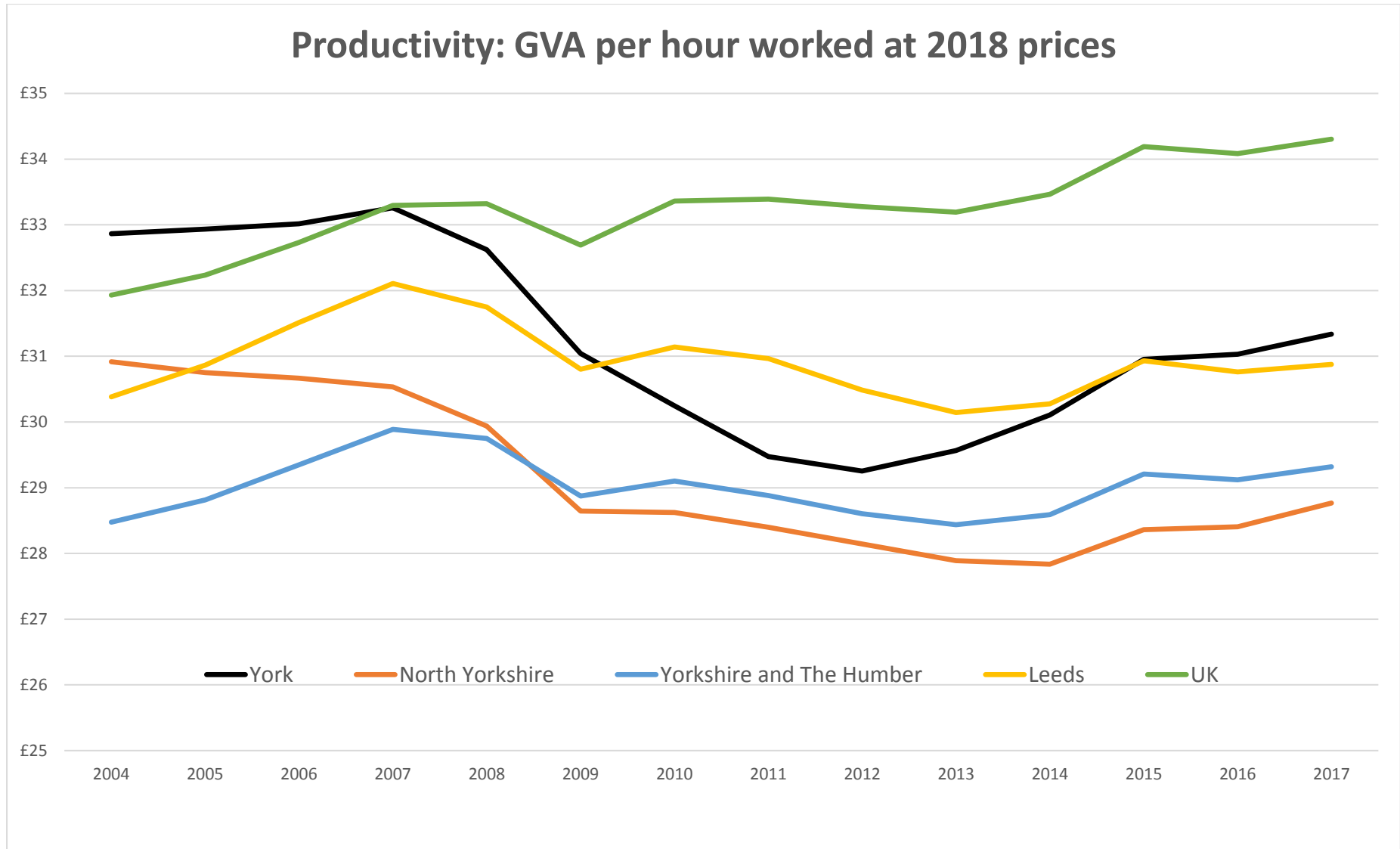


Figure 1: York has strong and growing productivity

Job growth by skill level: York 2005 - 2018

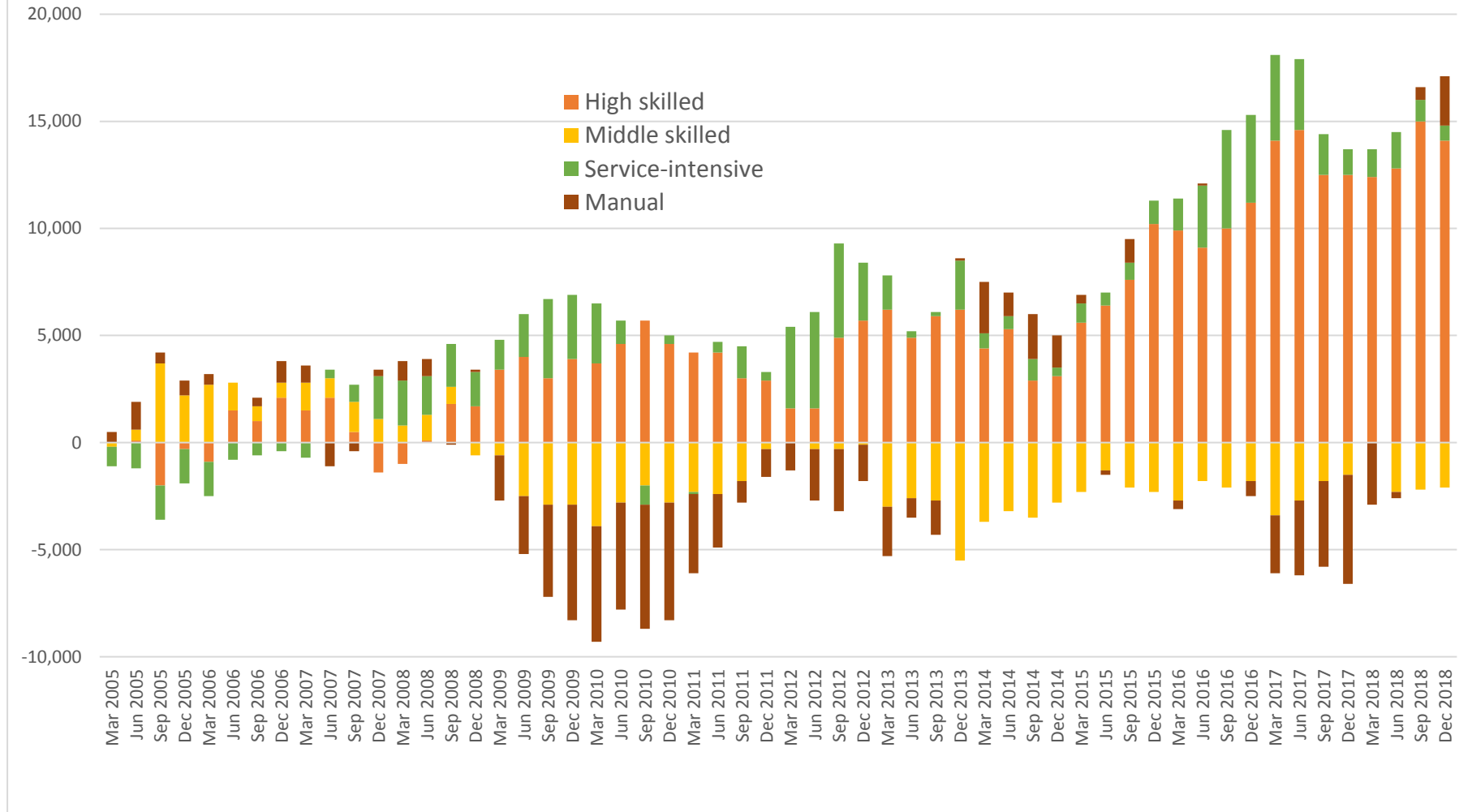


Figure 2: Since March 2005, 14,000 high skilled jobs have been created in York

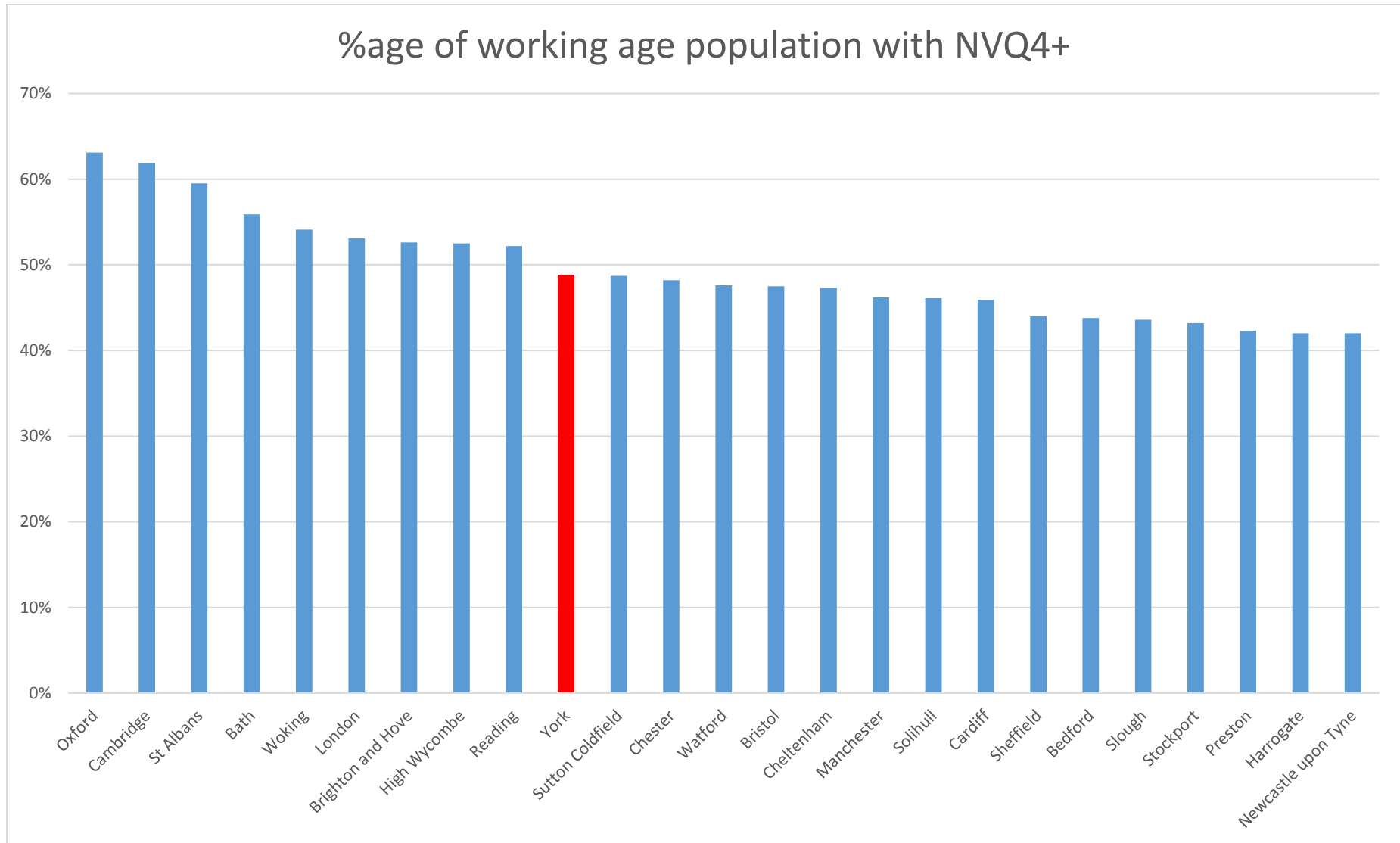


Figure 3: York has the highest level of skills of all northern cities



Figure 4: Since 2009, much of our job growth has been in lower paid sectors

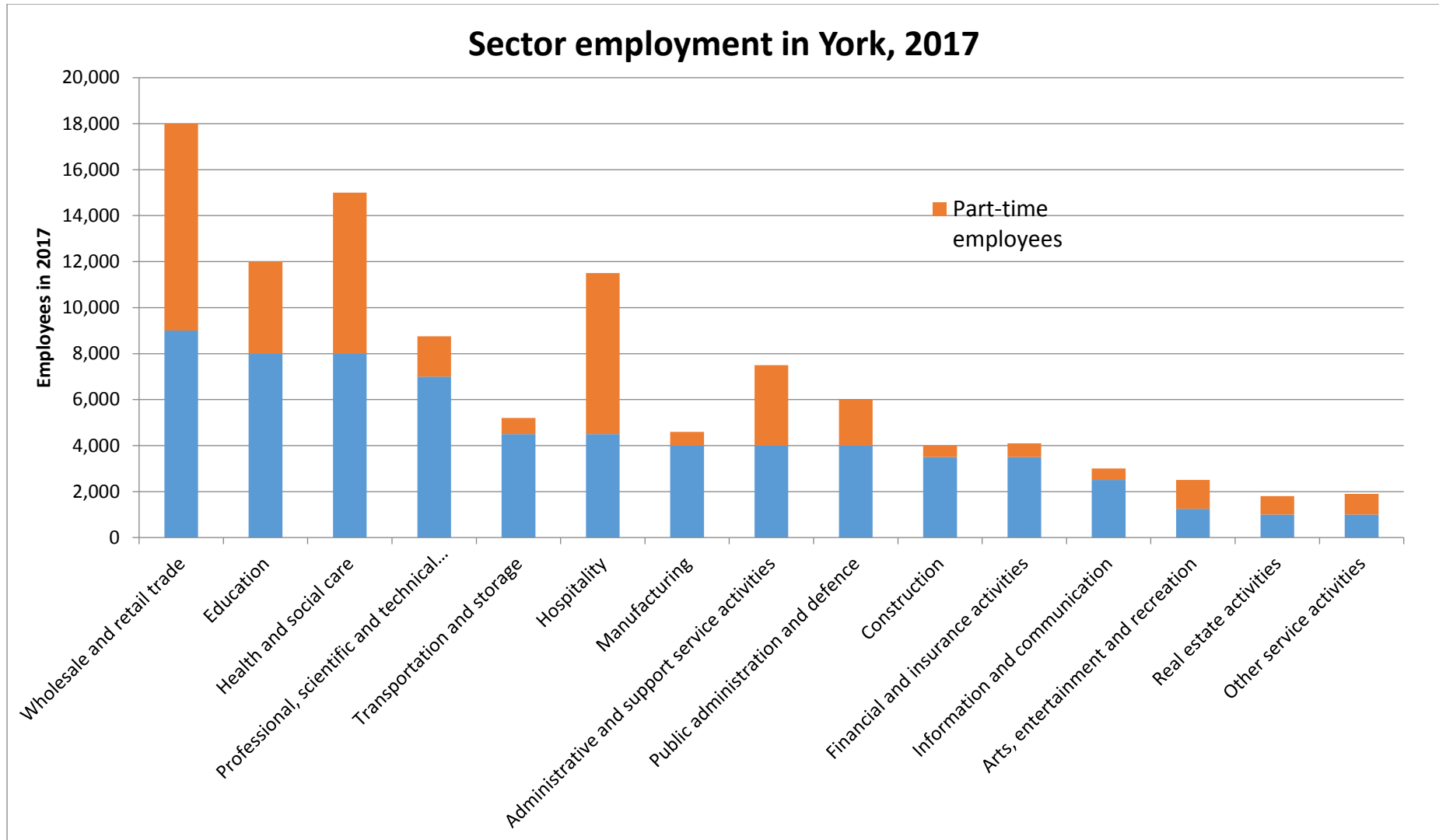


Figure 5: Part time work in York is predominantly in lower paid industries

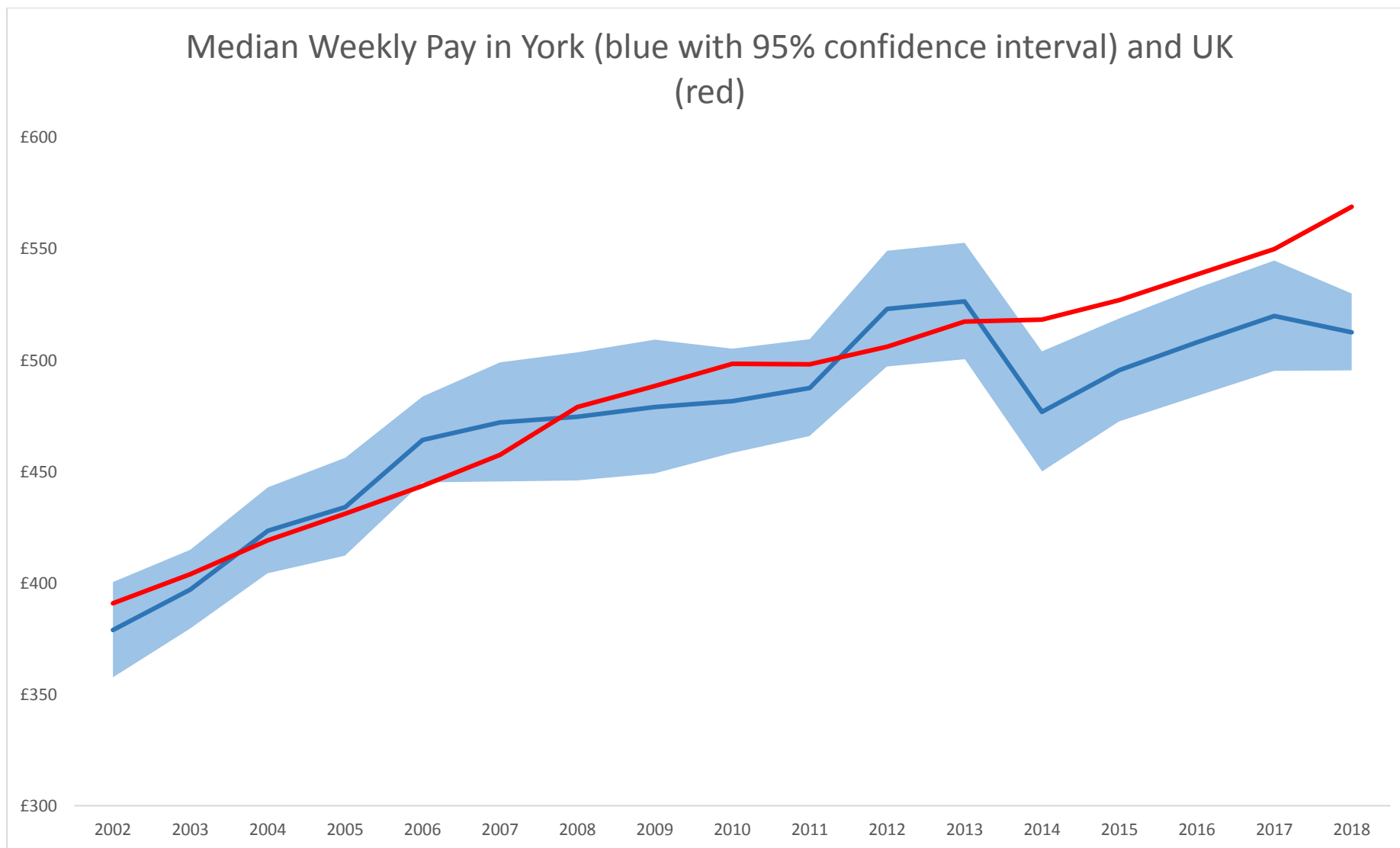


Figure 6: Average pay in York has fallen and is lagging behind the national figures



**Decision Session: Executive Leader
(incorporating Policy, Strategy and
Partnerships)**

18 September 2019

Report of the Director of Economy and Place

Coordinating the work of city centre agencies - Purple Flag and safer events

Summary

1. The purpose of this report is to set out a proposed approach to coordinating work with residents, businesses and visitors in York city centre through the development of Purple Flag (PF), potentially leading to an application for Purple Flag accreditation, and the coordination of the city's safety advisory group (SAG).
2. Purple Flag's objective is to raise the standard and appeal of city/town centres evening and night time economy. Purple Flag is the benchmark for good night time destinations. Town centres that achieve a Purple Flag are those that are safe, vibrant, appealing, well-managed and offer a positive experience to consumers. This is achieved through improved partnership working and coordination between the many organisations active in the city centre.
