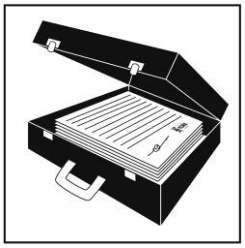

Notice of a public meeting of

Executive

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

Date: Thursday, 22 April 2021

Time: 5.30 pm

Venue: Remote Meeting

A G E N D A

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00 pm on Monday, 26 April 2021.**

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

1. Declarations of Interest

At this point, Members are asked to declare:

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

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

2. Exclusion of Press and Public

To consider the exclusion of the press and public from the meeting during consideration of Annex 4 to Agenda Item 7 (York Central and York Station Gateway Update) on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Minutes (Pages 1 - 16)

To approve the minutes of the last Executive meeting, held on 18 March 2021.

4. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is at **5.00pm on Tuesday, 20 April 2021.**

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

Webcasting of Remote Public Meetings

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

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

5. Forward Plan (Pages 17 - 20)

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

6. City of York Council Recovery and Renewal Strategy - April Update (Pages 21 - 58)

The Chief Operating Officer to present an update report for April 2021 on the council's activities both directly in response to Covid-19 and to support recovery and renewal.

7. York Central and York Station Gateway Update (Pages 59 - 96)

The Corporate Director of Economy & Place to present a report which provides an update on the progress of the York Central project, sets out changes to the financial profile and governance arrangements for the project, and asks Executive to agree the resources needed to ensure the council's future involvement in delivering York Central and the associated Station Gateway project.

8. Strategic Flood Risk Assessment Update (Pages 97 - 176)

The Director of Highways, Transport & Planning to present a report which seeks approval for an updated York Strategic Flood Risk Assessment, which has been revised to reflect the latest mapping and strategic level planning policy.

9. Continuation of Temporary Amendments to the Council's Statement of Community Involvement (Pages 177 - 188)

The Corporate Director of Economy & Place to present a report which seeks approval to continue the temporary amendments made to the Council's Statement of Community Involvement in October 2020 for a further six months, in response to ongoing social distancing restrictions resulting from the Covid-19 pandemic.

10. Urgent Business

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

Democratic Services officer:

Name: Fiona Young
Contact details:

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

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

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

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 **(Cantonese)**

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. **(Turkish)**

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

☎ **(01904) 551550**

City of York Council	Committee Minutes
Meeting	Executive
Date	18 March 2021
Present	Councillors Aspden (Chair), Ayre, Craghill, Cuthbertson, D'Agorne, Orrell, Runciman, Smalley, Waller and Widdowson
In Attendance	Councillor Myers

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

104. Declarations of Interest

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

Cllr Orrell declared a personal interest in Agenda Item 8 (Huntington Neighbourhood Plan), as a member of Huntington Parish Council.

Cllr Waller declared a prejudicial interest in Agenda Items 11 (Joint Waste Management Agreement) and 13 (Community Asset Transfer Update), as a Director of Yorwaste. He left the meeting during consideration of those items and took no part in the debate or decisions thereon.

Cllr Smalley declared a prejudicial interest in Agenda Item 13, as a member of Clifton Without Parish Council. He left the meeting during consideration of that item and took no part in the debate or decisions thereon.

105. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting should any discussion arise in respect of Annex 11 to Agenda Item 13 (Community Asset Transfer Update), on the grounds that it contains information relating to the financial or business affairs of particular persons. This information is classed as exempt under paragraph 3 of Schedule

12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

106. Minutes

Resolved: That the minutes of the Executive meeting held on 11 February 2021 be approved as a correct record, to be signed by the Chair at a later date.

107. Public Participation

It was reported that there had been 11 registrations to speak at the meeting under the Council's Public Participation Scheme, including 6 Council Members.

Cllr Perrett spoke on Agenda Item 7 (Plans for the Future of the Health and Care System in York), expressing concerns about the proposed governance arrangements for the new Alliance.

Cllr Vassie spoke on Item 9 (Pollinator Strategy), as Chair of the Climate Change Policy & Scrutiny Committee, recommending the Strategy to Executive.

Robert Gordon spoke on Item 9 as a member of York Green Party, supporting the Strategy but expressing disappointment that it did not commit resources to city-wide actions.

Cllr Fitzpatrick spoke on Item 10 (York Outer Ring Road Phase 1 Dualling), calling for further improvements to the pedestrian and cycling infrastructure as part of the scheme.

Lorna Marchi spoke on Item 10, on behalf of businesses at Clifton Gate Business Park, expressing concern that the scheme would seriously compromise the safety of the Park's occupiers and visitors.

Hughie Ferguson spoke on Item 10, echoing the concerns of the previous speaker and highlighting the need to protect cyclists and pedestrians within the scheme.

Cllr Kilbane spoke on Item 11 (Joint Waste Management Agreement), arguing that retaining the council's obligation to deliver certain tonnages of waste to Allerton Park was a disincentive to increased recycling.

Cllr Fenton spoke on Item 12 (Consultation on Additional Licensing Scheme for HMOs), supporting the proposals as Chair of the Housing and Community Safety Policy & Scrutiny Committee.

Cllr Pavlovic spoke on Item 12 , supporting the proposals while noting they had resulted from a motion he had moved at Council over 3 years ago and stressing they must be properly resourced.

Peter Rollings spoke on Item 13 (Community Asset Transfer Update), confirming the support of Rufforth & Knapton Parish Council in respect of the proposals relating to allotments at Rufforth.

Cath Mortimer spoke on Item 13 on behalf of the Friends of Rowntree Park, in support of the proposal to lease part of Rowntree Park Lodge to the Friends.

108. Forward Plan

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

109. City of York Council Recovery and Renewal Strategy - March Update

The Chief Operating Officer presented a report which provided an update for March on activities directly in response to Covid-19 and work to support recovery and renewal.

As at 3 March, the case rate in York had fallen to 45.6 per 100k population, and the vaccine roll-out continued at pace. However, caution remained critical to ensure cases continued to fall. On 22 February, the Government had published its Roadmap for the easing of restrictions. The 4 steps in the Roadmap, and the tests to be met for it to progress, were summarised in paragraphs 11-13 of the report. The report also highlighted activities the council would undertake to support safe re-opening of city spaces, and ongoing work to support communities, and sought approval for a number of proposed actions as detailed in Annexes 1-3.

In welcoming the proposals, Members noted the work already taking place across the city and within their own portfolio areas and paid tribute to officers, businesses and education establishments, including parents who had been home-schooling.

Resolved: (i) That the contents of the report be noted.

(ii) That the recommendations in relation to the re-opening of the city centre outlined in Annex 1 be approved, and authority be delegated to the Corporate Director of Economy & Place, in consultation with the Executive Member for Economy & Strategic Planning to:

a) provide temporary public toilets in the city centre during the initial stages of lockdown easing should they be required, at a cost of £2k per week;
b) approve expenditure of up to £200k ARG to fund the delivery of the principles for managing city and secondary centre spaces that are set out in the report;
c) submit any planning application required for temporary managed outdoor spaces;
d) extend the Covid Marshalls until the end of June at a cost of £28k, to facilitate the Covid-safe management of the city through Covid Containment Grant funding.

(iii) That the recommendations outlined in Annex 2 for the use of the Additional Restrictions Grant, including the closure of applications for the Additional Restrictions Grant on 31 March 2021, be approved.

(iv) That the participation in a Behavioural Insights trial to support Covid-safe behaviours, as outlined in Annex 3, be approved.

(v) That deferral of the implementation of the following fees until Step 4 of the Government's recovery roadmap be approved, and the related discount agreed:

a) cremation fees to be charged at £745 until Covid restrictions are relaxed (estimated to be 21 June at the earliest);
b) free recording of services to be maintained until the same date.

(vi) That approval be given to use the Government Covid Recovery Grant to mitigate the financial implications of the discounts in (v) above for 3 months, subject to further review should the date for Step 4 be moved.

Reason: In order to support the safe re-opening of the city centre, while supporting local businesses and mitigating the risks of increased community transmission arising from an increase in the number of visitors to the city centre.

110. Plans for the Future of the Health and Care System in York

[See also under Part B minutes]

The Director of Public Health presented a report which provided an update on plans to extend and improve the collaborative working between health and care services in York during the Covid-19 pandemic.

Following publication of Government's white paper 'Integration and Innovation: working together to improve health and social care for all', the report proposed the establishment of a York Health and Care Alliance (the Alliance). The reforms in the white paper, as summarised in paragraph 9 of the report, would take effect from April 2022. The Alliance, made up of a number of organisations involved in commissioning and delivering care in York, would initially be established in shadow form before being formalised in 2022. A proposed Concord and Terms of Reference for the Alliance in its shadow year was annexed to the report.

Dr Mike Holmes of Nimbuscare Ltd. and Simon Morritt, Chief Executive of York & Scarborough Hospital NHS Trust, were in attendance and expressed their support for the proposals. In response to comments made under Public Participation, officers highlighted that:

- during its shadow year, the Alliance Board would not be making any decisions and its members would be reporting to their own organisations;
- further work on governance arrangements would be carried out and reported back to Executive.

In welcoming the report, the Chair confirmed he would be happy for the briefing already provided to the Health & Wellbeing Board on this matter to be circulated to all Council Members.

Resolved: (i) That the collaboration and joint working between health and social care, both prior to and during the Covid-19 pandemic, and the opportunities this work presents to improve health services for York citizens in the long term, be noted.

(ii) That it be noted that national policy direction and reforms, which encompass both health and social care, have implications for local authorities in terms of integration and collaboration with NHS partners.

(iii) That the plans being proposed in York to respond to the national legislative changes, including current plans to establish the York Health and Care Alliance, be endorsed.

(iv) That the participation of the council in this new Alliance, including the interim governance arrangements in 2021/22 in its 'shadow' year, be approved.

(v) That the proposed priorities and areas that the Alliance will focus on in its first year, and the aims of the alliance to:

- be people-centred,
- integrate services, and
- deliver timely and appropriate care

be supported.

(vi) That future reports on progress and future arrangements for the York Health and Care Alliance be considered by the Health Scrutiny Committee, the Health & Wellbeing Board, and the Executive.

Reason: In order to prepare the system in York to respond to the coming Government reforms to health and social care and to put York in the best place to benefit from these changes.

111. Huntington Neighbourhood Plan - Examiner's Report

The Assistant Director of Planning and Public Protection presented a report which set out the recommendations of the Examiner on the Huntington Neighbourhood Plan, together with proposed additional officer modifications on the Green Belt, and sought approval for the amended Plan to proceed to a referendum. If agreed, the referendum would take place on or before 10 June 2021.

The Examiner's Report was attached at Annex A, along with consultation and responses on proposed modifications to the Green Belt Policy in the Plan (Annexes B and C) the Decision Statement, including the Council's proposed response to the Examiner's recommended modifications to the Plan (Annex D) and the draft version of the Plan for submission (Annex E). The Local Plan Working Group had considered these documents at their meeting on 16 March.

It was recommended that the Examiner's modifications be accepted, as they made the Plan more robust and enabled it to meet the Basic Conditions. A decision to reject the modifications could only be made on the specific grounds set out in paragraph 39 of the report.

Resolved: (i) That the Examiner's modifications, the Examiner's consequential minor modifications and the proposed additional Green Belt modifications to the Huntington Neighbourhood Plan, as annexed to the report, be approved.

(ii) That it be agreed that, subject to those modifications, the Plan meets the Basic Conditions and other legislative requirements.

(iii) That the Plan, as amended, proceed to a local referendum based on the geographic boundary of the parish of Huntington, as recommended by the Examiner.

(iv) That the Decision Statement at Annex D be approved and published on the City of York Council website.

Reason: To allow the Plan to progress in line with neighbourhood planning legislation.

112. Pollinator Strategy

The Assistant Director of Transport, Highways and Environment presented a report which sought approval for a Pollinator Strategy.

A previous draft of the Strategy, developed in response to a motion to Council in July 2019, had been referred to the Climate Change Scrutiny Committee by Executive on 27 August 2020 (Minute 31 of that meeting refers). The current version, annexed to the report reflected the input of Scrutiny and informal feedback on the draft. It set out a vision, examples of good practice, and a series of aims and objectives together with actions to achieve these.

In response to comments made under Public Participation, officers confirmed that the Strategy was not intended to promote a top-down approach and would enable the council to work with wards across the city on specific projects.

Resolved: That the Pollinator Strategy at Annex 1 to the report be approved.

Reason: To improve the suitable habitat for pollinators within York.

113. York Outer Ring Road Phase 1 Dualling - Resolution in principle to promote a Compulsory Purchase Order and associated Side Roads Order.

The Assistant Director of Transport, Highways & Environment presented a report which sought approval in principle to pursue a Compulsory Purchase Order (CPO) and a Side Roads Order (SRO) to acquire land required for Phase 1 of the York Outer Ring Road dualling and junction upgrade scheme (the Scheme).

Since the last report to Executive, on 25 June 2020, good progress had been made on the Scheme in respect of

procurement, consultation and development of landscape principles. The project team were now in a position to progress towards securing planning approval, acquiring as much of the required land as possible by private agreement, and developing a detailed design and business case. Responses to consultation were still being evaluated and would be the subject of a further report. Meanwhile, in-principle approval was sought for a CPO and SRO to enable preparations to be made should negotiations to acquire land by agreement fail.

In relation to comments made under Public Participation, officers and the Executive Member for Transport confirmed that the issues raised would be taken into account along with the responses to consultation.

Resolved: (i) That the general progress made on the YORR Phase 1 Dualling Scheme (the Scheme) be noted.

(ii) That the principle of pursuing a CPO using powers contained in Part XII of the Highways Act 1980 to acquire the land required to deliver the Scheme (A19 Rawcliffe to A1036 Little Hopgrove) be approved.

Reason: To enable officers to continue to prepare the documentation necessary to make the Order and, should continuing negotiations to acquire the land not be successful, to bring a report to a future Executive meeting requesting authority to make the Order.

(iii) That the principle of pursuing a Side Roads Order under Sections 14 and 125 of the Highways Act 1980 to carry out works to the highway in association with the proposals for the CPO be approved.

(iv) That authority be delegated to the Assistant Director of Transport, Highways & Environment to take all necessary steps to prepare to make the CPO referred to above, this delegation to include:

- negotiation of easements and temporary rights where freehold ownership is not required e.g. for drainage purposes, or temporary occupation for the construction works; and

- obtaining the release/extinguishment of, or variation of, any third party rights over affected land (for example a third party might have a right of way over land which needs to be acquired).

Reason: To ensure that the council is in a position to make the Order as soon as practicable in the event that the making of a final Order is approved.

114. Joint Waste Management Agreement

The Assistant Director of Transport, Highways and Environment presented a report which sought approval to update the Joint Waste Management Agreement entered into by City of York Council (CYC) and North Yorkshire County Council (NYCC) in December 2010, to deliver a shared service across the two council areas.

The report outlined the background to the current agreement, originally entered into in 2010, which involved a contract between NYCC and Amey Cespa for which CYC paid a contribution, and a separate Services Agreement between each council and Yorwaste. It was proposed to establish a Shared Waste Management Service, governed by a new Agreement, in order to harness the benefits of greater collaboration in the light of anticipated changes arising from the government review of waste. This arrangement would require CYC to fund £145k of the staffing costs - £60k more than its current contribution - but for a significantly enhanced service. It would not change existing arrangements for disposal of waste via Allerton Park nor alter CYC's level of control over its own recycling centres.

Having noted the comments made under Public Participation on this item, it was

Resolved: (i) That approval be given to enter into the Shared Waste Management Services Agreement contained in Appendix A to the report.

(ii) That authority be delegated to the Director of Transport, Highways & Environment, in consultation with the Director of Governance or her delegated officers, to take such steps as are necessary to complete the agreement.

Reason: To develop a shared waste management service across CYC and NYCC for the management and disposal of waste (excluding collection services).

(iii) That the additional cost of the Shared Waste Management Agreement, and that this will be met from existing budgets, be noted.

Reason: To be clear that CYC will pay its fair share of the cost of the shared service.

115. Consultation on Additional Licensing Scheme for Houses in Multiple Occupation (HMO)

The Interim Director of Place presented a report which sought approval to consult on a proposed expansion of the current scheme for licensing Houses in Multiple Occupation to those with 3 or 4 occupants within wards where there was most evidence of poor housing conditions and poor management. The Housing & Safer Communities Scrutiny Committee had considered the report on 16 February 2021, and supported the proposal to consult.

Under the Housing Act 2004, councils had powers to tackle poor quality HMOs with 5 or more occupants through mandatory licensing and, subject to consultation, to extend the licensing scheme to HMOs with 3 or 4 occupants. In accordance with the Council Plan 2019-23, work had been undertaken to investigate the case for extending the scheme, and the results were summarised in the report and set out in Annex 1. Two options were available:
Option 1 – decide there is insufficient evidence, and continue with the current approach. Not recommended, in view of the strong evidence set out in the report and annex.
Option 2 – ask officers to undertake the required statutory consultation, as recommended.

In response to comments made under Public Participation on this item, the Executive Member for Housing & Safer Communities noted the time taken to reach this stage was due to the need for a strong evidence base. She thanked officers for their work on this.

Resolved: (i) That approval be given to undertake a city-wide, statutory 10-week consultation on the potential designation of targeted Additional Licensing Scheme for HMOs with 3 or 4 occupants within the wards of Hull Road, Guildhall, Clifton, Fishergate, Heworth, Micklegate, Osbaldwick & Derwent, and Fulford & Heslington.

(ii) That a further report be brought to Executive following the conclusion of the consultation, to determine whether to designate an additional licensing scheme.

Reason: To seek to improve HMOs, thereby:

- benefiting tenants by ensuring that homes are safe and well-managed;
- creating a level playing field for landords / agents;
- supporting stakeholders such as the Fire and Rescue Service, Police and NHS by improving fire safety and security and reducing the number of unhealthy homes;
- supporting universities and other educational institutions in attracting students;
- supporting the wider city businesses and residents by providing well-managed and sustainable housing.

116. Community Asset Transfer Update

The Interim Director of Place presented a report which sought approval to grant leases of public open space and buildings to various local community groups and organisations to facilitate community management and responsibility of those assets and provide savings to the council.

The assets in question were listed in paragraph 2 of the report and illustrated in the plans attached at Appendices 1-10. Further details relating to the assets and proposed leases were set out in paragraphs 14-94. It was confirmed that all the assets would remain in council ownership, be managed by the local community and remain accessible to the public, with access increased in some cases.

Having noted the comments made under Public Participation on this item, it was

Resolved: That approval be given to:

a) Grant a lease of Mayfields North to The Mayfields Community Trust for 10 years subject to a break clause, as set out in paragraph 30 of the report.
b) Grant a lease of Mayfields South to Friends of York Railway Pond and Reserve for 25 years subject to a break clause as set out in paragraph 30 of the report.
c) Grant a lease of Land at Clifton Without to Clifton Without Parish Council for 99 years.
d) Grant a lease of Rowntree Pavilion to Rowntree Park Sports Association for 25 years.
e) Grant a lease of Rowntree Tennis Courts to Rowntree Park Tennis Club for 25 years.
f) Grant a lease of land near Rufforth to Rufforth & Knapton Parish Council for 99 years.
g) Allocate £80K from the Climate Change capital budget to reprovide the allotments at Rufforth.
h) Offer a 5 year lease (with the option to extend for a further 5 years) of the catering, communal dining and community hall facilities at Marjorie Waite Court to a community operator following a procurement exercise to secure an operator for a community café and the community hall under a concession contract, with authority to be delegated to the Corporate Director of Economy & Place (in consultation with the Director of Governance or her delegated officers) the authority to take such measures as are necessary to procure, award and enter into the resulting contract.
i) Grant a lease of Chapmans Pond, Moor Lane to Chapmans Pond Community Interest Company for 10 years.
j) Offer to the Trustees of Poppleton Community Trust the principle of

surrendering their existing lease and being granted a new 99 year lease of the Poppleton Centre.

k) Agree in principle a 99 year lease of the upper floors of Rowntree Park Lodge to the Friends of Rowntree Park, with authority to make the final decision to grant that lease to be delegated to the Executive Member for Finance and Performance, subject to the agreement of a funded business case at an Executive Member Decision Session in the next 12 months, or at a date agreed by the Executive Member for Finance and Performance.

Reasons: (i) To support York communities to access external funding and grants, to develop the facilities in line with local community aspirations and secure their long term sustainable care providing savings to the Council if it were to otherwise operate and manage these facilities itself.

(ii) To support the health and wellbeing of people in the local community by providing the use of council assets which can be actively managed and improved by the involvement of the local community.

PART B - MATTERS REFERRED TO COUNCIL

117. Plans for the Future of the Health and Care System in York

[See also under Part A minutes]

The Director of Public Health presented a report which provided an update on plans to extend and improve the collaborative working between health and care services in York during the Covid-19 pandemic.

Following publication of Government's white paper 'Integration and Innovation: working together to improve health and social care for all', the report proposed the establishment of a York Health and Care Alliance (the Alliance). The reforms in the white paper, as summarised in paragraph 9 of the report, would take effect from April 2022. The Alliance, made up of a number of organisations involved in commissioning and delivering care

in York, would initially be established in shadow form before being formalised in 2022. A proposed Concord and Terms of Reference for the Alliance in its shadow year was annexed to the report.

Dr Mike Holmes of Nimbuscare Ltd. and Simon Morritt, Chief Executive of York & Scarborough Hospital NHS Trust, were in attendance and expressed their support for the proposals. In response to comments made under Public Participation, officers highlighted that:

- during its shadow year, the Alliance Board would not be making any decisions and its members would be reporting to their own organisations;
- further work on governance arrangements would be carried out and reported back to Executive.

In welcoming the report, the Chair confirmed he would be happy for the briefing already provided to the Health & Wellbeing Board on this matter to be circulated to all Council Members.

Recommended: That the York Health and Care Alliance be adopted as a sub-group of the Health and Wellbeing Board.

Reason: In order to prepare the system in York to respond to the coming Government reforms to health and social care and to put York in the best place to benefit from these changes.

Cllr K Aspden, Chair
[The meeting started at 5.35 pm and finished at 7.35 pm].

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Forward Plan: Executive Meeting: 22 April 2021

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 20 May 2021

Title and Description	Author	Portfolio Holder
Renewal of the Council's Contract with Make It York **Purpose of Report** To propose the terms on which the Council will let a new contract to Make it York (MIY) for the period 2021-24. Executive will be asked to: agree to enter into a further contract with MIY; consider feedback following consultation with businesses and other stakeholder groups; agree the outcomes and service levels to be included in the contract.	Charlie Croft	Executive Member for Culture, Leisure and Communities Executive Member for Economy and Strategic Planning
CYC Renewal and Recovery Strategy **Purpose of Report** To provide an update on activities in response to the Covid-19 and the work to support recovery and renewal. This follows previous Executive decisions to approve the Recovery and Renewal Plan, which frames the Council's recovery activities for the year. Executive will be asked to: note the report.	Will Boardman	Executive Leader
Inclusion Review – Internal capital works at Applefields Special School and Danesgate PRU **Purpose of Report** To approve the budget for capital works at Applefields Special School and Danesgate PRU to reconfigure internal spaces to support the outcomes of the inclusion review. Works to be carried out at different times over summer 2021, 2022 and potentially 2023. Executive will be asked to: approve the allocation of Basic Need Capital Funding in the Children, Education and Communities Capital Programme to carry out re-	Alison Kelly & Claire McCormick	Executive Member for Children, Young People and Education

Title and Description	Author	Portfolio Holder
configuration of teaching space and provide additional office accommodation in two phases at Applefields School, and re-organisation and re-modelling of accommodation at Danesgate PRU in a number of phases. This work will also involve the development and implementation of a transport plan for the site.		
York's Response to the National Bus Strategy **Purpose of Report** To set out how CYC will respond to the national government stipulation that local transport authorities must either form an Enhanced Quality Bus Partnership or move to franchise their bus services if they are to continue to receive covid bus service support grants after June 2021, and how CYC will develop the Bus Service Improvement Plan required by central government. Executive will be asked to: consider the recommendations as agreed by the Executive Member for Transport at his Decision Session on 11 May**.**	Julian Ridge	Executive Member for Transport
York's Local Transport Plan **Purpose of Report** To set out the objectives, timescales, budgets, consultation and workplan for York's fourth Local Transport Plan. Executive will be asked to: consider the recommendations as agreed by the Executive Member for Transport at his Decision Session on 11 May.	Julian Ridge	Executive Member for Transport

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 24 June 2021

Title and Description	Author	Portfolio Holder
CYC Renewal and Recovery Strategy **Purpose of Report** To provide an update on activities in response to the Covid-19 and the work to support recovery and renewal. This follows previous Executive decisions to approve the Recovery and Renewal Plan, which frames the Council's recovery activities for the year. Executive will be asked to: note the report.	Will Boardman	Executive Leader
Q4 2020-21 Finance and Performance Monitor **Purpose of Report** To provide an overview of the councils overall finance and performance position at the end of Q4 20-21. Executive will be asked to: note and approve the report.	Debbie Mitchell	Executive Member for Finance & Performance
Q4 2020-21 Capital Programme Monitor **Purpose of Report** To provide an overview of the council's overall capital programme position at the end of Q4 20-21. Executive will be asked to: note and approve the report.	Debbie Mitchell	Executive Member for Finance & Performance

Table 3: Items Slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
Renewal of the Council's Contract with Make It York *See Table 1 for details.*	Charlie Croft	Executive Member for Culture, Leisure and Communities Executive Member for Economy and Strategic Planning	22/4/21	20/5/21	More time is required to develop the service specification in light of the departure of the Make it York Managing Director.

Executive **22 April 2021**

Report of the Chief Operating Officer
Portfolio of the Leader of the Council

City of York Council Recovery and Renewal Strategy – April Update

Summary

1. This report provides an update on activities both directly in response to Covid-19 and the work to support recovery and renewal. This follows previous Executive decisions to approve the Recovery and Renewal Plan, which frames the Council's recovery activity.

2. In this month's report, a strategy for engaging with residents is outlined for approval by Executive. Some of the immediate actions related to reopening the city are noted, along with the potential of central government funding for York. Executive is asked to approve the approach for responding to these funding opportunities.

3. It is highly likely given the fast-changing nature of the pandemic that some of the information within this report will have changed between publication and the Executive meeting. Updates will, therefore, be given at the meeting.

Recommendations

4. Executive is asked to:
    a. Note the contents of the report
    b. Approve the approach to resident engagement as outlined in Annexes 1, 1a, 1b and 1c.
    c. Approve a trial of a commercial waste collection for bags on a Sunday within the city centre, as outlined in paragraph 20.
    d. Approve the delegation of the selection of projects for submission to the Levelling Up Fund to the Corporate Director of Economy & Place, in consultation with relevant Executive Members, and that an update on submissions is presented to Executive at its July 2021 meeting, as outlined in Annex 2.
    e. Approve a York UK Community Renewal Fund call for proposals, as set out in Annex 3.

f. Delegate the final decisions on the selection of a York UK Community Renewal Fund priority list, for submission to Government, to the Executive Member for Economy & Strategic Planning, in consultation with the Executive Member for Culture, Leisure & Communities.

Background

5. On 25th June 2020, Executive received a report to outline the council's 1-year Recovery and Renewal Strategy. This highlighted the need for a revised set of strategies to address the very significant and immediate impacts of coronavirus across all aspects of life in our city.

6. The strategy set the following principles upon which we will build our response:

    a. Prioritise the health and wellbeing of our residents, against the immediate threat of coronavirus and the consequences of changes to the way we live. Public Health guidance will be paramount in all the decisions we make.
    b. Support the economic recovery of the City, helping to create a strong, sustainable and inclusive economy for the future. Learning lessons from the challenges of coronavirus, promote a system that utilises the strengths of our city and region to the benefit of all York's residents and businesses.
    c. Protect and prioritise the City's environment and reinforce our work to mitigate and adapt to climate change.
    d. Pursue improvements in service delivery where they have been identified as part of the Response phase, creating a more efficient and resilient system.
    e. Reinforce and restore public confidence in the resilience of public agencies and resilience to future challenges and emergencies.

7. Included in June's report was a One Year Transport and Place Strategy, as the first part of the economic recovery approach. A report in July supplemented this with a Business Support Plan, a Skills and Employment Plan and a Tourism Marketing Plan.

CYC Recovery and Renewal Plan (1 year)				
Economic Recovery Plan			**Communities**	**Corporate**
Business Support Plan	One Year Transport and Place Plan	Skills and Employment Plan	Recovery from coronavirus: A	Organisational Development Plan

Tourism Marketing Plan	community-based approach	

Latest Outbreak Update

8. Given the continually changing context, an update on the latest situation will be given verbally to the Executive at the meeting.

9. The latest official 7 day rate of positive cases of Covid in York is, at 12 April, 9 per 100,000 population. This figure is the lowest in the region and represents a huge effort from residents and organisations across the city to prevent infection. With the removal of restrictions, however, is increased risk of infection and it remains essential that people continue to exercise caution and prioritise the simple steps to avoid contracting or passing on the virus.

Recovery Updates

Corporate

Resident engagement

10. The council is developing a new council-wide approach to engaging residents that will better support delivery of the council plan, demonstrate how the council is "an open and transparent council" and inform the 10 Year Plan.

11. The new approach will bring different engagement activities together in a single cohesive resident engagement programme supported by an in-house team. It will be pan-organisational, consolidate emerging feedback, share principles and assumptions, learn from previous engagement activity, reduce duplication and maximise available budget to ensure conversations join up and inform emerging strategies.

12. By taking a more disciplined approach, we will also ensure greater inclusivity by actively engaging with target communities, and reduce duplication to improve resident's experience of open democracy.

13. The emerging resident engagement strategy is already informing the council's approach to different thematic engagement plans including transport, city centre access and parking, economy and carbon reduction, with plans discussed at decision sessions throughout April and May.

14. The approach is outlined in Annexes 1, 1a, 1b and 1c, and Executive is asked to approve this approach.

Communities

15. The council has continued to support families, including though access to a holiday activity programme this Easter. The programme was funded through the government's Holiday Activities and Food programme (HAF), which provides healthy food and activities to targeted children. The Easter sessions, which were held at a number of schools in York, were used as pilots, with plans to roll the scheme out to more children during the summer holidays.

16. Given the nationwide issues with litter being left as people return to meeting outside, more litter pickers have volunteered as lockdown starts to lift, and now 520 are helping keep the city clean. One of those dedicated volunteers has picked up 5 tonnes of litter in just a year.

Economic

Reopening the City Centre

17. In March Executive delegated to the Corporate Director of Economy and Place in consultation with the Executive Member for Economy the expenditure of £200k of ARG funding to prepare the city centre for reopening. Having worked up proposals for public toilets, outdoor seating and security £65k has been allocated to Make It York to provide managed seating and toilets in Parliament Street, and £45k to the BID for College Green and seating across the city centre. These proposals were first reviewed and approved by the city's Safety Advisory Group (SAG). £20k of funding will be used to provide security and waste collections across all of the outdoor seating areas. The first areas on Parliament Street were in place for the re-opening of non-essential retail and outdoor hospitality on Monday 12 April, with the remaining provision in place for the first weekend of 17 April. All of the areas are flexible and will remain under review and should any persistent issues or problems occur then they can be removed.

18. The Executive Member for Economy and Strategic planning has met with Traders Associations and individual traders on the 25th of March as to the challenges associated with re opening the City. Officers are now working with the Executive Members and liaising with business organisation to bring forward proposals to support traders across the whole City (including secondary shopping areas) as we move through the road map and towards the very important Christmas trading period for hospitality and Retail.

Commercial Waste Collection

19. Given the return of residents and visitors in greater numbers to the city centre, it is as important as ever to ensure a clean and tidy city centre. York as a medieval city has challenges around commercial waste, principally how it is presented and when is it collected. Historically, waste is put out for collection at the end of the day when the business closes and is not collected until the following morning. For the most part this is not an issue for businesses that have a location to store their waste on their own premises. The problem occurs where the business has no suitable storage site on the premise and has to present the waste on the public highway, either in plastic sacks or wheeled bins.

20. Currently there is no commercial waste collection for Council customers on a Sunday, this is only an issue for bagged waste which is presented on a Saturday. A trial is, therefore, proposed to collect bagged commercial waste from Council customers on a Sunday. The costs of this will be met from within the services current budgets. Executive is asked to approve this trial.

Levelling Up Fund and UK Community Renewal Fund: York Approach

21. As part of the 2021 Spring Budget, the Chancellor announced two key funding pots to support regeneration, economic development and infrastructure across the UK. Both funds include a prioritisation of places across the UK, with York appearing in the lowest priority group in both cases. While this does not exclude the City from attracting investment through these funds, the low prioritisation means that it is likely that only very well developed, eye catching and innovative projects from York will be successful.

22. For the Levelling Up Fund, £4.4bn of capital funds have been provided across the UK. City of York Council is able to submit three bids in total, at least one of which must be a transport-only project. Details on the criteria and themes for the fund, together with more information on the scale of funding and process, are provided in Annex 2. The deadline for submission is 18 June 2021. It is proposed that the selection of projects for application in Round 1 and any subsequent rounds is delegated to the Corporate Director of Economy and Place, in consultation with relevant Executive Members. All projects will need to be delivered by 31 March 2025.

23. The UK Community Renewal Fund is a short term £220m programme which will provide mostly revenue funding. The fund requires that CYC runs a call for proposals, and then appraises and prioritises projects, submitting a priority list of no more than £3m of projects. More details, together with an outline process for a York UK Community Renewal Fund

call for proposals is presented in Annex 3. It is proposed that the process as set out in that Annex is adopted by Executive, and that approval of a York priority list for submission is delegated to the Executive Member for Economy & Strategic Planning with the Executive Member for Culture, Leisure & Communities, who will hold a public decision session in early June to make the final selection of projects for submission.