3. There are two critical factors in achieving Purple Flag accreditation - a city centre partnership of stakeholders to support the planning and delivery of a Purple Flag process, and active coordination through a dedicated staff resource to support and develop that partnership and project manage the application.
4. The core function of the SAG role will be provide and co-ordinate requests for advice and information from event organisers, with the aim of ensuring events go ahead safely, and with any risks to crime/disorder and the environment minimised as far as possible.
5. An Internal Audit report has identified the lack of a coordinator role in SAG as a key risk and has recommended that the Council create a post to undertake that role.
6. There is considerable synergy between these two elements of Purple Flag and SAG, with a complementary set of stakeholders involved in

both processes, and a skillset which includes understanding the range of organisations involved in managing a city centre and its evening and night time economy.

Recommendations

7. That the Executive Leader:
 - a. Endorses the proposed approach to coordination of city centre working through the Purple Flag model; and
 - b. Approves the creation of a new post in the Economic Growth Team to act as Purple Flag and SAG Coordinator.

Reason: To support growth in the city centre economy and to help ensure that the large number of events which take place in the city do so safely.

Background

8. The new administration have committed to using the Purple Flag scheme to coordinate efforts amongst a wide range of stakeholders to improve the standard of the city centre's evening and night time economy, and the public's perception of the city centre.