Council Plan

24. The Recovery and Renewal Strategy outlines activities for the next year to allow the continued achievement of Council Plan outcomes.

Implications

- **Financial** – Within the body of the report.
- **Human Resources** – No specific impacts identified.
- **One Planet Council / Equalities** – A principle of recovery is to ensure climate change is considered in decisions taken. The economic recovery plans recognise and respond to the unequal impact of coronavirus and the risk of increasing levels of inequality as a result.
- **Legal** – No specific impacts identified.
- **Crime and Disorder** – No specific impacts identified.
- **Information Technology** – No specific impacts identified.

Risk Management

25. There remain significant areas of risk in responding to this crisis across all areas of recovery. The highest priority continues to be the health and wellbeing of residents and all planning and decisions will be taken with this in mind.

Contact Details

Authors:	**Chief Officer Responsible for the report:**
Will Boardman Neil Ferris Simon Brereton Claire Foale Andy Kerr	**Ian Floyd** **Chief Operating Officer** **Report Approved** √ **Date** 14/4/21

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

For further information please contact the author of the report

Annexes

Annex 1 – Resident Engagement Strategy
Annex 1a – Better Decision Making Tool
Annex 1b – Mapping resident engagement to engagement purpose and strategic fit
Annex 1c – Engagement Framework
Annex 2 – Levelling Up Fund
Annex 3 – UK Community Renewal Fund

Background Reports

Update on Coronavirus Response – 7 May 2020
https://democracy.york.gov.uk/documents/s139955/Coronavirus%20Executive%20Report.pdf

City of York Council Recovery and Renewal Strategy - June
https://democracy.york.gov.uk/ieIssueDetails.aspx?IId=59688&PlanId=0&Opt=3#AI55501

CYC Recovery and Renewal Strategy Update – July
https://democracy.york.gov.uk/mgIssueHistoryHome.aspx?IId=59899

CYC Recovery and Renewal Strategy update - August
https://democracy.york.gov.uk/ieIssueDetails.aspx?IId=60167&PlanId=0&Opt=3#AI55914

CYC Recovery and Renewal Strategy update – September
https://democracy.york.gov.uk/documents/s142400/Recovery%20and%20Renewal%20Update%20Report.pdf

CYC Recovery and Renewal Strategy update – October
https://democracy.york.gov.uk/ieIssueDetails.aspx?IId=60724&PlanId=0&Opt=3#AI56530

City of York Council Recovery and Renewal Strategy - November Update
https://democracy.york.gov.uk/documents/s144127/Recovery%20and%20Renewal%20Update%20-%20November%202020%20v0.3.pdf

City of York Council Recovery and Renewal Strategy – December update
https://democracy.york.gov.uk/ieIssueDetails.aspx?IId=61412&PlanId=0&Opt=3#AI57153

City of York Council Recovery and Renewal Strategy –January Update
https://democracy.york.gov.uk/ieIssueDetails.aspx?IId=61755&PlanId=0&Opt=3#AI57489

City of York Council Recovery and Renewal Strategy –February Update
https://democracy.york.gov.uk/documents/s146708/Recovery%20and%20Renewal%20Update%20-%20February%202021.pdf

City of York Council Recovery and Renewal Strategy –March Update
https://democracy.york.gov.uk/ieIssueDetails.aspx?IId=61990&PlanId=0&Opt=3#AI57770

Annex 1

Resident engagement strategy

Summary

1. A new council-wide approach to engaging residents will better support delivery of the council plan, demonstrate how the council is “an open and transparent council” and inform the 10 year plan.

2. The term “engagement” in this report refers to both consultation – a statutory requirement on policies or schemes – and engagement that helps shape the policy approach from the outset with the ambition that joining up these conversations will better inform strategic development.

3. The term “resident” refers to residents, business owners, commuters, students, visitors, community groups and interested parties – those with individual perspectives. It does not refer to city partners or large businesses with a national or international market who represent many perspectives. Engagement plans are likely to cover both resident engagement (this approach) and stakeholder engagement.

4. To become more disciplined and consistent, resident engagement will become a single cohesive resident engagement programme supported by an in-house team that works across the organisation, consolidates emerging feedback, shares principles and assumptions, learns from previous engagement activity, reduces duplication and maximises available budget to ensure conversations join up and lead to a consistent strategic direction.

5. By taking a more disciplined approach, we will also ensure greater inclusivity by actively engaging with target communities, including those with protected characteristics (see **Annex 1A** – Better Decision Making tool).

Background

6. Over the next year, the council will continue to engage residents to deliver the council plan priorities, meeting the city’s major challenges; the climate emergency, the future of our city centre, a local transport plan and a new economic development strategy, improving emotional wellbeing and supporting early years to name but a few. Given the complexity of

issues to be addressed through public conversations in 2021, it is critical the council's engagement is consistent, accessible and reflects a joined-up approach to policy development.

7. By drawing on the principles established through the "my" engagement model, subsequent engagement activities have already informed Executive of public opinion and differing perspectives, for example: Castle Gateway, Footstreets, Groves, Woodlands and more recently Navigation Road.

8. Each of these projects, although self-contained, are not in isolation and involve capturing feedback that can and should inform development of council strategies and the 10 year plan. Resident engagement across the Place Directorate has been collated and detailed in a roadmap of engagement **Annex 1B**.

9. The People Directorate has successfully forged and established many engaging relationships at resident and community level. To ensure policy development draws on as many sources of feedback as possible, we will work with People to ensure where practical and possible feedback gathered through the People directorate informs Place policy direction.

10. Drawing on the LGA engagement framework "increasing levels of public impact" (see **Annex 1C**) our resident engagement will now become more strategic with the support of a disciplined programme approach.

11. By responding to the challenge of engaging residents (especially those with a declared interest) in multiple complex and cross-cutting themes throughout 2021, we will ensure policy better represents the needs of the city.

12. These themes inform future strategies, such as the Local Transport Plan, the latest Carbon Reduction Plan, the housing/council plan assets approach, health and wellbeing and the Economic Strategy to improve the city's longer-term recovery outcomes described through the 10 year plan.

13. By taking every opportunity to embed public health concerns and support community resilience we will ensure policy development focuses on wider city ambitions and not just those around built infrastructure. In addition, the feedback will influence and support third party plans for the city including housing developments, potential economic or infrastructure developments and health or social inequalities initiatives contributing to the 10 year plan.

14. There is a risk that by continuing to take a project by project approach and not following this strategy, resident feedback could lead to conflicting strategies with policy that does not align.

15. Taking a disciplined approach to resident engagement will also help with internal information sharing and identify delivery issues as different projects uncover different challenges. It will reduce duplication and surface potential tensions between projects that can then be resolved/mitigated through ongoing engagement.

Scope

16. This strategy covers both consultation and engagement. It draws on the Local Government Association framework for resident engagement - *New Conversations Guide*.

17. [1]The Local Government Association uses the below definitions:

- Consultation: “The dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views with the objective of influencing decisions, policies or programmes of action.”

- Engagement “Developing and sustaining a working relationship between one or more public body and one or more community group, to help them both to understand and act on the needs or issues that the community experiences.”

18. This approach will be used for:

- activities within the Place directorate which informs one of the three core strategies (transport, carbon reduction and economy). This will include certain statutory consultations such as for temporary road closures.

- drawing on consultation and engagement activities taking place in People that have the potential to inform these strategies, for example the Older Person forum which is currently defining what an age friendly city might look like.

[1] New Conversations Guide refresh_11.pdf (local.gov.uk)
pg. 3

Aims

19. The aims of the resident engagement strategy are to:

a) Collate resident feedback to contribute to the development of the 10 year plan through the development of the carbon reduction, transport and economic strategies, health and wellbeing strategy, and to inform the council's approach to built infrastructure.

b) Identify gaps in our understanding of resident feedback, either by theme or by audience (such as younger people) to ensure engagement is inclusive and represents the views of as much of the city as possible.

Objectives

20. The objectives for the resident engagement strategy are:

a) Develop and deliver ONE programme of resident engagement **(Annex 1B)** (called *Our Big Conversation*), that informs multiple strategies, projects and schemes taking a pan-organisation approach to break down internal silos and adhering to the LGA engagement framework (**Annex 1C**).

b) Establish governance comprised of:
   i) Portfolio decision sessions held in April/May will consider the strategic approach to resident engagement for economy, city centre access and transport that reflects this approach. A portfolio decision session to consider engagement for carbon reduction will be held later, although still reflect this approach.
   ii) Challenge and steer will be provided via the Executive Corporate Recovery Group (CRG)
   iii) An Executive update every other month at PH/CMT will share feedback and add perspectives
   iv) Regularly meet with stakeholders to cross-share/promote feedback from other areas (for example the economic partnership would receive an update about feedback shared with the climate commission, the city leaders will receive an update to inform the 10 year plan, etc.)
   v) A task and finish group comprised of officers will support technical delivery of the programme

c) Build resident confidence by being clear, visible and open:
   - clear about the purpose of engagement – using a common language and approach to describing engagement.
   - visible about decisions that have already steered the projects to avoid undermining decision making
   - open about how feedback is shaping activities and moving policy forward.

d) Identify target communities and join-up conversations to support more inclusive engagement through targeted engagement activities.

e) Develop an engagement framework to support officers deliver activities that have a low environmental impact, are inclusive and can share feedback between projects.

f) Publish thematic engagement plans for individual strategies that include community impact assessments and are aligned to this approach.

g) Deliver a joined up communications campaign to encourage greater participation, across council and partner channels.

h) Identify gaps in audience engagement, thematic understanding and inclusivity and find innovative ways to address these, including working closely with Community Voices programme and Human Rights Network where appropriate. An audience map with recommendations to address gaps is in **annex 1D**.

i) Share insight and resolve tensions to inform multiple strategies, including the 10 year plan.

Resourcing options

21. There are three different options to deliver the resident engagement strategy through an annual engagement programme:

a. <u>Do nothing:</u> Continue with the current approach, outsourcing engagement to different suppliers, with no common shared approach or framework. This will continue to duplicate effort and associated costs, with no clear oversight.

b. <u>Outsource</u>: Outsource the engagement programme to an engagement agency. The cost of this is prohibitive particularly as much subject

matter expertise rests in the council which would still require capacity to support an external agency, duplicating costs.

c. Blend in-house with external support: Deliver a blend of internal and external support. Increasing capacity in-house to provide strategic engagement expertise supporting project teams on key themes and supporting ward members and community teams to facilitate conversations that collate resident feedback from local areas. Outsource to agencies niche activities where it is appropriate to do so,

22. It is recommended we progress option c) a blend of additional in-house capacity with external support. This will retain subject matter expertise within the council and allow us to build capability within project teams to sustain the approach in the longer term. We will commission additional external support when required, for example to explore a deeper dialogue for in depth analysis of different transport models, to allow the council to explore subjects which might be better facilitated by a third party.

Budget

23. No additional budget is anticipated. This proposal recommends maximising agreed available capital budgets only.

24. Resident and stakeholder engagement funding is on a project-by-project basis. By consolidating available budgets, reducing duplication and working across the projects to deliver on the strategic intent, there is the potential to make better use of the available budget, increasing the ambition and influence of resident engagement with more opportunity for member involvement and engagement in the process.

Council Plan

25. The information contained above details how we will collate resident feedback to help set the right conditions for the city to recover and, in tandem, deliver the priorities set out in the Council Plan.

26. This report has the following implications:
    - **Financial -** budget to fund activities is from approved capital budget initially set aside for 2021/22 engagement and consultations
    - **Human Resources (HR)** – recruitment of 12 month resource
    - **One Planet Council/ Equalities** – Each thematic engagement plan will include a published community impact assessment. The Better decision making tool for this strategy is attached in annex 1A. The key actions resulting from this are:

- Through the resident engagement framework describe activities that have the least environmental impact, preserve the natural environment and promote sustainability.
- Collate data of residents taking part to better understand those community groups who have contributed and those who have not.
- Develop an inclusive engagement toolkit in partnership with community groups with a declared interest/protected characteristic to make sure the engagement approaches used best meet the widest needs.
- Map audience groups by characteristics to identify gaps and explore solutions to address.

- **Legal Implications –** statutory responsibility to consult on different projects such as the Local Transport Plan and Local Plan.
- **Crime and Disorder –** no implications
- **Information Technology –** appropriate online engagement platform
- **Property –** not applicable
- **Other –**

Contact Details

<table>
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<tr><td>Report Approved</td><td></td><td>Date</td><td>March 2021</td></tr>
<tr><td colspan="4"></td></tr>
<tr><td colspan="4">Wards Affected: All</td><td></td></tr>
</table>

For further information please contact the author of the report

***Specialist Implications**:*
Major capital / recovery – Tracey Carter Community engagement – Charlie Croft Policy – Will Boardman Public Health – Sharon Stoltz

Annexes

1A – Better Decision making tool
1B – Our Big Conversation – roadmap
1C – Local government engagement framework
1D – Audience map and recommendations

One Planet Council

'Better Decision Making' Tool

Informing our approach to sustainability, resilience and fairness

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

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

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

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

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

Introduction

Service submitting the proposal:	Communications
Name of person completing the assessment:	Claire Foale
Job title:	Head of Communications and Marketing
Directorate:	CCS
Date Completed:	25/02/2021
Date Approved (form to be checked by head of service):	

Section 1: What is the proposal?

1.1	**Name of the service, project, programme, policy or strategy being assessed?**
	Resident engagement project
1.2	**What are the main aims of the proposal?**
	1. Deliver one programme of resident engagement to inform multiple strategies projects and schemes taking a pan organisation approach. 2. Establish project governnace to bring greater visibility to decision making and influence points. 3. Develop a framework to deliver consistent engagement, including ensuring engagement is inclusive and data consistently captured to support gap analysis. 4. Build organisation capability around resident engagement. 5. Share available insight and identify gaps in engagement, themes and inclusivity.
1.3	**What are the key outcomes?**
	Improve resident engagement to inform multiple projects, programmes and strategies, reducing complexity and ensuring resident and community groups voices are heard and acted on. Bring greater visibility to how and when residents can influence decisions.

Section 2: Evidence

2.1	**What data / evidence is available to support the proposal and understand its likely impact?** (e.g. hate crime figures, obesity levels, recycling statistics)
	Existing resident engagement data including the number of residents taking part, their characteristics or demographics, geographical areas and areas of interest is patchy, with no consistent approach to gathering or sharing data. This project aims to reduce this uncertainty by embedding analyse from the outset.
2.2	**What public / stakeholder consultation has been undertaken and what were the findings?**
	Resident engagement by projects continues to take place with insight not routinely shared across projects. The recent footstreets engagement highlighted the benefit of hearing from multiple voices, particular from the diverse disabled community about issues, challenges and opportunities. No public engagement has taken place about the project approach although there has been considerable internal consultation with multiple workshops and discussions, including with portfolio holders.

	Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)
2.3	Yes, resident engagement by its nature should attract the views of multiple communities, including those with shared characteristics. At present, we do not routinely collate or feedback on the lived experiences of different communities of interest and instead tend to discuss on a needs basis rather than more strategically. This project seeks to reduce duplication and consolidate engagement across the organisation to make it easier for different communities of identity to be heard and for insight to be shared. Data collected througout the project will both provide an evidence base and also identify gaps in understanding.

One Planet Council

'Better Decision Making' Tool

Informing our approach to sustainability, resilience and fairness

Section 3: Impact on One Planet principles

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

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

Equity and Local Economy

	Does your proposal?	Impact	What are the impacts and how do you know?
3.1	**Impact positively on the business community in York?**	Positive	Business communities views and opinions will be collated and shared, to inform future strategies and projects. We will report back in bimonthly sessions with Executive and publish insight on the website.
3.2	**Provide additional employment or training opportunities in the city?**	Neutral	The project itself builds organisation capability about resident engagement and insight collated will be shared (anonymised) with city leaders. We will report back in bimonthly sessions with Executive and publish insight on
3.3	**Help improve the lives of individuals from disadvantaged backgrounds or underrepresented groups?**	Positive	Individuals from disadvantaged and underrepresented groups will be able to better engage through a more cohesive and targeted programme of engagement. We will report back in bimonthly sessions with Executive and publish insight on the website.

Health & Happiness

	Does your proposal?	Impact	What are the impacts and how do you know?
3.4	**Improve the physical health or emotional wellbeing of residents or staff?**	Neutral	The insight gathered through the project will embed health and wellbeing concerns into ongoing strategies and projects. The outcome of the project will improve health and wellbeing and the act of listening and being
3.5	**Help reduce health inequalities?**	Neutral	The insight gathered through the project will embed health and wellbeing concerns into ongoing strategies and projects to actively address health inequalities. The outcome of the project will improve health and
3.6	**Encourage residents to be more responsible for their own health?**	Neutral	The insight gathered through the project will embed health and wellbeing concerns into ongoing strategies and projects. The outcome of the project will improve health and wellbeing and the act of listening and being
3.7	**Reduce crime or fear of crime?**	Neutral	The insight gathered through the project will embed crime concerns into ongoing strategies and projects. The outcome of the project will inform the strategies that improve wellbeing. We will report back in
3.8	**Help to give children and young people a good start in life?**	Neutral	Insight will be gathered from children and young people to ensure their voices contribute to the strategies that will improve their start in life. We will report back in bimonthly sessions with Executive and publish insight on

Culture & Community

	Does your proposal?	Impact	What are the impacts and how do you know?
3.9	**Help bring communities together?**	Positive	Communities will be invited to contribute to the insight with those sharing characteristics, demographics and geographies encouraged to speak out and share their lived experiences. We will report back on how the
3.10	**Improve access to services for residents, especially those most in need?**	Positive	The project approach deliberately sets out to target residents who have not traditionally engaged, including those most in need. We will report back in bimonthly sessions with Executive and publish insight on the
3.11	**Improve the cultural offerings of York?**	Neutral	The insight gathered through the project will embed cultural concerns into ongoing strategies and projects. The outcome of the project will inform the strategies that improve the cultural offering in York. We will
3.12	**Encourage residents to be more socially responsible?**	Positive	The LGA engagement spectrum shows how proactive resident engagement leads to building more resilient communities. The act of being heard and listened to makes a tremondous difference in communities appetites

Zero Carbon and Sustainable Water

Does your proposal?	Impact	What are the impacts and how do you know?

3.13	**Minimise the amount of energy we use and / or reduce the amount of energy we pay for?** E.g. through the use of low or zero carbon sources of energy?	Positive	The resident engagement framework will prescribe a combination of on and offline engagement activities, using low carbon / renewable materials.
3.14	**Minimise the amount of water we use and/or reduce the amount of water we pay for?**	Positive	The resident engagement framework will prescribe a combination of on and offline engagement activities, minimising the amount of water used in production through sourcing appropriate FSC certified materials.

	Zero Waste		
	Does your proposal?	Impact	What are the impacts and how do you know?
3.15	**Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?**	Positive	The resident engagement framework will prescribe a combination of on and offline engagement activities, minimising the amount of water used in production through sourcing appropriate FSC certified materials.

	Sustainable Transport		
	Does your proposal?	Impact	What are the impacts and how do you know?
3.16	**Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?**	Positive	Resident engagement activities will encourage active transport such as walks or display boards near cycle routes. The insight gathered will inform the Local Transport Plan.
3.17	**Help improve the quality of the air we breathe?**	Positive	Resident engagement activities when conducted outside will be mindful of the health impacts of air quality and be held in, as far as is possible, open space away from traffic.

	Sustainable Materials		
	Does your proposal?	Impact	What are the impacts and how do you know?
3.18	**Minimise the environmental impact of the goods and services used?**	Positive	Resident engagement activities, as prescribed in the framework, will be a combination of on or offline, with environmental impact being a key criteria to consider.

	Local and Sustainable Food		
	Does your proposal?	Impact	What are the impacts and how do you know?
3.19	**Maximise opportunities to support local and sustainable food initiatives?**	Neutral	IN some cases, resident engagement will be held at the premises of community venues which also support local food initiatives. It is not in itself relevant though.

	Land Use and Wildlife		
	Does your proposal?	Impact	What are the impacts and how do you know?
3.20	**Maximise opportunities to conserve or enhance the natural environment?**	Neutral	Insight gathered will inform appropriate strategies to conserve or enhance the natural environment and engagement activities will in some cases take place in the natural environment.
3.21	**Improve the quality of the built environment?**	Positive	Insight gathered will inform appropriate strategies to inform the built environment.
3.22	**Preserve the character and setting of the historic city of York?**	Positive	Resident engagement will, where appropriate, be linked to our unique heritage with Insight gathered informing appropriate strategies to preserve the character of the built environment.
3.23	**Enable residents to enjoy public spaces?**	Positive	Insight gathered will inform appropriate strategies to inform the development of public space. The resident engaement framework will prescribe activities that can take place to increase enjoyment of public space.

3.40	**Additional space to comment on the impacts**
	All the above will be subject to applying Covid-secure measures to protect residents and reduce community transmission.

One Planet Council 'Better Decision Making' Tool

Informing our approach to sustainability, resilience and fairness

Section 4: Impact on Equalities and Human Rights

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

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

Equalities

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

		Impact	What are the impacts and how do you know?
4.1	**Age**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.2	**Disability**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.3	**Gender**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.4	**Gender Reassignment**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.5	**Marriage and civil partnership**	Neutral	Marital status is not a requirement for resident engagement although in some instances, we may target single people to understand their lived experiences.
4.6	**Pregnancy and maternity**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.7	**Race**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.8	**Religion or belief**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.9	**Sexual orientation**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.10	**Carer**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.11	**Lowest income groups**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.
4.12	**Veterans, Armed forces community**	Positive	Data will be collated to identify the contributions from those with different lived experiences, with activities targeting those that haven't contributed, including understanding any barriers to contributing.

Human Rights

Consider how a human rights approach is evident in the proposal

		Impact	What are the impacts and how do you know?
4.13	**Right to education**	Neutral	Individual residents different education attainment levels will be mitigated by ensuring resident engagement activities are accessible
4.14	**Right not to be subjected to torture, degrading treatment or punishment**	Positive	not relevant
4.15	**Right to a fair and public hearing**	Neutral	not relevant
4.16	**Right to respect for private and family life, home and correspondence**	Positive	Data protection policies will be adhered to with data anonymised.
4.17	**Freedom of expression**	Positive	All views and opinions are welcome and sought after.
4.18	**Right not to be subject to discrimination**	Positive	All views and opinions are welcome and sought after.
4.19	**Other Rights**	Neutral	not relevant

4.20	**Additional space to comment on the impacts**

One Planet Council

'Better Decision Making' Tool

Informing our approach to sustainability, resilience and fairness

Section 5: Planning for Improvement

5.1	**What have you changed in order to improve the impact of the proposal on the One Planet principles?** (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)
	The resident engagement framework will now need to prescribe those activities that reduce the impact on the environment, preserve the natural environment and promote sustainability (rather than recommend). By taking a centralised approach to delivering resident engagement, this will be easier to facilitate and assess.

5.2	**What have you changed in order to improve the impact of the proposal on equalities and human rights?** (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)
	Data collation is now a key component of the proposal, to be inclusive we need to demonstrate inclusivity and share insight from protected groups, whilst retaining anonymonity. Individual project engagement plans to complete and publish an EIA demonstrating how different communities will be invited to contribute (this might include working at a pan-organisation rather than individual project level).

5.3	**Going forward, what further evidence or consultation is needed to ensure the proposal delivers its intended benefits?** e.g. consultation with specific vulnerable groups, additional data)
	The development of the inclusive engagement toolkit will be in consultation with communities with declared interests.

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

Action	Person(s)	Due date
Inclusive toolkit developed in consultation with community groups	Gareth Wilce	Jun-21
Resident engagement participants data shared and analysed for gaps	TBC	Jun-21

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

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Annex 1B – mapping resident engagement to engagement purpose and strategic fit

	Engagement	**Behaviour change trials (where feasible)**	**Consultation**
Primary purpose / **Strategic fit**	**Establishing goals** How do you want to live in the city?	**Reality checking** Is that possible?	**Objectives/delivery** How do we make that happen?
Carbon	Carbon reduction	Retrofit?	Woodland
Transport	Transport support for Local Plan Car-park strategy Perm footstreets Local Transport Plan Local Cycling and Walking Infrastructure Plan Travel in city centre Travel by schools Road safety strategies	Blue badge Haxby Station Footstreets trials Groves Trial Active travel trials Navigation Road Transport options in the city centre and near schools Clean Air Zone Electrifying vehicle projects (bus fleet, charging network, CYC vehicles etc) Coney Street Walkway Waste review	Outer Ring Road One Year Recovery Plan Station Frontage My Castle Gateway York Central Current Capital Programme LTP4 Capital Programme (to be determined by LTP4) Air quality objectives Management of transport assets (e.g. maintenance, asset lives)
Economy	Economic Strategy Tourism Strategy My City Centre Acomb Front Street	Coney Street Walkway	One Year Recovery Plan York Central
Housing and CYC assets			Castle Gateway York Central HDP OAPP
Corporate	York Narrative Council Plan priorities Local Government restructure	Temperature Check	Budget

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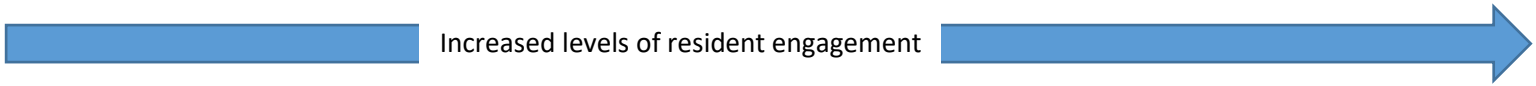

COMMUNICATIONS	ENGAGEMENT				
Inform	**Consult**	**Involve**	**Collaborate**	**Empower**	**Resilient**
Public participation goal:	Public participation goal:	Public participation goal:	Public participation goal:	Public participation goal:	Public participation goal:
To provide the public with the balanced and objective information to assist them in understanding the problems, alternatives, opportunities and / or solutions	To obtain public feedback on analysis, alternatives and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution	To place final decision making in the hands of the public	To make it easier for the public to act on the outcome of the decision and self-serve to meet their own needs
Promise to the public	Promise to the public	Promise to the public	Promise to the public	Promise to the public	Promise to the public
We will keep you informed	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input informed the decision	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide	We will set an environment that allows you to implement what you decide
Example techniques to consider (options)	Example techniques to consider (options)	Example techniques to consider (options)	Example techniques to consider (options)	Example techniques to consider (options)	Example techniques to consider (options)
Our City Media relations Social media	Quarterly engagement roadshow Social media OBC - survey	Engagement toolkit Facebook live/zoom discussions	My… consultation based on resident engagement principles	Council decision making process	Creating resilient communities programme Ward committee funding

Annex 1C – Engagement spectrum

Our big conversation

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Annex 2

Levelling–Up Fund – see prospectus

This £4.8bn capital fund brings together the DfT, MHCLG and Treasury to invest in "high-value local infrastructure". It is open to every area but especially intended to address economic differences between different parts of the UK, including cities, ex-industrial towns, and rural and coastal communities, and there is a published priority list which puts all places into one of 3 tiers (1=high priority, 3= low priority). York is in the lowest tier of priorities, which means our projects would need to score highly on other criteria to be successful.

The Fund is "designed to help local areas select genuine local priorities for investment by putting local stakeholder support, including the local MP where they want to be involved, at the heart of its mission". Applications can be either an individual project or a "package of multiple projects aligned with each other as a coherent set of interventions". These can include a mix of projects from the Fund's three investment themes but not multiple unrelated investments.

Process – First Round (subject to review – future rounds for 2022-23)

Local Authorities and Transport Authorities can bid for the funding, with one bid per MP in Local Authorities. For York, that means three bids – two for the two MPs that we have and one as the transport authority. Bids can be for single projects or packages of projects, with a £20m cap. There is an exception for Transport projects, which could be up to £50m in exceptional circumstances. Bids can also be pooled across Constituencies and Local Authority areas. The two York bids do not need to be located in the separate constituencies – they simply need to be in York and supported by the MPs.

MPs will back one bid that they see as a priority but MP support is "not a necessary condition for a successful bid". Bidders need to show a high level of support from stakeholders such as local businesses, public transport providers, police and emergency services, community representatives, environmental representatives and universities and FE Colleges (FECs) and include stakeholder letters of support as part of the bid.

Round 1 decisions will prioritise bids that can demonstrate investment or begin delivery on the ground in the coming financial year, and this is an important consideration for areas such as York, where we are already in the lowest priority group.

The advice from Government is that

> *"The number of bids that a local authority … can make will relate to the number of MPs in their area. Accordingly, local authorities can submit one bid for every MP whose constituency lies wholly within their boundary".*

If an MP were to support a project not physically located in their constituency, but benefiting their constituents, then both York projects could, for example, be in central York.

Bids will need to include:

- Strategic case: how project(s) support identified priorities to improve infrastructure, promote growth, enhance the natural environment and make the area a more attractive place to live and work
- Economic case: Value for money assessment, other confirmed investment
- Stakeholder support (including MP support if possible)
- Consideration of how projects will work within subsidy control (State Aid replacement) as per Government guidance, as well as all other relevant legal obligations such as procurement

Bids need to be submitted to MHCLG by noon on Friday 18 June 2021. Majority-transport bids will be assessed by the Department for Transport. Investment decisions will be made by the UK Government for this funding round by autumn 2021, with funding provided from Round 1 to be spent by 31 March 2024. Further guidance on how places can submit bids will be issued shortly.

Assessment criteria:

- Characteristics of the place – Tier, so York automatically scores low here
- Deliverability - based on supplementary finance, management and commercial cases, with bids able to demonstrate investment or which begin delivery on the ground in 2021-22 financial year prioritised in the first round of funding
- Strategic fit with local and Fund priorities – bid needs a strategic case with support from stakeholders
- Value for money – an economic case should explain the benefits of the bid and how it represents value for money

Investment Themes

Investment proposals should focus on supporting high priority projects that will make a visible impact in local areas. The prospectus provides further detail, however in summary the themes are:

- **Transport** investments including (but not limited to)
  - public transport,
  - active travel,
  - bridge repairs,
  - bus priority lanes,
  - local road improvements and major structural maintenance
  - accessibility improvements
- **Regeneration and town centre** investment, building on the Towns Fund framework to
  - upgrade eyesore buildings and dated infrastructure,
  - acquire and regenerate brownfield sites,

  - invest in secure community infrastructure and crime reduction,
  - bring public services and safe community spaces into town and city centres
- **Cultural investment**
  - maintaining, regenerating, or creatively repurposing museums, galleries, visitor attractions (and associated green spaces) and heritage assets
  - creating new community-owned spaces to support the arts and serve as cultural spaces

Projects should be aligned to and support Net Zero goals and consider impact on natural assets and nature, as well as the resilience of project to potential hazards such as flooding.

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Annex 3

UK Community Renewal Fund – see prospectus

Background

This £220m fund is a one year pilot for new UK Shared Prosperity Fund, which will replace EU structural funds and is expected to be a £1.5bn per annum fund available from 2023 onwards. The pilot explores the themes for projects, with a focus on innovation in delivery, and the process for application, which is through Mayoral Combined Authorities, or Local Authorities where they don't exist. A maximum of £3m per area is available, and this is expected to be spent by 31 March 2022, with final funding decisions being made by Government from July onwards.

The fund is open to every area, but 100 have been given priority status with £20,000 of capacity building money to support the local process of calls for projects. Should all 100 priority areas submit lists of £3m of projects, the fund would be oversubscribed by £80m. The 268 non-priority places, such as York, that are also eligible to bid are expected to deliver this process without the additional funding. It is not an option to simply submit Local Authority bids – the process demands a call for projects, appraisal of the responses to calls, and then the development and agreement of a priority list for submission.

The themes for projects will be familiar to anyone with experience in European Structural Investment Funds such as ERDF and ESF. The prospectus is clear that Government is looking, however, for innovation in delivery. The themes are:

- Investment in skills
- Investment for local business
- Investment in communities and place
- Supporting people into employment

For each theme, the prospectus explores a wide range of possible project themes, stressing the desire for the pilot to explore innovative approaches to delivery. 90% of the funding is for revenue projects, and it is important to note once again that all funding received must be spent by the end of March 2022.

Process

The prospectus provides a clear timeline for delivery of local calls for projects through Mayoral Combined Authorities, or Local Authorities where they don't exist. In brief, this timeline is:

- March 2021: Lead authorities invite project proposals from a range of local applicants, including voluntary and community sector organisations and local education providers including universities
- June 2021: Lead authorities should then appraise these projects and produce a shortlist of projects up to a maximum of £3 million per place for submission to UK government.

- July onwards: The UK government will select projects in line with the selection criteria
- all funding to be spent by 31 March 2022

As discussed above, Priority areas have been provided with £20,000 of capacity building funding. This is to support the bidding process and then local contracting with approved projects and monitoring and evaluation. The full scope of the Lead Authority role is as follows:

- Invite bids from a range of project applicants, including but not limited to universities, voluntary and community sector organisations, and umbrella business groups. Any legally constituted organisation delivering an appropriate service should feel able to prepare a proposal.
- Undertake constructive engagement with local partners, including but not limited to lower tier local authorities and elected representatives, and other public, private and third sector organisations.
- Collaborate with other lead authorities or partners across the UK where relevant – for example to promote cross-border project opportunities that address needs in common or achieve efficient delivery scale.
- Appraise and prioritise a shortlist of projects up to a maximum of £3 million per place, from which the UK government will select projects.
- Submit shortlist to UK government who will assess the proposals and select projects based on the published criteria.
- Issue grant agreements to successful bidders once funding has been agreed by UK government, and then undertake monitoring and assurance activity.