9. Financial resource has been made available to implement the approach through the July 2019 supplementary budget. This paper sets out the background to Purple Flag as a scheme, existing commitments from city stakeholders, and a proposed way forward to run a Purple Flag process as part of improved partnership arrangements for the city centre. It also outlines a requirement for additional resource to support the existing safety advisory groups in the city and proposes combining these two tasks into a single coordinating role.

What is Purple Flag?

10. The Purple Flag standard, launched in 2012, is an accreditation process, similar to the Green Flag award for parks and the Blue Flag for beaches. It allows members of the public to quickly identify town and city centres that offer an entertaining, diverse, safe and enjoyable night out. There are currently 70 Purple Flag towns and cities across the UK. Town centres that achieve a Purple Flag are those that are safe, vibrant, appealing, well-managed and offer a positive experience to residents and visitors. Embarking on a Purple Flag process supports stakeholders across the evening and night time economy, in order to work together to meet the required standards in these areas and improve the night time experience of residents and visitors alike.
11. The Purple Flag methodology includes an independent assessment of performance based on a unique set of standards – the Core Agenda.

Town centres that reach or surpass these standards can fly the flag, so providing a golden opportunity to present them in a positive light and in their true colours to consumers, residents, and visitors alike.

12. According to the Association of Town and City Management (ATCM), who run Purple Flag, the accreditation can bring the following benefits:
 - A raised profile and an improved public image
 - Wider patronage
 - Increased expenditure
 - Lower crime and anti-social behaviour
 - A more successful mixed-use economy
13. Purple Flag looks holistically at what a city centre can offer the general public and is based on five cornerstones:-
 - Wellbeing (covering safety, care and health, regulation, services, partnerships and perceptions)
 - Movement (covering public transport, car parking, pedestrian routes, crowd management, information, partnership)
 - Appeal (covering food & dining, pubs and bars, late night venues, early evening, public buildings and arts and culture)
 - Place (covering location, diversity, animation, design and identity)
 - Policy envelope (covering data, strategy, co-ordination, leadership, partnership and community)
14. There are more detailed criteria published which set out the minimum standards to be achieved to achieve Purple Flag accreditation.

Purple Flag in York

15. York city centre's evening and night time economy is both vibrant and challenging. The continued growth of our reputation as a place to visit for leisure has seen the number of bars and restaurants in the city centre increase in recent years. An Office for National Statistics (ONS) report from November 2018 shows that there are 15 more licenced premises in the city than there were in 2001. This is in stark contrast to national trends with ONS reporting that there has been a 23% reduction in the number of pubs nationally since 2008.

16. The challenges that this growth presents are related to the conflicting needs of different users of the city centre, and are most sharply expressed when hen and stag parties use the city centre. It is these challenges that Purple Flag seeks to address, through bringing together those involved in the day time, evening and night time economies and developing joint plans and management approaches.
17. ATCM produce a wide range of material to support places in seeking and maintaining the Purple Flag standard. They identify two crucial elements – a city centre partnership of stakeholders to support the planning and delivery of a PF process, and a Purple Flag Coordinator post to support and develop that partnership and project manage that process.
18. In terms of the partnership, the 5 cornerstones of the scheme cover a range of policy and operational areas with relevant CYC internal and external partners:

Purple Flag Cornerstone	Relevant internal & external services
Wellbeing (covering safety, care and health, regulation, services, partnerships and perceptions)	Safer York, Public Health, Licensing, Comms +Police, NHS, BID, YBAC, York Rescue Boat, businesses, UoY and YStJU (via their student bodies)
Movement (covering public transport, car parking, pedestrian routes, crowd management, information, partnership)	Transport, Safer York +First York, TOCs, Car Parks, special interest groups
Appeal (covering food & dining, pubs and bars, late night venues, early evening, public buildings and arts and culture)	Licensing, Culture, Env Health + MIY, BID, FSB, businesses, trade bodies (LVA, York Hospitality Forum, Retail Forum, traders groups)
Place (covering location, diversity, animation, design and identity)	Regen/My City Centre, Culture, Conservation +MIY, BID, FSB, theatres, etc
Policy envelope (covering data, strategy, co-ordination, leadership, partnership and community)	Intelligence/Smart Cities, Regen/My City Centre, Economic Growth, Communities + MIY, BID, Retail Forum

19. The Purple Flag Coordinator role involves a mix of partnership development, project management and administration, working across these multiple organisations and interests. Experience in other cities suggests that this would need to be a full-time post, perhaps also picking

up responsibility for related partnership and policy areas, and that it should not be based in a team which has a narrow focus on one of the Cornerstone areas.

20. The role would have a range of key responsibilities: to develop a PF partnership; to facilitate and service PF partnership meetings; to project manage a PF process leading to a PF submission in 2021; to coordinate communications around PF and evening and night time economy issues. The role would be based in the Economic Growth Team, working closely with other related City of York Council services.
21. While it is key for the Council to take a lead on initiating and coordinating Purple Flag, other partners have also expressed a willingness to contribute to the work and take forward the issues raised. For example, York BID have committed to funding the accreditation costs and there may be further actions identified in the PF process which could become areas for the BID and others to develop additional projects.

Safety at events in York

22. Events of all kinds play an important role in community life. They also provide commercial opportunities for those communities, organisations or other good causes and their impact can be far reaching bringing wider economic opportunity into the local area. But public safety at events must remain the number one priority. Safety Advisory Groups provide expertise to help event organisers take the necessary steps to help events go ahead, but crucially to go ahead safely.
23. There are two similar event safety groups operated by the City of York Council, they are as follows:-

Events Safety Advisory Group (ESAG)

24. An Event Safety Advisory Group is a collection of agencies, normally 'Category 1 Responders', under the provisions of the Civil Contingencies Act 2004, notably the police (including counter terrorism considerations), fire and ambulance service as well as services from the local authority – in particular emergency planning, highways, licensing, public protection and the health and safety advisory service. Officers from these areas are brought together to consider significant public events. The ESAG group has no statutory powers, but assists those responders comply with the 2004 Act in that they must undertake actions to prevent the emergency and /or reduce control or mitigate its effects. The City has a large number events –large and small- each year which are privately organised and managed but attended by both residents and visitors.

25. Many local authorities across the country have established ESAG's. However it should be noted that there is no statutory requirement for a local authority to establish such a group. The fact that they have been created is specifically due to the essential role local authorities have in relation to emergency planning, building control, licensing and highway regulation. Once established, it is essential it operates effectively to specific guidelines with clear membership and consultation. Failure to do so may result in serious consequences. For example, the Dreamspace incident (in Chester-Le-Street) in 2006 where an inflatable artwork broke free from its moorings in high wind and resulted in the deaths of two people walking around inside the artwork. This resulted in not only criminal charges against the event organiser but charges against the council and individual charges against council staff such as the Chair of the Event Safety Advisory Group. In this particular case, more emphasis had been placed on ensuring the event happened and not whether it was safe.
26. The group is hosted by the Public Protection team within the Economy and Place Directorate. The Chair of the group is the Head of Public Protection with limited administrative and technical support currently being provided by the Senior Licensing Officer. In both cases the ESAG duties are in addition to their substantive roles. It should be noted that administrative support in this context also includes technical advice on application procedure, information required and process.

Sports Ground Safety Advisory Group (SGSAG)

27. The Sports Grounds Safety Advisory Group has a **statutory** basis in the Safety at Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987. This group is also chaired by the Head of Public Protection and the Licensing team (Licensing Manager) currently provides the secretarial/administrative function. Also, like the ESAG it is attended by and has significant contributions from the police, fire service, Yorkshire Ambulance Service as well as other CYC officers (Licensing, Highways, Planning and Electrical Safety).
28. This function relates in York to two sports grounds i.e. the Racecourse and Bootham Crescent/Community Stadium. The fact that this group has some statutory leverage i.e. a safety certificate is required to operate and will not be granted unless the requirements of the group are met makes co-operation more forthcoming than is sometimes the case with the ESAG.
29. There is an annual inspection of the sports grounds undertaken by the Licensing Manager.

30. A Veritau audit (dated 15/3/18) and which is attached as appendix 1, identified a number of issues with the council's current ESAG and SGSAG Groups. All of the matters raised, apart from the recommendation to increase the administrative resource have been addressed. The Veritau audit report identified resourcing the ESAG as a priority 2 issue.
31. The table below shows the number of events that the Events Safety Group have considered over the past three years i.e. since Veritau reported in early 2017.

Year	No of events considered
2014	41
2015	51
2016	56
2017	41
2018	53
2019 (to 13.5.19)	36

32. In response to the growing demand for input from SAGs to event planning and the comments of Internal Audit, it is proposed that the Purple Flag coordinator should also support the Head of Public Protection through providing administrative and technical assistance for the SAGs. This would involve acting as secretariat for both SAGs, supporting event organisers to interface with the SAGs, and developing resources to streamline the SAG process.