There is no additional resource provided to support this process, so delivery will have to be balanced against other existing workloads within the Economic Growth team. It will be necessary to create a small project team, launch a call for projects, receive and appraise bids, develop into a priority list, get sign-off for that list, and submit to government, which will require some staff to be moved from their current activities. It is proposed that the Head of Economic Growth leads a small team to run this process.

Agreement of a priority list for submission would be through a specially convened Executive Member decision session in early June.

The timeline for a York UKCRF process would be as follows:

22 Apr Executive to agree details for call for proposals (as set out in this paper):

- Minimum project value
- Priority themes
- Strategic priorities
- Deadlines

23 Apr Launch call for proposals through CYC website

16 May End of call for proposals

17-31 May Appraise projects & develop York priority list

w/c 8 June Priority list considered at specially convened Executive Member Decision Session (Cllr Waller with Cllr Smalley)

18 June Deadline for submission to Government

Selection Criteria

For proposals from non-priority areas such as York, the key gateway issue will be that projects would need to be appraised at a minimum of 80% against strategic fit and deliverability. Government will only consider projects in York that are appraised at 80% or above, and will be monitoring local scoring to ensure that scores are realistic.

There is a clear need to ensure that any projects which are submitted as a result of the call for proposals are sufficiently developed to ensure that they have both strong strategic fit and are also clearly deliverable in the 6 month window towards the end of 2021/22.

Strategic Fit will be scored against the following:

1. Level of contribution to local needs articulated in relevant local plans and with evidence of local support. Projects will be appraised against:
    - York and North Yorkshire Devolution Proposal
    - York and North Yorkshire Local Industrial Strategy
    - York Recovery Plan – Business Support and Skills & Employment 1 year plans (latter as developed by Skills & Employment Board and approved by Cllr Waller at March 2021 Decision Session)
2. Level of contribution to a national investment priority
    - Investment in skills
    - Investment for business
    - Investment in communities and place
    - Supporting people into employment
3. The extent of contribution to net zero objectives, as set out at section 3.1.1 of the prospectus, or wider environmental considerations (not applicable to employment support interventions)
4. The extent to which the project can inform the UK Shared Prosperity Fund through transferable learning or opportunity to scale up for local partners and UK government.
5. The extent to which the project demonstrates innovation in service delivery.

Deliverability will be scored against:

1. That it can be delivered as proposed by March 2022 with realistic milestones identified.

2. Project risks have been identified and are adequately mitigated, including project-level management controls.

3. The applicant sets out an efficient mode of delivery, taking account of the level of innovation proposed and will operate at an appropriate scale. This shall include an assessment of value for money taking account of:

   a. the level of contribution to programme outputs for funding sought

   b. the amount of match funding or leverage proposed to maximise impact (not applicable to employment interventions).

4. That the project would not proceed without funding or could only be delivered on a smaller scale.

5. An effective monitoring and evaluation strategy has been identified for the project.

Project size:

While there is no published minimum project size, Government have indicated that they are expecting **bids of at least £100k**, and we will treat this as the minimum size for York projects, given our low priority status. Applicants could put forward several linked projects as a single programme, but that will need to be submitted on a single for with consolidated finances, outputs and outcomes, and will be appraised as a single entity. Regional bids would be possible, but would need to be appraised locally against York priorities. A regional bid above the £100k threshold could include York elements below that level and be considered as part of the York priority list.

Investment Themes

- **Investment in skills** Bids may include, but are not limited to interventions that address:
  - *Work-based training* – for example addressing specific local need from local employers for on-the-job training to support local growth, such as taking on trainee builders for a new infrastructure project.
  - *Retraining, upskilling or reskilling members of the workforce* – for example helping organisations to identify and understand skills gaps or provide access to financial support for relevant training where the local workforce may require new skills to meet the needs of a local employer or sector and support local economic transitions.
  - *Promoting the advancement of digital skills and inclusion* – for example supporting the development of digital skills for digitally excluded individuals, especially where digital exclusion presents a barrier to employment, building confidence in application of basic and advanced digital skills and promoting safety and awareness online.

For York, skills projects would naturally flow from the 1 year skills plan prepared by the Skills Board and to be considered by Cllr Waller at his March 2021 Decision Session. There is much overlap with YNY priorities.

- **Investment for local business** Bids may include, but are not limited to, interventions that address:
    - *Supporting entrepreneurs and helping businesses with potential to create more job opportunities for current employees or take on new employees* – for example helping businesses to access the specialist support they need such as investor readiness schemes and private sector experts like experienced non-executives.
    - *Encouraging businesses to develop their innovation potential* – for example facilitating small businesses grow and to develop new and improved products and services by promoting collaboration and knowledge sharing, including small-scale knowledge transfer activity. This may include nurturing further join up between higher education institutions and small businesses, capitalising on research outcomes and building innovation capacity through development of plans for local innovation facilities and opportunities such as innovation centres and incubation services.
    - *Supporting decarbonisation measures* – for example encouraging local businesses and organisations to reduce greenhouse gases through investment in new technology or energy efficiency measures that can have bottom line benefits and improve business productivity.

  For York, business support priorities in the current year were set out in the 1 year business support plan developed as part of our Covid response.

- **Investment in communities and place**
    - *Feasibility studies for delivering net-zero and local energy projects* – for example assessing opportunity and viability of green projects that contribute towards our green agenda or net-zero objectives such as installing electric vehicle charging points and coastal investment projects. This may include investing in feasibility studies to assess, for example, scheduling considerations, legal, economic and technical factors for projects that could support local decarbonisation where this brings social or economic benefits to local people and promoting environmentally conscious or collaborative local solutions such as clean energy projects.
    - *Exploring opportunity for promoting culture-led regeneration and community development* – for example investing in culture focused feasibility studies and community facilities to attract people to places, including city centres and rural and coastal towns. This may include research for projects that could generate footfall to support other private-sector businesses, opportunities to improve efficiency and collaboration by joining up local public services to produce better local outcomes or investing in the preservation or enhancement of cultural and sporting

facilities such as museums, galleries, visitor attractions, pier restoration and heritage assets.
- *Improving green spaces and preserving important local assets* – for example enhancing natural assets, including green spaces in neighbourhoods and housing estates, to enhance quality of life to attract and retain talent, and attract tourism.
- *Promoting rural connectivity* – for example developing opportunities for digital functionality and physical connectivity to help realise the full potential of rural businesses. This may include exploring proposed innovative ideas for enhancing accessibility and social, economic and cultural opportunities for rural communities, including rural and green infrastructure

- **Supporting people into employment**
  - *Supporting people to engage with local services which support them on their journey towards employment* – such as bringing together multi-agency teams to join up a variety of services around an individual to address the variety of barriers to employment they may face; or key-worker support to connect individuals with existing public or voluntary provision.
  - *Identifying and addressing any potential barriers these individuals may face in gaining employment or moving closer to the labour market* – such as the use of key-worker support to work with beneficiaries to identify barriers to employment; working with and connecting individuals to the most appropriate services throughout the employment journey.
  - *Raising aspirations, supporting individuals to access Plan for Jobs employment support, jobs and find sustainable employment* – such as providing holistic support to address the long-term barriers to employment including but not limited to: support for alcohol and drugs interventions, skills for life such as timekeeping, confidence building and, employability support, including work experience, CV writing or interview preparation.
  - *Supporting people to gain the basic skills they need to develop their potential for sustainable work* – such as English, Maths, Digital and English for Speakers of Other Languages skills and training courses. Other suitable provision could include support intended to develop communication, interpersonal and presentation skills.
  - *Testing what works in helping people move towards work* – such as testing new initiatives which support people along the employment journey to understand how different interventions, or targeting approaches, can maximise the effectiveness of employment programmes aimed at those furthest from the labour market

Again, the York 1 year skills and employment plan covers this theme, with a clear strategic framework in place to provide priorities, and there is overlap with broader YNY priorities.

Executive **22 April 2021**

Report of the Director of Corporate Director of Place

Portfolio of the Executive Leader

York Central and York Station Gateway Update

Summary

1. The delivery of York Central has been a City of York Council (CYC) priority for well over 2 decades. Regeneration of this brownfield site will bring significant new housing and economic growth space to facilitate the future development of new sustainable business sectors to augment the existing economy, in this central, sustainable location. The importance of York Central is highlighted in the Local Plan, and in the Strategic Economic Plans of both regional Local Enterprise Partnerships. York Central will also play a pivotal role in the city wide economic recovery from the Covid 19 pandemic.

2. In 2016, the council committed a £10m budget to kick start the York Central Partnership project that has now finally started on site. This "at risk" up front financial commitment to the scheme has enabled CYC and its partners Homes England, Network Rail and the National Railway Museum to :-

    i. secure grant funding of £112.226m

    ii. Establish an Enterprise Zone which will fund £35m CYC contribution to the scheme

    iii. Acquire all third party land to deliver the site,

    iv. Create and consult on a site wide masterplan and secure planning permissions

    v. Procure a construction partner for the delivery of the infrastructure and commence preparatory works for the infrastructure.

vi. Use the remaining £5,278k from our original £10m budget to continue work on York Central

3. York Central has moved from being a long held ambition to a current reality.

4. In March 2020, as the major landowner of the site, central government announced the award of £77.1m to Homes England and Network Rail to fund the enabling infrastructure for the site. This final piece of funding allows the partners to determine the most effective delivery arrangements and is a green light for the scheme to commence. The major landowners are now indicating that they propose to deliver the site infrastructure directly and will recompense CYC for £3.836m of up front spending on the infrastructure design and preparation.

5. CYC have played a pivotal leadership role in establishing the Partnership, securing funding, designing and achieving planning for a deliverable, viable scheme all whilst owning a very small part of the site. This report sets out:-

   i. Proposed infrastructure delivery arrangements

   ii. Changes to the financial profile of the project

   iii. Revisions to the governance arrangements for the project to reflect changing roles amongst the YCP partners

   iv. Outlines a timeline for the delivery of the enabling infrastructure and the build out of the first phases of the scheme

   v. Agree the resources needed to ensure future CYC involvement in the delivery of York Central and the associated Station Gateway project

6. York Central will become a thriving addition to the existing city centre with; new business space, new homes a re-modelled railway station and a transformed National Railway Museum. The re-modelled railway station will be delivered through the York Station Gateway scheme which comprises a coordinated, multi-modal package of interventions in and around the station. The scheme complements and connects the proposals being progressed to the west and east of the station and will transform the station gateway into York; significantly improving access, addressing air quality issues, and directly supporting delivery of housing and commercial uses on the

York Central development site. CYC, in collaboration with Network Rail (NR) and London North East Railway (LNER), have developed a masterplan that proposes to reorganise highway and public realm areas to the front of York Station. In November 2020 Executive approved the project scope, budget, grant funding, delivery and procurement strategy.

Recommendations

7. Executive is asked :-

i. To note the revised infrastructure delivery arrangements and the subsequent reduction of the capital allocation for York Central from to £41.7m to reflect the direct award of £77.1m MHCLG funding and £23.5m WYTF funding direct to Homes England.

ii. To note the agreement by Homes England to reimburse CYC £3.836m of the costs incurred in preparing the site access proposals, Master Plan and initial design work, planning applications and the completion of site preparation works from the capital grant awarded to Homes England by MHCLG and for this money to be retained to support York Central going forward.

iii. To agree to procure Consultancy Design Services, Cost Consultancy and Project Assurance for the York Station Gateway scheme and to delegate to the Corporate Director of Place (in consultation with the Director of Governance or her delegated officers) the authority to take such steps as are necessary to procure, award and enter into the resulting contracts.

iv. To agree the proposed Governance arrangements for the York Central Partnership.

v. To agree to procure technical services to support the process of adoption of the York Central highways infrastructure and to delegate to the Corporate Director of Place (in consultation with the Director of Governance or her delegated officers) the authority to take such steps as are necessary to procure, award and enter into the resulting contracts

vi. To agree the acquisition of land adjoining Scarborough Bridge to ensure the future availability and improvement of the riverside path at a cost of £150k from the York Central enabling budget.

vii. To commit further funding of £900k from the York Central enabling budget to continue to support the delivery of the project. This will fund the CYC project team and legal, consultancy support costs to

ensure CYC has the capacity to fulfil our Enterprise Zone obligations, prepare the EZ investment business case, seek further external funding for project enhancements and provide input to the York Central Design panel, support the Leader's strategic role on the project and continue to support the partnerships community engagement consultation and communications work

viii. To bring forward a future report on the delivery of remaining infrastructure packages, the future use of Enterprise Zone funding and the use of future S106 moneys.

Reason: To enable the successful delivery of the York Central and the York station Gateway schemes

Background

8. York Central is one of the largest brownfield sites in northern England, see plan at Annex 1. The 45ha development site will deliver: up to 2500 new homes; the potential for 6500 jobs, in grade A commercial office space; a transformation of the National Railway Museum with a new Central Gallery. The creation of new public spaces and community facilities directly linked to an improved Railway Station are also key project outcomes.

9. The enabling works to prepare the site have now commenced. IP1 works are underway to demolish the former Unipart, Freightliner and Concrete Works buildings, site clearance and track lifting ahead of IP2 works to construct the access spine road and Boulevard, add the pedestrian deck to the Severus Bridges, build the access bridge over the East Coast Main Line(ECML) reroute utilities and undertake works to Millennium Green. Despite the challenges we still face with the ongoing Covid 19 pandemic, we are poised to finally deliver on the city's long held ambition to develop York Central.

10. The scheme is being promoted by the York Central Partnership (YCP) which is made up of Network Rail (NR) Homes England (formerly the Homes and Communities Agency or HCA), the National Railway Museum (NRM) and CYC.

11. Over the last 4 years YCP have developed a comprehensive masterplan for the 45ha site and secured Outline planning consent which will deliver up to 112,000 sq. m of commercial space and up to 2500 homes as well as a large park, public squares and an expanded Railway Museum.

12. The significant progress made to date is demonstrated by the key project milestones set out below :

Dec 2016	Council agrees £10 enabling budget to develop York Central
April 2016	Enterprise Zone agreed
Dec 2018	Full Council create £155m capital budget to fund the delivery of the enabling infrastructure.
Jan 2019	Executive agreed the YCP Partnering Agreement
Feb 2019	West Yorkshire Combined Authority (WYCA) approved the business case for West Yorkshire Transport Fund (WYTF+) funding £23.4m
March 2019	Planning Committee agree the Outline Planning Application for the site
Sept 2019	John Sisk Ltd appointed as construction partner
Oct 2019	Department of Culture Media and Sport confirmed the award of £18.58m towards the £55m target budget for the delivery of the NRM Vision 2025 plans.
Dec 2019.	S106 planning agreement signed
Oct 2019	YNYER LEP agreed £1.58m LGF grant to support further design work on the first phase of infrastructure
March 2020	Chancellor of the Exchequer announced the award of £77.1m grant to fund the York Central enabling infrastructure
March 2020	Homes England, NR and NRM made an application to the Department for Transport (DfT) for the Stopping up of the part of Leeman Road where it bisects the museum
June 2020	YNYER funding to deliver IP1 confirmed
Aug 2020	MHCLG funding of £77.1m awarded direct to Homes England
Nov 2020	RMA for the first phase of infrastructure approved
Feb 2021	detail design of the enabling works package completed and priced by John SISK Ltd
Feb 2021	construction works on IP1 commenced
March 2021	Statement from Alex Chisholm, Civil Service Chief Operating Officer that the Cabinet Office would in future be operating out of York
March 2021	CYC issue notice 1 under the conditional contract with the Leeman Road Millennium Green Trust to confirm the provisions to proceed.
April 2021	public enquiry is to take place on the Stopping up of the part of Leeman Road
April 2021	Landowning partners due to commence procurement of commercial partner to develop out the scheme
June 2021	WYCA to confirm agreement to the Full Business Case + for the York central access and Station Gateway schemes to enable draw down of funding

Summer 2021	IP1 works to conclude and IP2 contract award to be agreed by Homes England and Network Rail
Autumn 2021	IP2 works to commence

York Central Infrastructure Delivery

13. The total cost of the enabling infrastructure necessary to bring the site forward for development was set out in the November 2018 Exec report as being £155m. The indicative breakdown of the key elements of the infrastructure scheme updated to March 2021 are as follows:

Table 1 Total Infrastructure Costs

Infrastructure Elements	£'000
Enabling Works including site clearance, early demolitions,	4,330
Phase 1 Infrastructure including bridge access onto site, new spine road, drainage	90,250
New Park	17,960
Museum Square and Boulevard	9,560
Southern Access to Site	6,290
Compliant Station Access	6,420
Full Western Station Entrance	9,840
Leeman Road Tunnel, Marble Arch Link	2,300
Leeman Road East	inc above
Utilities into site	7,840
Total Infrastructure	**154,790**

14. Full Council established the budget to fund this key site enabling infrastructure in Dec 2018 to allow viable development to proceed. The funding comprised a combination of external grants, previously agreed approvals, developer contributions and significant new Enterprise Zone backed borrowing of £35m.