Consultation

33. A series of meetings have been held to explore a York Purple Flag application, most recently in October 2018. These have included representatives from York BID, Make It York, the Police Commissioner and relevant Council services.

Options

34. Option 1 – do nothing, leaving Purple Flag undelivered and SAG coordination as an additional work stream for the Licencing team.
35. Option 2 – approve the use of resources identified in the supplementary budget in July 2019 to recruit a Purple Flag and SAG Coordinator to the Economic Growth Team as described above

36. Option 3 – separate the Purple Flag and SAG roles, leaving the latter as a budget pressure.

Analysis

37. Option one will leave Purple Flag as an aspiration only and disregard the findings of Internal Audit in relation to the operation of SAGs.
38. Option two would enable both activities to be developed in response to the commitments in the Supplementary Budget and the findings of Internal Audit.
39. Option three would enable Purple Flag to proceed with a single-focus role as Coordinator, but would leave SAG coordination as a budget pressure.

Council Priorities

40. Purple Flag and the operation of the safety advisory groups support the Council's priorities in respect of the following:
 - A prosperous city for all – supporting a mixed economy, enabling a variety of events to take place in the city which are attractive to residents and visitors and helping to ensure that the events go ahead safely.
 - A focus on frontline services – to help deliver a vital aspect of service delivery.

Implications

41. **Financial:** The July 2019 supplementary budget has earmarked £33k in 2019/20 and £50k in 2020/21 for Purple Flag coordination. This would also be sufficient to also cover the SAG coordination elements.
42. **Human Resources:** The report is requesting an increase of 1x Full Time Equivalent (FTE) Officer.
43. **Equalities:** There are no equalities implications associated with this report
44. **Legal:** There are no legal implications associated with this report.
45. **Crime and Disorder:** Purple Flag aims, amongst a broad portfolio of policies, to reduce anti-social behaviour and support a safer city centre. For the SAG elements, the post will help organisers meet their legal

duties in respect of complying with their legal responsibilities and keeping people safe.

- 46. **Information Technology (IT):** There are no IT implications associated with this report.
- 47. **Other:** There are no other implications associated with this report.

Risk Management

- 48. There is a risk that the two roles cannot be delivered by one individual. This will be reviewed annually and brought back to the Executive Leader should a need to change the delivery model be identified.
- 49. In relation to the Internal Audit findings on SAG, applying the Council's risk scoring criteria, the current risk is 'moderate' (yellow risk). This is because there is a 'possible' risk of action in national court and imprisonment of employees, large numbers of people could be affected, with national media coverage and fatal injury. Introducing a dedicated officer to make processes more efficient reduces the risk to 'minor' (green risk) as the likelihood of the impact reduces to 'unlikely'.

Contact Details

Author:

Simon Brereton
Head of Economic Growth
Phone: 01904 552814

Chief Officer Responsible for the report:

Neil Ferris,
Director of Economy and Place

Report Approved



Date 06.08.19

Specialist Officer Implications: None

Wards Affected:

All

Background Papers:

None

Annexes

Annex 1 – Veritau Report

List of Abbreviations Used in this Report

ATCM: Association for Town and City Management
BID: Business Improvement District

PF: Purple Flag
SAG: Safety Advisory Group

Health and Safety
City of York Council
Internal Audit Report 2017/18

Business Unit: Customer and Corporate Services
Responsible Officers: Assistant Director, Customer Services and Digital,
Assistant Director, Public Protection and Planning
Date Issued: 15/3/2018
Status: Final
Reference: 19519/009

	P1	P2	P3
Actions	0	5	2
Overall Audit Opinion	Reasonable Assurance		

Summary and Overall Conclusions

Introduction

The council has responsibilities for the health and safety of its employees, customers accessing services and people in the city. To meet these responsibilities, the council undertakes a broad and diverse range of activities.

Previous audits have considered particular areas of health and safety management within the council. Following a request by the Audit & Governance Committee, it was agreed this audit would focus on the council's arrangements for ensuring safety at public events.

Responsibility and liability for events differs depending upon who organises the event and who owns the land on which the event is held. Primary responsibility for health and safety lies with the event organiser. The vast majority of events held in York are organised by third parties, but the council and Make It York (MIY) both organise their own events. Make It York also acts on behalf of the council in respect of third party events held on council land.

The council hosts and chairs the York Events Safety Advisory Group (SAG), which is made up of various bodies including the emergency services. The SAG provides advice and support to people organising events within the city; however, it has no statutory function and therefore cannot enforce compliance with its recommendations, nor require event organisers to submit their plans.¹ Group members may independently exercise statutory powers afforded to them by their particular service area (e.g. Licensing may refuse to grant licences). By contrast, the council has a statutory duty to ensure safety at sports grounds as set out in the Safety of Sports Grounds Act 1975. The Sports Grounds SAG, which is also hosted and chaired by the council, carries out this function.

Objectives and Scope of the Audit

The purpose of this audit was to provide assurance to management that procedures and controls within the system will ensure that:

- the council has appropriate arrangements in place for ensuring health and safety of events it organises;
- Make It York has appropriate arrangements in place for ensuring health and safety of events it organises;
- suitable arrangements are in place for ensuring health and safety at events held on council land or public highways but not organised by the council or Make It York;
- the council has suitable oversight of other private events organised within the city.

The audit included visits to Make It York and a review of arrangements at the SAG.

¹ Further information on SAGs is available from the Health & Safety Executive: <http://www.hse.gov.uk/event-safety/safety-advisory-groups.htm>

Key Findings

We found that, in general, arrangements for ensuring health and safety at events in the city are adequate. The audit primarily focused on the work of the Events SAG and MIY. A separate report is currently being drafted by North Yorkshire Police, with council involvement, regarding counter-terrorism measures at public events and in public spaces across York. An action plan was developed and training provided for the 2017 St Nicholas Fair and it is expected that other measures will be taken across the city as required.