Table 2 York Central Budget

Funding Source	Budget	Executive Approvals	Budget Remaining
	£'000	£'000	£'000
CYC	4,662	(3,070)	1,592
CYC Borrowing – Enterprise Zone	35,000		35,000
MHCLG funding	77,100		77,100

YNYER LEP	3,110	(3,110)	0
WYTF Contribution	23,500		23,500
Balance – Developer Contributions, Land Values, Cost Control	11,628		11,628
Total Funding Available	**155,000**	**(6,180)**	**148,820**

15. In October 2019 and in July 2020 Executive made commitments to undertake further project development activity, working with the York Central Partnership, to ensure the scheme maintained momentum and would be ready to progress into delivery phases when decisions on external grant funding were confirmed.

16. The budgets agreed to date by Executive, including YNYER grant, has funded significant activity to finalise and secure the Reserved Matters planning permission for the first phase infrastructure and procure a construction partner, undertake detailed (RIBA stage 4) design which is now complete and costed by John Sisk.

Enabling works – IP0 / IP1

17. Network Rail have undertaken some specific rail related works on the operational railway and fenced off the land now declared surplus to operational need (IP0).

18. As set out in the Executive report of July 2020 in order to maintain programme whilst funding agreements were finalised, CYC committed to the necessary package of enabling works ahead of the main contract. IP1 included sensible preparations for the main works - site clearance / demolitions and further specific ground investigations to inform the final detail design ahead of the main contract. CYC awarded this contract to John Sisk last November and the works are now in progress on site with completion due in the summer of 2021.

19. Following the award of the MHCLG grant to Homes England, CYC have negotiated a reimbursement agreement with Homes England that will reimburse CYC for its defrayed costs on the Reserved Matters Application and the delivery of enabling works on IP1. MHCLG have authorised Homes England to repay £1.876m to CYC for the costs of the RMA against the overall £77.1m grant, with a further repayment of the £1.96m IP1 costs when they are concluded. It is proposed that the £3.836m reimbursed funding is allocated back

to the York Central enabling budget to continue to resource the council's work on the project.

Revised Delivery Arrangements

20. When Executive approved the creation of the £155m budget for the delivery of the York Central Access Infrastructure it was proposed that CYC would take the lead infrastructure delivery role on behalf of the partnership for the first phase of infrastructure (IP1 and 2 to build the access bridge and main spine road) on the expectation that CYC would be in receipt of all the associated grant funding. CYC commissioned the necessary design work on behalf of the partnership and progressed the preparation of the necessary funding bids for both Housing Infrastructure Funding (HIF) and West Yorkshire Transport Funding (WYTF).

21. However, the MHCLG funding announcement in August 2020 allocated the enabling infrastructure grant funding (instead of HIF funding) direct to the landowners, specifically to Homes England. This has given rise to a review of the infrastructure delivery arrangements.

22. There is now no inherent logic in the previous proposal for CYC to deliver the infrastructure as CYC are not now the recipient of the grant moneys. If CYC were to continue to deliver the infrastructure whilst not in receipt of the funding, the contractual arrangements between CYC and landowners would be extremely complex and would incur significant construction liability and exposure to cost over-run risk for CYC.

23. The landowning partners are also of the view that the simplest delivery route would deliver greatest certainty of keeping to budget and time. They have undertaken due diligence on the procurement of John Sisk Ltd and have indicated their intention to directly commission IP2 works subject to their due diligence assessment. The Homes England Investment Committee will consider this in June with a view to taking on the main infrastructure contract for the IP2 works. Their approach is informed by all the work undertaken to date and CYC is facilitating the transition process.

24. CYC will not therefore be entering into the further IP2 contract with John Sisk Ltd and has concluded the existing contracts for advisers, cost consultants and designers.

Key progress on York Station Gateway (YSG)

25. Full Planning and Listed Building Consent was granted in February 2021. Alongside the endorsement by Executive, the scheme is funded through a combination of the West Yorkshire-Plus Transport Fund (WY+TF) and The Transforming Cities Fund (TCF). Both funds are administered by the West Yorkshire Combined Authority (WYCA) and are governed through a programme management process. The Investment Committee approved the drawdown of development funding in March 2021 which is directly awarded to CYC.

26. The YSG project team has agreement in principle from project partners at Network Rail and LNER for the Delivery Strategy agreed by Executive in November 2020. A detailed scheme of ground and archaeological investigation has already taken place and indications show that ground conditions are favourable to the construction of the proposed scheme and there have been no significant archaeological finds.

27. In March 2021 the project team placed orders with statutory utility providers and has developed a detailed scheme of diversionary works with costings.

York Station Gateway Procurement

28. The consultancy services for the Station Gateway project were initially commissioned as part of the York Central works. That contract has now exceeded its original maximum value and we need to re-procure technical support services contracts for York Station Gateway to ensure compliance with procurement regulations.

29. Therefore as consultancy services for infrastructure to the rear of the station are taken forward by Homes England and Network Rail Executive are asked to agree to the procurement of Consultancy Design Services, Cost Consultancy, and Project Assurance for the York Station Gateway Project.

Governance

30. The landowner decision to deliver the infrastructure directly is a move to simplify delivery arrangements for the York Central Partnership and the award of the grant funding is conditional upon the delivery of the scheme benefits outlined in CYC's HIF application and the delivery of the agreed Outline Planning Application.

31. CYC will retain influence upon the future delivery of the scheme through
    i. Statutory role as Planning Authority
    ii. Statutory role as Highways Authority
    iii. Future CYC and LEP decisions to provide £35m of Enterprise Zone funding.
    iv. The commitments made by all partners in the York Central Partnering Agreement and the governance structures set out therein
    v. Through the development of its own land
    vi. Membership of the York Central Design Panel

32. The Governance arrangements set out in the York Central Partnering Agreement made provision for the Governance arrangements to evolve to reflect changes in approach and different stages of the project. The revised delivery arrangements represent a significant shift and the Partners have reviewed the governance arrangements to ensure they remain fit for purpose.

33. In January 2021 York Central governance was reviewed at Customer and Corporate Services Scrutiny Management Committee The Interim Director and partnership representatives responded to a range of questions from Members, covering the Government's award of funding to Homes England and not directly the Council, the Council's role as project facilitators and not land owners and the potential for local influence on the Landowners Board, the commitment to mixed use on the development, and the next key steps, as well as a continuing commitment to community involvement on developing the site and attracting high quality jobs with appropriate skills training. The committee resolved that the report and presentation outlining the current and potential governance arrangement for York Central Partnership be noted and Stephen Hind and Catherine Clayton be thanked for attending and contributing.

34. The following diagrams were considered at that meeting. Diagram 1 sets out the complex contractual relationships which exist between the partners and the Diagram 2 sets out the proposed governance arrangements that will oversee these contracts and relationships.

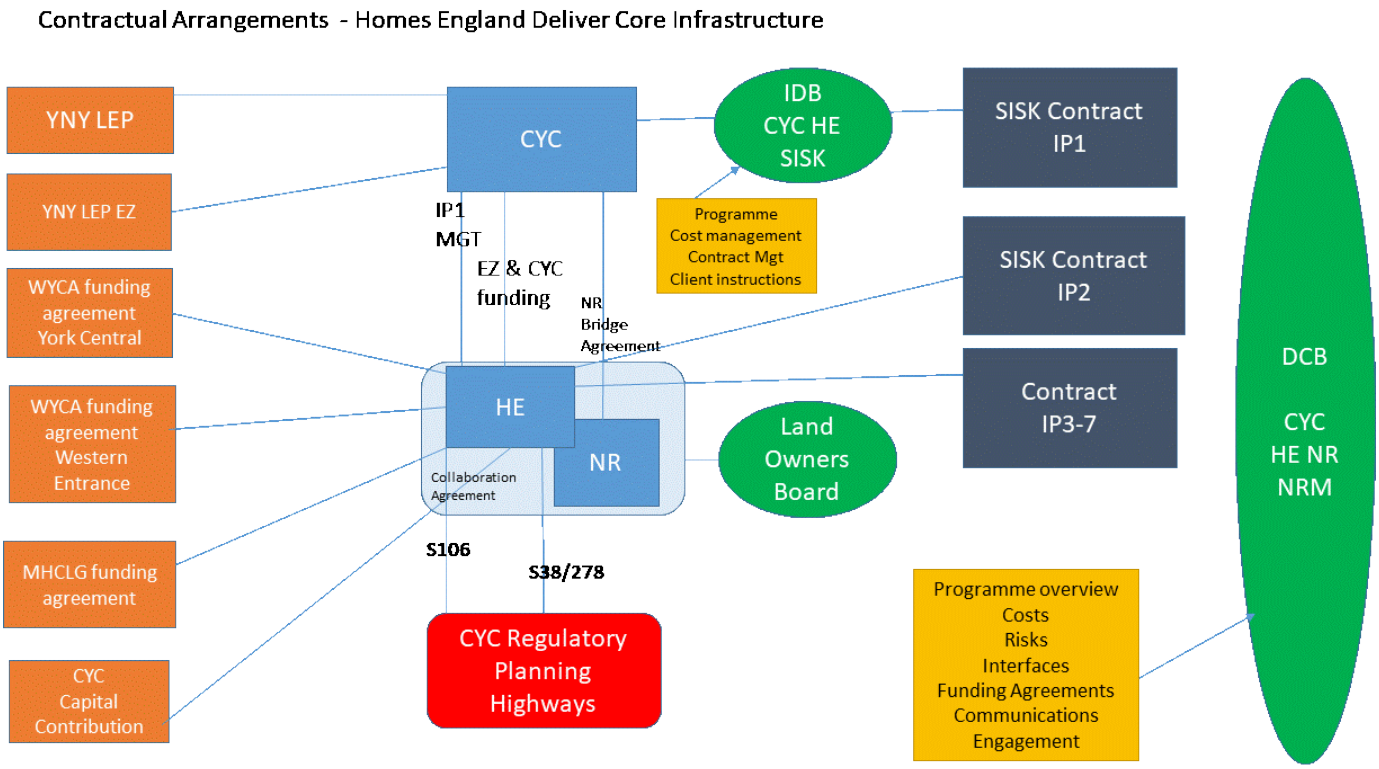

Diagram 1- contractual relationships within YCP

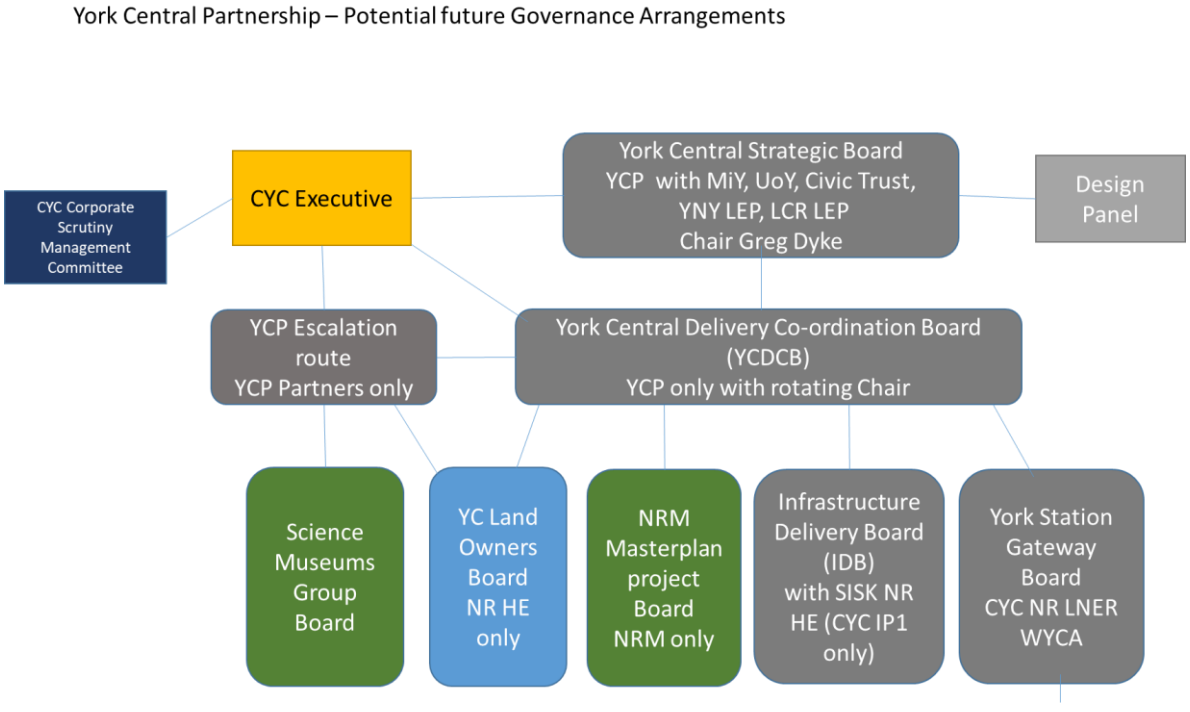

Diagram 2 – proposed revised governance arrangements

35. This is an amendment to the existing arrangement rather than a new structure but reflects the change in delivery partner and clarifies

the roles of each board. The Terms of Reference for each board are attached at Annex 2.

Strategic Board

- Senior representation from all partners
    - Cllr Keith Aspden Leader and Ian Floyd Chief Operating Officer– CYC
    - Peter Freeman Chair of Homes England and Stephen Kinsella
    - Sir Peter Hendy Chair of Network Rail and Rob Macintyre
    - Dame Mary Archer Chair of Science Museum and Judith McNicoll
- Strategic City Partners
    - Chairperson - Greg Dyke - Chair of Make it York,
    - Charlie Jeffrey - Vice Chancellor University of York,
    - Stephen Lusty – Chair of York Civic Trust
    - York North Yorkshire LEP Chair
    - Leeds City Region LEP Chair

- Frequency of meeting – Quarterly with additional meetings as required
- Function – Influence and Advocacy. Promote the scheme at the highest levels, act as ambassadors for the scheme and provide oversight to provide assurance that the scheme is delivering the ambition and quality for the city
- Commission Design Panel to provide independent review of future design issues and reserved matters applications

CYC Executive

- Make decisions regarding CYC funding going into the scheme
- Decide with YNYLEP on allocation of EZ funding
- Oversee CYC risk
- Oversee delivery against programme where that impacts upon risk and cost
- Consider future support for workstreams/projects for CYC housing, community schemes etc.
- Work with landowners to achieve outcomes for the city
- Ensure community engagement

Customer and Corporate Scrutiny Committee

- Scrutinise Executive decision making
- Scrutinise project progress
- Invite YCP representatives to talk to the committee about the delivery of the scheme as a whole

York Central Delivery Co-ordination Board – monthly meetings

- Oversee the delivery of scheme benefits
- Oversee Programme timetable
- Manage dependencies
- Prepare decisions for each partner body
- Oversee risk at programme level
- Manage funding agreements
- Develop future strategies for delivery
- Escalate to Senior officers if agreement cannot be reached
- CYC representative Director of Housing Economy and Regeneration

York Central Landowners Board

- Homes England and Network Rail oversee their Collaboration Agreement and act as Master Developers
- Delivery of IP2
- Design, Planning and Delivery of IP3-7
- Procurement of residential and commercial partners to invest in and develop out different phases of the scheme
- Commercial decision making

York Central Infrastructure Delivery Board

- Oversee contract for delivery of IP1
- Manage timetable for IP1
- Manage risk for IP1
- Manage budget of IP1
- Will fall away on completion of IP1.

Station Gateway Board

- Oversee the design planning and delivery of the Station Gateway scheme
- Oversee the delivery of scheme benefits
- Oversee project timetable
- Manage dependencies
- Prepare decisions for each partner body
- Oversee risk
- Manage funding agreements

CYC's continuing role in York Central

36. CYC has worked positively over the last 6 years with partners to ensure that the development will deliver benefits to the people of York. As the initial funder and the conduit for grant funding and through its statutory roles as Local Planning Authority (LPA) and

Highways Authority (HA) CYC has had significant influence over key decisions.

37. CYC is a minority land owner on the site with just 5% of the developable space. To support our aspiration for delivering high quality affordable homes on York Central, positive discussions have taken place between CYC and Homes England. Together we are exploring options for early phase delivery where our adjoining land interests have the potential for council led delivery on part of the site. Partnership working and delivery can better secure the creation of a spatially coherent and high quality new neighbourhood. A further update will be provided on this approach as part of a Housing Delivery Programme later this year.

38. CYC secured funding from the YNYER LEP to undertake a detailed feasibility study to assess the potential for improving the environmental performance of the commercial buildings on York Central beyond the standards mandated by the Outline Planning permission and set out in the Design Guide. The study considered the measures that would be necessary to secure BREAM Outstanding office buildings on York Central and the feasibility of achieving net zero carbon development including a financial impact analysis. This study is now being discussed with landowning partners.

39. Though CYC will not be delivering the enabling infrastructure and have never owned the site and therefore would not have developed out the site, CYC still have an important and influential role to play within the York Central Partnership as well as through the roles of Statutory Planning and Highways Authorities.

40. In order to secure this influence CYC will need to :-

i. Continue to support and hold to account our York Central partners to deliver the scheme for the benefit of the city
ii. Input to the Design Panel for future phases
iii. Monitor the Enterprise Zone contract, prepare the business case for investment and oversee the incoming EZ business rates income.
iv. Coordinate S106 expenditure and ensuring that planning gain funding contributes to the delivery of council strategies
v. Developing proposals for CYC housing delivery on CYC and potentially partner land

vi. Ensure that the progress of the scheme continues to be effectively communicated and promoted to residents and businesses to ensure a smooth delivery.
vii. Support the community engagement activity of the partnership to ensure that the residents of York continue to have a voice sand can positively contribute to the development of York Central as it is delivered.
viii. Promote the benefits of zero carbon development to contribute to the city's zero carbon target.
ix. Promote the scheme to businesses and investors to ensure we maximise the economic benefits of the commercial elements of the scheme to increase economic growth and create inclusive growth and create good jobs.

41. Executive are asked to commit £900k of the remaining capital funding to ensure CYC has the resources and retains the existing staff expertise to continue with its input to the development of York Central.

Highways Adoption

42. As the land owners are now delivering the infrastructure including the road and bridge rather than CYC, this introduces a new legal process of Highway Adoption which would not have applied if CYC had built the infrastructure. Under normal circumstances a scheme of this nature would result in an adoption fee based on scheme cost percentages. However, as is usual with major projects a significant discount allowance is currently proposed with the fee being based on a cost recovery basis and recognising the status of the existing design that CYC has been involved in. There may also be a bond required for the works. However, officers are also mindful that the transfer of the construction to the land owners significantly reduces the financial risk to CYC of any cost over-run.

43. Authority is sought to resource, procure and contract for the necessary technical consultancy support and undertake other actions as necessary to execute the Highway adoption process from the negotiated adoption fee.

Acquisition of land for the riverside path

44. The cycle and pedestrian path that runs along the riverside, from Salisbury Terrace to Scarborough Bridge (identified in Annex 4) lies

outside the red line boundary of the York Central OPA but still constitutes an important part of the active travel network for the broader area. The land lined in red on the plan is not in CYC ownership but was leased to CYC in 1924 from the London and North Eastern Railway Company. This land has since been sold into private ownership and the lease to CYC ends in 2023.

45. CYC has the option to

i. Exit the lease upon its expiry which would include the need to undertake significant costly repairs to the riverbank as part of CYC's lease dilapidation liabilities. This would remove the cycle and pedestrian access and is hence not desirable
ii. Seek to extend the lease – The landowners are not supportive of this option and it would trigger the dilapidations liabilities.
iii. Purchase the freehold of the land and continue to provide pedestrian and cycle access and full control of the asset.

46. The shared path is narrow; floods at low points and there is a local call for improvements; raising the height slightly to reduce the flooding incidence and to improve safety with improved lighting, fencing and installation of CCTV. The York Central OPA includes a S106 off site payment provision to improve off site walking and cycling facilities. However, before a potential improvement scheme can be developed CYC need to secure the land for the long term.

47. Negotiations have been undertaken with the land owner and the business case is attached at Confidential Annex 4. The purchase of the freehold for £150k would secure the public right of way in perpetuity, provide full control of the asset and enable CYC to undertake remedial works to the river walkway to its own timescale and fully benefit from those works, instead of handing the asset back to the private owner.

48. Executive are asked to agree the acquisition of the riverside path land and to develop proposals for an improved cycle and pedestrian scheme, delegating to the Director of Place (in consultation with the Director of Governance or her delegated officers) the authority to take such steps as are necessary to enter into the resulting agreement(s). The acquisition will be funded from the remaining York Central capital budget.

Council Plan

49. The recommendations in this report will contribute to the delivery of the following objectives in the Council Plan :

Well-paid jobs and an inclusive economy – York Central will create economic growth space which will attract new businesses and support the growth of local businesses and the creation of c6500 new jobs for the city.
A greener and cleaner city – The design guide for York Central establishes high standards of sustainable construction with a fabric first approach to meeting low carbon targets. The scheme prioritises pedestrian and cycle travel, public transport, car clubs and Electric Vehicle charging. The infrastructure mitigates flood risk using Sustainable Urban drainage and the construction traffic will be mitigated by the construction of a railhead.
Getting around sustainably – Creation of cycle and pedestrian routes into and through the site with public transport links across the city to enable residents and businesses to use active, low carbon forms of transport
Good health and wellbeing – Creation of new open spaces and quality public realm to support healthy lifestyles for residents businesses and visitors.
Safe communities and culture for all – York Central will create safe and sustainable residential and business communities and improve the cultural offer of the NRM
Creating homes and world-class infrastructure – York Central will create up to 2500 homes, 500 of which will be affordable while the greenbelt and unique character of the city is protected.

Implications

Financial –

50. In December 2013 Members agreed to earmark £10m towards the delivery of York Central. Currently £8,558k has been released to support technical work, masterplan development through to planning, land acquisition costs and site preparation works. There have also been other grant contributions from WYTF, Homes England, One Public Estate, LCR LEP, YNYER LEP and Department for Communities and Local Government (DCLG) EZ funding.

51. In November 2018 Full Council agreed a delivery budget of £155m to be managed by CYC for the infrastructure of York Central. This budget reflected the £77.1m potential HIF funding, £23.5m WYTF funding and the £11.6m of external contributions. The CYC contribution was £4.662m as being the balance of the £10m not committed at November 2018.

52. It has been agreed with WYCA that the £23.5m WYTF grant will now be made directly to Homes England to avoid CYC being caught up in contractual liabilities and obligations to both parties and to ensure the simplest and neatest route to delivery and to satisfy the needs of the funder. Homes England will therefore proceed to FBC+ with WYCA for the £23.5m York Central scheme and CYC will proceed to FBC+ for the Station Gateway element of the WYTF (£12.873m).

53. These funding amounts set out in para 51 will now be managed by Homes England. The £35m of future proposed Enterprise Zone funded prudential borrowing will remain in the budget along with the remainder of the original council enabling budget of £10m. The table below shows the adjustments that will be made to the capital programme.

Funding Source	Current Total Capital Budget £'000	Previous Years Expend £'000	Adjustments £'000	Revised Total Capital Budget £'000
HIF	77,100		-77,100	0
WYCA	23,500		-23,500	0
YNYER	3,110	-1,042	0	2,068
EZ borrowing	35,000			35,000
Other contributions*	11,628		-11,628	0
CYC	4,662			4,662
Total	155,000	-1,042	-112,228	41,730

*All partners have committed to fund the overall budget gap and will work together to ensure the full infrastructure is delivered. As the council is no longer the lead authority the budget is to be proposed to be reduced accordingly

Table 3 Impact on CYC York Central Budget of change in delivery framework

54. There are other proposals within the report that impact the funding of the project.

55. Homes England have agreed to pay for the costs incurred and funded by the council in relation to delivering the outline planning application (£1.876m) and the CYC costs incurred funding Infrastructure Package 1 (£1.96m).

56. This reimbursement provides additional funding to the council that can be reinvested into the York Central project. This is shown in the table below

	Date	£'000	£'000
CYC Original Budget	Dec 13		10,000
Executive Approvals Dec 2013-Mar 2018			(5,338)
CYC – Infrastructure Budget	Nov 18		**4,662**
Executive Budget Approvals			
Early Contractor Involvement	July 19	(415)	
Reserved Matters Design	Oct 19	(695)	
Infrastructure Programme 1	July 20	(1,960)	
York Central Housing	Nov 20	(150)	(3,220)
Total CYC Unallocated			**1,442**
Homes England Reimbursement - OPA			1,876
Homes England Reimbursement – IP1			1,960
CYC Budget Available			**5,278**

Table 4 Breakdown of York Central Delivery Budget

57. It is proposed that the reimbursements from Homes England are added as external funding towards the project. Should Homes England agree to further reimbursements these will be incorporated into the capital programme at future monitoring reports.

58. There are a number of proposals in this report including £900k funding for council resources over the next 3 years and £150k for the purchase of land adjacent to Scarborough Bridge.

59. Table 4 shows that there remains £5,278k available to reinvest in the York Central Project although the majority is committed towards

the council's obligation to fund the infrastructure. There is a residual budget of £676k available

	Date	£'000	£'000
CYC – Budget Available	Nov 18		**5,278**
Balance Required to Fund Infrastructure		4,662	
CYC Funded Approvals			
Early Contractor Involvement	July 19	(415)	
Reserved Matters Design	Oct 19	(695)	
Total Approved		(1,110)	
Balance Committed to fund Infrastructure			**3,552**
Balance Available for Other York Central Project Expenses			1,726
Proposals in Report			(1,050)
Unallocated and Uncommitted Budget			**676**

Table 5 Breakdown of York Central Delivery Budget

60. The Enterprise Zone funding (£35m) will also require approval which will fund later stages of the infrastructure delivery.

61. The report also identifies the additional resource required to support the Highway Adoption process. The resource will be funded from the additional adoption fee that will be attributable to YC partners as they are proposing to deliver the Highway infrastructure as part of IP2.

Human Resources (HR) – The allocation of £900k for CYC resources will allow the officer expertise within technical and legal teams to continue to be deployed on the next phases of the York Central project.

Equalities – Equalities impacts were considered in the OPA and will be considered in the RMA for the first phase infrastructure

Legal –

Revised Delivery Arrangements - Infrastructure Contracts

62. The procurement of the construction partner for the phase 1 infrastructure works was carried out using the YORCivils2 Framework

and was structured in such a way that ensured the resulting contractual arrangements would not expose CYC to further risk should there be a change to the delivery arrangements. CYC entered into the Pre-construction Services Contract (for ECI services in the first instance) with the successful bidder, John Sisk, without an obligation to enter into the further two contracts for the construction phase with that bidder, should there be a change to the delivery arrangements.

63. Similarly CYC entered into the enabling works contract (IP1) with John Sisk without an obligation to enter into the further main construction contract (IP2). Homes England and Network Rail were named in the original procurement for phase 1 infrastructure and so it is possible for the IP2 contract to be entered into with John Sisk by either or both of those parties. CYC will enter into an agreement with HE and NR to ensure there are no outstanding risks and liabilities for CYC in respect of the IP2 contract.

Highways Adoption

64. Should Executive be minded to agree to the procurement of additional technical resources required to support the adoption officer (subject to the outcome of the highway adoption process) the procurement process will be undertaken in accordance with Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

Acquisition of land for the riverside path

65. The purchase of the land will be subject to a Demarcation agreement dated 1995 between British Railways Board and Railtrack PLC which deals with various rights reservations and easements between the two companies as well as restrictions as to development. The existing lease from the railway board to the Council will be surrendered when the Council acquires the freehold to the land.

York Station Gateway

66. The procurement of the Consultancy Design Services, Cost Consultancy, and Project Assurance for the York Station Gateway Project will be undertaken in accordance with Council's Contract Procedure Rules and the Public Contracts Regulations 2015 to

ensure compliant procurement processes are undertaken for each service.

Stopping up of part of Leeman Road

67. As authority to stop up a highway is not conferred through the approval of a planning application, approval to stop up is only given once the Stopping up or order has been confirmed by the Secretary of State for Transport through a separate process and notice of its confirmation has been published. An Order authorising the stopping up can be made, if the Secretary of State is satisfied to do so, to allow development to be carried out in accordance with a valid and relevant planning permission. The Order may be approved with modification. Once the Order is published, it is subject to a six week period within which challenges to the validity of that Order can be made in the High Court.

Information Technology (IT) - none
Crime and Disorder - none
Property – included in the report

Risk Management

68. The provisions in this report significantly change the CYC risk profile. If CYC were to deliver the infrastructure then this would have created the risk of cost over run, the need for licences to occupy the land the need to secure back to back agreements with funders and landowners. The decision for the landowners to deliver the infrastructure removes this risk. There is a risk that the road is not built to adoptable standards but this is mitigated through the allocation of significant dedicated resource to input into the delivery phase.

69. The risk that the construction procurement exceeds budget has been mitigated by the delivery of a fully costed proposal from SISK and any future increase will be at risk to the landowners.

70. CYC still have a risk that commercial phase of the project doesn’t deliver sufficient retained business rates to repay the £35m proposed borrowing. This will be mitigated by revised modelling when a commercial partner is procured by the landowners and a clear development timetable is agreed prior to any CYC/LEP decision to commit this funding.

71. The risk of abortive costs is also removed by the repayment of funds outlined in this report.

72. The risk of failing to spend grant funding within the spending window transfers to the land owners.

73. There is a risk to the delivery timetable and therefore the funding if the landowners decide not to proceed to contract with the infrastructure contractor procured by CYC. This is mitigated by the preparation of a costed proposal as part of the pre contract works followed by detailed due diligence by the landowners and support for the transition of the contract by CYC.

74. There is a risk that the Leeman Rd Stopping Up Order is not agreed by the Secretary of State following the Stopping Up Inquiry. Though this may not prevent the majority of the scheme from being delivered it would require a revisions to the OPA highways scheme and the areas around the NRM including the Museum Square. It could potentially prevent the delivery of the NRM masterplan. This in turn could reduce the extent of land available for housing, reduce economic impact of the scheme as a whole. A new OPA would most likely be required with associated impact on both overall scheme costs, timescale, scheme benefits and availability of funding and ability to spend within grant timescales. All the grant funding is dependent upon the delivery of the outputs of the scheme as set out in the OPA and there is therefore a risk to the overall deliverability of the scheme. Both WYCA MHCLG and CYC/LEP would need to be consulted about the impact of this eventuality before alternatives could be developed if this risk were to materialise.

75. The risk of failing to deliver the ambitions of the scheme is mitigated by the governance structure and the landowner's commitment to deliver the OPA in line with the Design Guide and work with communities during development.

76. There is a risk that CYC cannot secure the long term access to the riverside footpath that supports the pedestrian and cycle infrastructure on the site. This is mitigated by the proposal to secure freehold ownership of the route as proposed in this report.

77. Not re-procuring the Design Services for York Station Gateway at this time could put the funding from WYCA at risk due

to time limits on grant funding. This will be mitigated by continuing the contract with the current provider whilst the procurement process is undertaken so that the timetable is affected as little as possible.

78. Any risk associated with the Station Change Process will be mitigated by early engagement with station operators and Network Rail.

Contact Details

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James Gilchrist – Director Transport Environment and Planning	

√

Specialist Implications Officer(s*)*

Financial – Patrick Looker	Legal – Cathryn Moore
Finance Manager	Legal Manager – Projects and Governance
Tel No. 551633	Tel No.552487

Wards Affected: Holgate**,** Micklegate **All**

For further information please contact the author of the report

Background Papers:

Previous Executive Reports:

15 November 2017-	York Central – Preferred Access Route and Preparation for Planning
15 March 2018 -	York Central - York Central Access Construction
21June 2018 -	York Central Master Plan and Partnership Agreement
30 August 2018 -	York Central Update - Western Access
29th November 2018 -	York Central Enterprise Zone Investment Case

29 November 2018	York Station Front Proposed Improvements – Report on Public Engagements
17th January 2019 -	York Central Partnership Legal Agreement
18th July 2019 -	York Central Partnership Update
24th October 2019 -	York Central Partnership Update
23rd July 2020 -	York Central Update
26th November 2020	York Railway Station Gateway – Funding and Delivery