The council primarily gains assurance regarding health and safety at events through the work of the SAG and MIY. Although the SAG does not have a statutory function, ensuring that it is properly resourced and constituted is essential for it to provide effective oversight. Officers raised concerns about an impending lack of resources for the Events SAG due to staffing changes, which could impair its ability to provide timely advice and oversight of events. A similar issue was noted regarding the Sports Grounds SAG, although there is no suggestion that the council has been unable to carry out its regulatory duties. The Sports Grounds SAG was not the focus of this audit, but as the issue is similar to that of the Events SAG, it is raised here. These issues are discussed in Findings 1 and 2 below.

Review of council-organised events found that health and safety responsibilities were specified and appropriate documentation completed. However, contracts with organisers did not include a requirement to submit event plans and other key documents to the SAG for scrutiny within a reasonable time frame. This is explained in Finding 3 below.

The council's contract with MIY outlines health and safety responsibilities, but makes no requirement for them to refer events to the SAG, unlike in the separate service-level agreement for council land. This is further explained in Finding 4.

Testing of third-party events found that key documentation had been completed and submitted to the SAG for scrutiny. However, it was noted that the contract for the event on council land did not include a clause requiring the organisers to submit plans to the SAG and comply with its advice. Discussions with the Assistant Director (Communities & Equalities) found that he currently has limited means of monitoring the service-level agreement with MIY. These issues are explained in Finding 5.

Finally, the SAG's Terms of Reference (TOR) and meeting minutes were reviewed for adequacy. In general, the TOR was adequate, but some improvements could be made as outlined in Finding 6. The meeting minutes record events discussed and resulting actions, but do not always make clear if actions have been resolved. This is discussed further in Finding 7.

Overall Conclusions

The arrangements for managing risk were satisfactory with a number of weaknesses identified. An acceptable control environment is in operation but there are a number of improvements that could be made. Our overall opinion of the controls within the system at the time of the audit was that they provided Reasonable Assurance.

1 Resourcing of the Events SAG

Issue/Control Weakness

The Events SAG is facing resourcing pressures that may impact its ability to provide timely advice and oversight.

Risk

If resources are not sufficient, this reduces the ability of the SAG to provide thorough and timely scrutiny of events.

Findings

Officers have highlighted a lack of staff time as an issue. For example, the Licensing team is under particular pressure. The Senior Licensing Officer is the secretary to the Events SAG and the Licensing Manager is the secretary to the Sports Grounds SAG, which is a separate group with statutory powers. However, Licensing have lost two staff posts and are expecting a review of staffing requirements. At the same time licensing duties have increased, meaning that the Senior Licensing Officer has less time to devote to SAG issues.

The role of the secretary is included in the job description of the Senior Licensing Officer and the Health & Safety representative is required to sit on the SAG. However, other roles, including the role of the chair, are not included in the job descriptions of officers.

The Events SAG has also recently lost its chair. The chair of the Sports Grounds SAG has taken over temporarily. Currently it is thought that the Emergency Planning Manager will take over the chair in the long-term, but this is dependent upon her workload and other responsibilities.

The SAG is not included in the directorate service plans, nor does it have a dedicated budget. This lack of formal recognition increases the risk that the staffing issues outlined above will not be addressed.

Agreed Action 1.1

- a) A review of SAG arrangements will be undertaken. This will include reviewing governance, roles and responsibilities, resourcing, an internal escalation process (see Finding 6), and job descriptions.
- b) The findings of the review will determine what decisions and actions need to be taken. Responsibilities and timescales for their implementation will then be assigned and further follow up work carried out for these actions.

Priority

2

Responsible Officer

Assistant Director
(Planning and Public Protection)

Timescale

March 2018

2 Resourcing of the Sports Grounds SAG

Issue/Control Weakness

The Sports Grounds SAG is facing resourcing pressures that may impact its ability to carry out its statutory function.

Risk

If resources are not sufficient, this reduces the ability of the SAG to provide thorough and timely scrutiny of events.

Findings

The Head of Building Control currently acts as the chair, but this is not included in his job description and is done in addition to his day-to-day duties. He is planning on retiring in the next 18 months, but there is currently no plan of succession in place.

The Licensing Manager is the secretary for the Sports Grounds SAG, while the Senior Licensing Officer acts as the secretary to the Events SAG. Licensing has lost two staff posts and a review of staffing requirements is expected. At the same time licensing duties have increased, putting increased pressure on the Licensing team.

The SAG is not included in the directorate service plans, nor does it have a dedicated budget, despite having statutory obligations and powers. This lack of formal recognition increases the risk that the staffing issues noted above will not be addressed.

Agreed Action 2.1

A clear plan of succession for the Sports Grounds SAG chair will be developed. The review agreed as part of action 1.1 will include the Sports Grounds SAG to ensure the group is adequately resourced and recognised in service plans and job descriptions.

Priority

2

Responsible Officer

Assistant Director
(Planning and Public
Protection)

Timescale

March 2018

3 Health & Safety guidance for council events

Issue/Control Weakness

There is no requirement for plans for council events to be submitted to the SAG. Relevant guidance on event planning and document retention is not available on the intranet.

Risk

The council does not have sufficient oversight of health and safety at events it organises.

Findings

For two events tested, health and safety requirements were outlined in the brief or contract. However, neither included a requirement to submit event plans and other documentation to the SAG for scrutiny. The brief for the third event tested was no longer available, so it is not known if health and safety requirements were outlined, but risk assessments had been completed. Similar issues around submission of event plans to the SAG and document retention for the Grand Deputy Concert were highlighted in the Tour de France Scrutiny Review Report that was presented to Executive Committee in September 2017.

There is currently no information on event planning or the SAG on the council's intranet. The responsibility for health and safety at council-run events lies with the organising officer. Discussions with SAG officers identified that getting information in a timely fashion is problematic and hinders their work. Indeed, the SAG asked for information on one council event, but did not receive it.

Further discussions identified that getting information in a timely manner is a broader issue (see Findings 4 & 5). Although there is information on the SAG available on the council's external website, officers said it does not clearly outline the application process for events, nor the SAG's expectations. It was agreed that links from the intranet and MIY's website to a single 'hub' of information on the council's website would be more useful than information replicated across three websites.

Agreed Action 3.1

- a) Existing guidance on the council's website will be reviewed and guidance on the application process will be developed. This will include the SAG's expectations, timescales for the submission of documents, and a link to the Purple Guide.
- b) The guidance will be published on the council's website and clearly signposted from the council's intranet and Make It York's website.

Priority

2

Responsible Officer

Assistant Director
(Planning and Public
Protection)

Timescale

March 2018

4 Contract between the council and Make It York

Issue/Control Weakness

The contract with MIY does not require it to refer events to the SAG.

Risk

MIY does not meet its responsibilities regarding health and safety at public events held in York.

Findings

The responsibilities of MIY are generally well defined in the contract and SLA with regard to third parties. The SLA requires MIY to enter into an appropriate hire agreement with event organisers, binding them to carry out the event in line with the council's requirements and SAG's advice, but the same requirement is not included in the main contract in respect of events held in the city centre. Although in practice MIY does refer events to the SAG, the contract should be amended to ensure consistency between the two agreements.

Agreed Action 4.1

The contract between the council and MIY will be amended to include a requirement to refer events to the SAG and for event organisers to act upon its advice, bringing it in line with the SLA.

Priority

2

Responsible Officer

Assistant Director
(Communities & Equalities)

Timescale

April 2018

5 SLA between the council and MIY

Issue/Control Weakness

The contract with MIY does not require it to refer events to the SAG and monitoring of the SLA is limited.

Risk

MIY does not meet its responsibilities regarding health and safety at public events held in York.

Findings

The SLA between the council and MIY states that MIY will enter into an appropriate hire agreement with event organisers that binds the event organiser to carry out their event in line with the council's requirements and the advice of the SAG (section 4.e). However, testing of the hire agreement for the recent Balloon Fiesta found that there was no reference to the event organisers having to comply with the advice of the SAG. Although SAG meeting minutes and discussion with officers suggest that the event organisers were cooperative, the hire agreement should be amended to include this requirement in future.

Furthermore, discussion with the Assistant Director (Communities & Equalities) found that monitoring of the SLA is limited to general discussion at client meetings due to resourcing pressures. It was agreed that seeking feedback from the SAG prior to client meetings would be an appropriate way of monitoring MIY's performance.

Agreed Action 5.1

- a) MIYs hire agreement will be amended to include a requirement for event organisers to submit their plans in a timely fashion to the SAG and act upon its advice. It will include conditions about when and how permission to run events will be withdrawn if requirements are not met.
- b) The Assistant Director (Communities & Equalities) will seek feedback from the SAG prior to routine client meetings. How this is done and what information is provided will be agreed with the SAG.

Priority

2

Responsible Officer

Assistant Director
(Communities &
Equalities)

Timescale

April 2018

6 SAG Terms of Reference

Issue/Control Weakness

The SAG's TOR has not been finalised.

Risk

The SAG does not meet its responsibilities for oversight of health and safety.

Findings

The SAG has Terms of Reference (TOR), but these are in draft. Generally, the terms are adequate, but there are several improvements that could be made.

The TOR states the SAG cannot stop an event going ahead, but discussion with officers found that the SAG will state whether or not it supports an event. This decision and how it is reached should be included in the TOR. The TOR also states that decision making will be delegated to the council via the Chair, but it is not clear what this means in practice. It also makes no provision for escalation of issues within the council should there be pressure on the SAG from within the council to support an event that in their opinion is not safe.

Other issues identified include lack of version control, a process for amending the TOR, what constitutes quorum for meetings, who chairs meetings or how the chair is rotated.

The TOR need revising to include the issues identified and a suitable escalation procedure should be developed to ensure that the SAG functions effectively and maintains its independence.

Agreed Action 6.1

The TOR will be reviewed and revised to reflect the outcome of the review of SAG arrangements (action 1.1). The points raised above will be considered, especially that of an internal escalation procedure to an appropriate officer (e.g. a Director).

Priority

3

Responsible Officer

Head of Building Control & Property Information Manager

Timescale

March 2018

7 SAG Meeting Minutes

Issue/Control Weakness

It is not clear from SAG meeting minutes if issues raised with event organisers have been resolved or advice acted upon.

Risk

Issues raised with event organisers are not resolved.

Findings

SAG meeting minutes document which events have been discussed and any issues raised by group members. However, it is not always clear from the minutes whether issues raised have been resolved or event organisers have acted upon advice provided to them.

When the SAG provides advice, the responsibility for ensuring adequate health and safety arrangements for events remain with the event organiser and not the SAG. However, it is suggested that a standing agenda item is included regarding updates on issues raised with, and advice provided to, event organisers. This will enable the SAG to keep a record of outcomes and gain insight into whether or not its advice is followed.

Agreed Action 7.1

A standing agenda item for issues raised with and advice provided to event organisers will be included in SAG meeting minutes and agendas.

Priority

3

Responsible Officer

Head of Building Control & Property Information Manager

Timescale

March 2018

Audit Opinions and Priorities for Actions

Audit Opinions

Audit work is based on sampling transactions to test the operation of systems. It cannot guarantee the elimination of fraud or error. Our opinion is based on the risks we identify at the time of the audit.

Our overall audit opinion is based on 5 grades of opinion, as set out below.

Opinion	Assessment of internal control
High Assurance	Overall, very good management of risk. An effective control environment appears to be in operation.
Substantial Assurance	Overall, good management of risk with few weaknesses identified. An effective control environment is in operation but there is scope for further improvement in the areas identified.
Reasonable Assurance	Overall, satisfactory management of risk with a number of weaknesses identified. An acceptable control environment is in operation but there are a number of improvements that could be made.
Limited Assurance	Overall, poor management of risk with significant control weaknesses in key areas and major improvements required before an effective control environment will be in operation.
No Assurance	Overall, there is a fundamental failure in control and risks are not being effectively managed. A number of key areas require substantial improvement to protect the system from error and abuse.

Priorities for Actions

Priority 1	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Priority 2	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Priority 3	The system objectives are not exposed to significant risk, but the issue merits attention by management.

Where information resulting from audit work is made public or is provided to a third party by the client or by Veritau then this must be done on the understanding that any third party will rely on the information at its own risk. Veritau will not owe a duty of care or assume any responsibility towards anyone other than the client in relation to the information supplied. Equally, no third party may assert any rights or bring any claims against Veritau in connection with the information. Where information is provided to a named third party, the third party will keep the information confidential.