Annexes

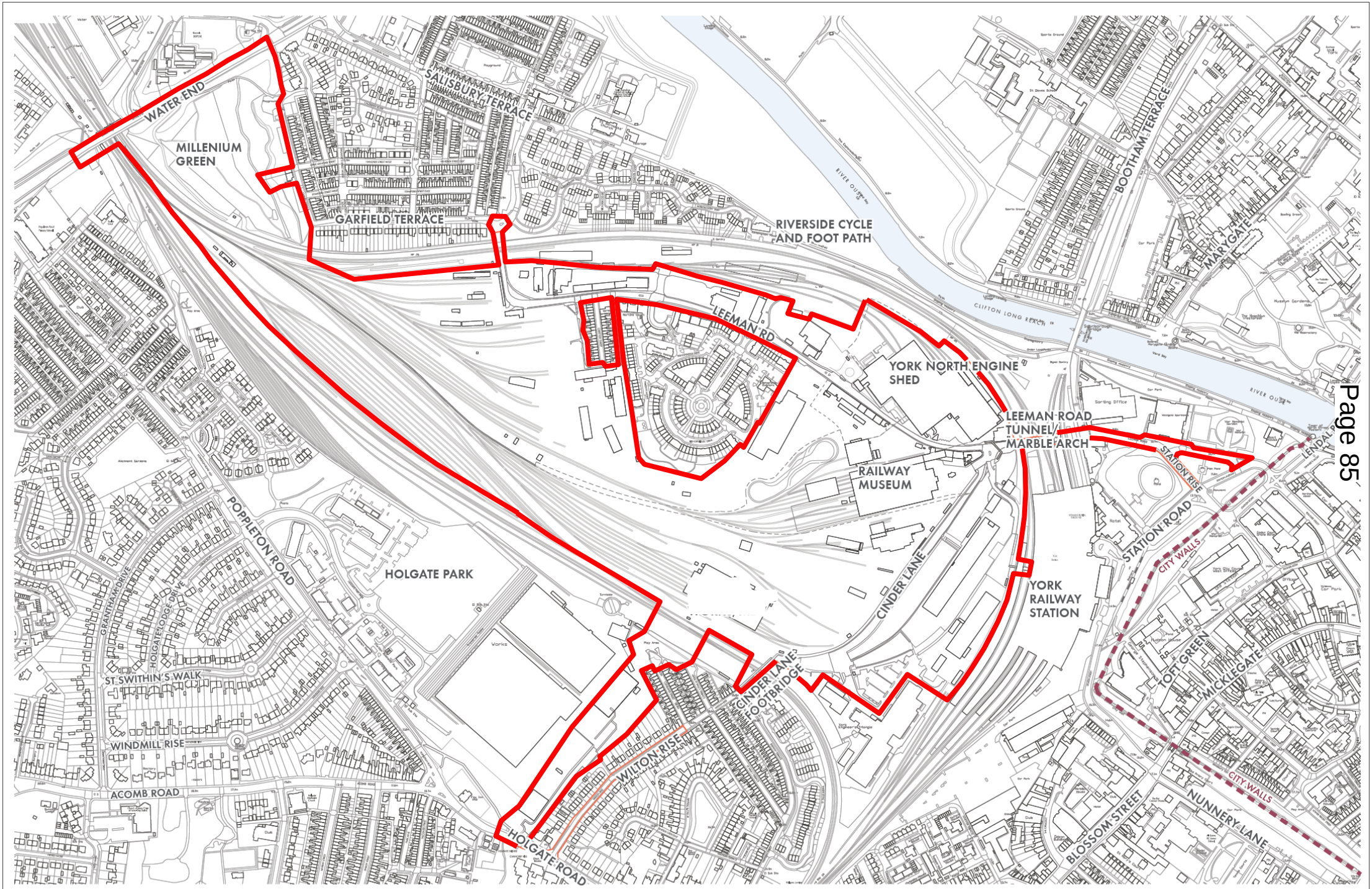
Annex 1 – Site Plan
Annex 2 - York Central Governance Board Terms of Reference
Annex 3- Site plan for riverside path
Confidential Annex 4 – Business case for riverside path freehold acquisition

List of Abbreviations

CYC - City of York Council
DfT – Department for Transport
ECI - Early Contractor Involvement
EIF – Economic Infrastructure Fund
EZ – Enterprise Zone
FBC+ - Financial Business Case with full costings
HE – Homes England
HIF - Housing Infrastructure Fund
HA - Highways Authority
LCR - Leeds City Region
LEP - Local Economic Partnership
LGF – Local Growth Fund
LPA - Local Planning Authority
MHCLG –Ministry of Housing Communities and Local Government
NR – Network Rail
NRM - National Railway Museum
OPA – Outline Planning Application
PSC – Pre-Construction Services Contract
RIBA –Royal Institute of British Architects
RMA – Reserved Matters Application
TCF – Transforming Cities Fund
WYCA – West Yorkshire Combined Authority
WYTF – West Yorkshire Transport Fund
YC - York Central

YCP - York Central Partnership
YNYER – York, North Yorkshire & East Riding
YSG - York Station Gateway

Annex 1: Outline Planning Application Site Boundary



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Terms of Reference for the York Central Strategic Board

The governance structure for the delivery of York Central is comprised three layers of management activity:

- **York Central Strategic Board;**
- York Central Delivery Co-ordination Board;
- Individual delivery Boards relating to:
    - Delivery of the Primary Infrastructure – led by City of York Council (CYC);
    - York Station Improvements – led by Network Rail (NR) with CYC;
    - NRM Expansion – led by National Railway Museum (NRM);
    - Master Developers Delivery of Development Land – led by Homes England/NR collaboration arrangements.

These Terms of Reference relate to the top level **Strategic Board** with representatives of the wide partnership required to make York Central an international success.

Strategic Objectives:

A Strategic Board is required to oversee the planning and delivery of the redevelopment of York Central in a way that will:

- Support York Central's role in the significant ambition for inclusive economic growth in York and the North, including the creation of a landmark business destination and attraction of national and international businesses around York's growing industry strengths;
- Maximise the benefits of the designated Enterprise Zone as part of the wider region; acting as a hub and catalyst for creativity and innovation;
- Drive the significant ambition for housing growth in this sustainable location, including new affordable homes to meet identified housing needs;
- Ensure connectivity to the city centre and surrounding neighbourhoods;
- Support the Station improvements and national and regional connectivity through the railway network;
- Ensure a focus on effective placemaking and achieve a high quality of spaces and buildings, complementing the historic setting and railway heritage;
- Support the expansion of the National Railway Museum as the cultural heart of York Central;
- Provide for the creation of high-quality digital and physical infrastructure from the outset;
- Encourage sustainability and minimise the carbon footprint of the development as a whole; and
- Engage with the community to ensure the development delivers broader social benefits to the people of York and creates a tangible sense of community.

Terms of Reference:

To set strategic objectives for collaborative work between the partners represented on the Board to deliver, and maximise the benefits of, these aims.

To invite other organisations and bodies to be part of, or attend from time to time, the Strategic Board to help achieve the strategic objectives.

To receive progress and other reports from the York Central Delivery Co-ordination Board and the individual partners represented on the Board.

To consider reports and issues and make decisions in accordance with provisions in any Collaboration or other Agreements between the partners represented on the Board. It should be noted that each organisation will retain the right to take its own organisational decisions.

Where appropriate, to make representations to partner organisations and central government and take other actions to resolve impediments to progress and secure funding and other delivery resources for the development programme.

To resolve, adjudicate or mitigate high-level risks, opportunities and conflicts that cannot be addressed by the York Central Delivery Co-ordination Board or otherwise.

Membership:

Proposed Board Member Organisations (represented at Chair, Chief Executive or Executive Director level):

- Chair: Dame Mary Archer (for 2019);
- City of York Council (2 board members);
- Science Museum Group (National Railway Museum) (2 board members);
- Network Rail (2 board members);
- Homes England (2 board members);
- Leeds City Region Local Enterprise Partnership (1 board member, with an alternate identified);
- YNYER Local Enterprise Partnership (1 board member, with an alternate identified);
- Northern Powerhouse (represented by Leeds City Region Local Enterprise Partnership Board member).

In attendance:

The York Central Project Director will normally attend meetings of the Strategic Board.

Meeting Administration:

- Shadow board to be established in November 2019 with the intention of the board being chaired and fully operational within three months, or no later than the award of Outline Planning Consent;
- Invitations will be issued and managed by Homes England;
- Meetings will be held at least tri-annually, or more regularly as directed by the Board;
- The meeting will be documented by Homes England;
- Papers will be collated and issued by Homes England – wherever possible, these will be issued a week ahead of Board meetings and circulated to all attendees.

Draft Terms of Reference for the York Central Delivery Coordination Board

The following Terms of Reference have been endorsed by the existing York Central Project Board.

Purpose:

The governance structure for the delivery of York Central is comprised three layers of management activity:

- York Central Strategic Board;
- **York Central Delivery Co-ordination Board;**
- Individual delivery teams and project Boards relating to:
    - Delivery of the Primary Infrastructure – led by CYC (the York Central Infrastructure Delivery Board)
    - York Station Improvements – led by NR
    - NRM Expansion and Public Realm Improvements – led by NRM;
    - Delivery of Development Land – led by Homes England/NR collaboration arrangements (Land Owners Delivery Board).

These Terms of Reference relate to the **Delivery Co-ordination Board** with representatives of the wide partnership required to ensure that the component parts of the development are driven forward in a co-ordinated programme and in line with the Strategic objectives, and steer of the Strategic Board, while respecting the individual organisations own remits and approval processes within the delivery teams for the interlocking component parts. The Delivery Coordination Board is accountable to the members of the Strategic Board.

Strategic Objectives:

The Delivery Co-ordination Board will drive forward and co-ordinate delivery in a way that will:

- Support York Central's role in the significant ambition for inclusive economic growth in York and the North, including the creation of a landmark business destination and attraction of national and international businesses around York's growing industry strengths;
- Maximise the benefits of the designated Enterprise Zone as part of the wider region; acting as a hub and catalyst for creativity and innovation;
- Drive the significant ambition for housing growth in this sustainable location, including new affordable homes to meet identified housing needs;
- Ensure connectivity to the city centre and surrounding neighbourhoods;
- Support the Station improvements and national and regional connectivity through the railway network;
- Ensure a focus on effective placemaking and achieve a high quality of spaces and buildings, complementing the historic setting and railway heritage;
- Support the expansion of the National Railway Museum as the cultural heart of York Central;
- Provide for the creation of high quality digital and physical infrastructure from the outset;
- Encourage sustainability and minimise the carbon footprint of the development as a whole; and
- Engage with the community to ensure the development delivers broad social benefits to the people of York and creates a tangible sense of community.

Terms of Reference:

- To work within a mutually supportive partnership environment that brings forward the main component parts of the York Central Development ("Projects") relating to York Station itself, the Primary Infrastructure, the Development Sites and the National Railway Museum expansion, in the context of the agreement for the Partnership;
- Ensure the realisation of the strategic objectives for York Central, as overseen and updated from time to time by the Strategic Board;
- Initiate, monitor and drive joint projects within York Central, reporting progress to the Strategic Board on a tri-annual basis or as directed;
- To oversee and drive forward a Master Programme and Vacant Possession Plan for York Central with mutually agreed milestones, and seek to ensure that the obligations on the partners to deliver the component parts of the development are met;
- Seek to ensure joint working and the efficient use of all resources and funding deployed to support the delivery of the above master programme;
- To oversee an overall Master Off Plot Infrastructure Budget and Cost Plan for the development and ensure that the obligations to funding bodies and investors are met;
- To receive proactive reporting on each of the "Projects" within the Master Programme, Vacant Possession Plan, Master Off Plot Infrastructure Budget and Cost Plan, with early identification of issues affecting the critical path;
- To commission further infrastructure packages in line with the Master Off Plot Infrastructure Budget and Cost Plan;
- To resolve technical issues within component parts of the development and the interface of the different elements of the development;
- To agree the implementation of cost efficiencies, where affecting design quality;
- In the event that cost overruns exceed the baseline Master Off Plot Infrastructure Cost Plan, to agree a strategy to address this to ensure all elements of infrastructure are delivered;
- To have sight of the Development Briefs for each of the plots, where applicable;
- Oversight of reserved matters applications;
- To review viability and land receipts biannually;
- Ensure the promotion of York Central to internal and external stakeholders;
- Ensure linkages between this Group and the partners' individual decision making and governance processes;
- Seek to resolve or mitigate high level risks, opportunities and conflicts and, where these cannot be resolved, escalate these to the York Central Strategic Board;
- Ensure reputational issues are managed in order to protect and promote the work of all partners;
- To review the Partnering Agreement on an annual basis; and
- Monitor, review and amend its own Terms of Reference as the project evolves.

Membership:

Proposed Board Member Organisations (usually represented at Executive Director level):

- Chair(s): To be determined by the Strategic Board before inception;
- YC Project Director;
- City of York Council;
- Science Museum Group (National Railway Museum);
- Network Rail;
- Homes England.

Meeting Administration:

- Transition from existing YC Project Board to be completed in March 2019;

- Invitations will be issued and managed by Homes England;
- Meetings will be held at least monthly, or more regularly as directed by the Board;
- Papers will be collated and issued by Homes England – wherever possible, these will be issued a week ahead of Board meetings and circulated to all attendees.

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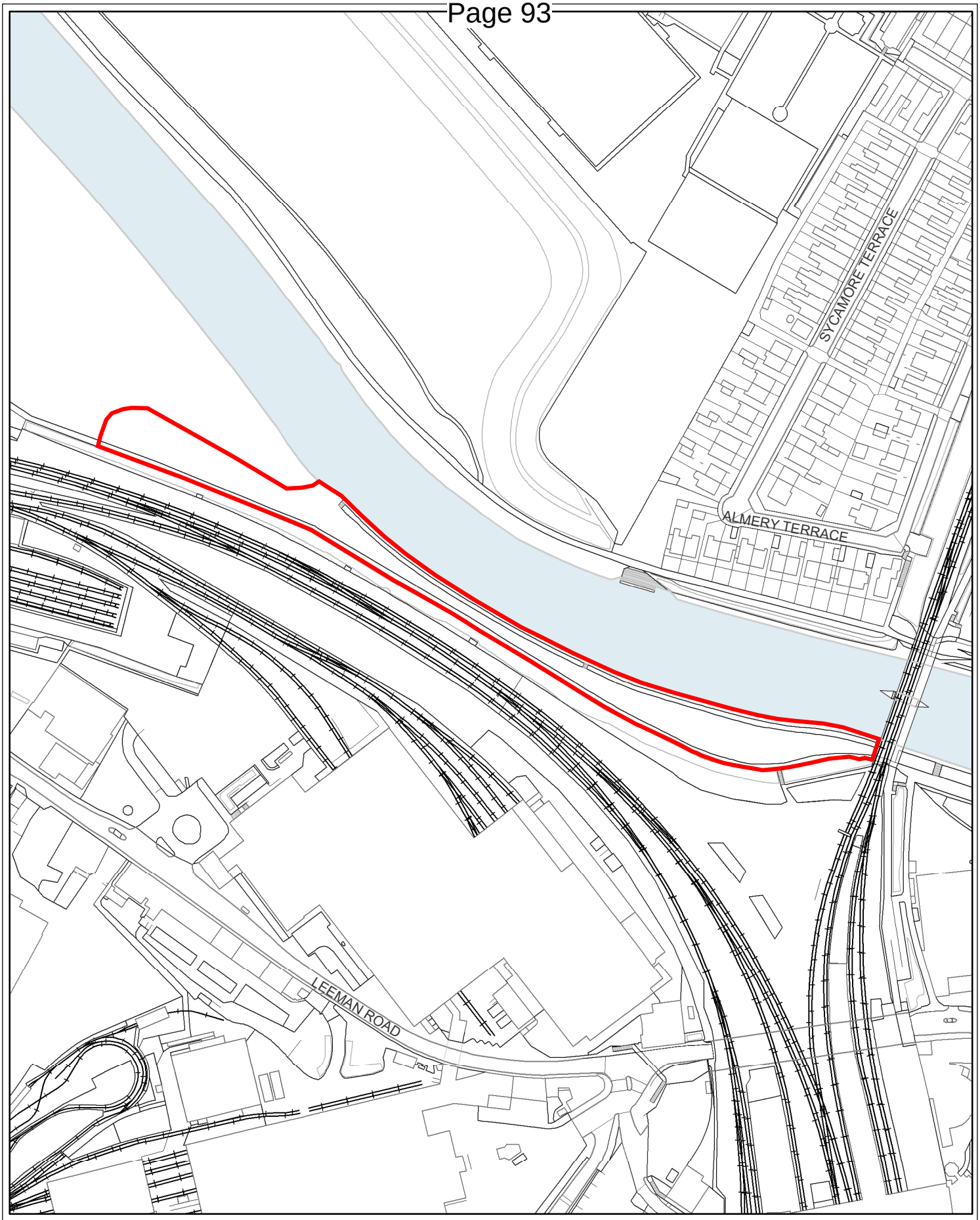

CITY OF YORK COUNCIL

Asset & Property Management

Annex 3

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SCALE 1:2,250 DRAWN BY: KLM DATE: 12/04/2021

Originating Group: Asset & Property Management

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Executive **22 April 2021**

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

Strategic Flood Risk Assessment Update

Summary

1. The National Planning Policy Framework (NPPF) details how flood risk management requirements are to be incorporated in planning policy and necessitates that all Local Planning Authorities prepare a Strategic Flood Risk Assessment (SFRA).

2. The York SFRA was last updated in 2013. Updated Environment Agency flood mapping has required a further update to the report. The report has been updated to reflect the latest mapping and strategic level planning policy. The report has been simplified and a separate drainage guidance document has been developed to support the development of effective and sustainable developments. The updated plan is included in Annex 1 of this report.

3. Members are recommended to approve the updated document as detailed in paragraph 4 of this report.

Recommendations

4. The Executive is asked to:

   i. accept the updated SFRA as evidence base to support decision-making and the emerging Local Plan policy

   ii. agree to submit the SFRA for consideration as part of the ongoing Local Plan Examination and for consultation purpose.

Reason: To ensure there is up-to-date evidence base to support flood risk policy and decision-making in relation to flood risk.

Background

5. The York Strategic Flood Risk Assessment provides detailed information on the city's rivers and associated flood risk from all sources. It supports the management of flood risk in future development and was produced in response to and in adherence with the NPPF, it assesses the different levels of flood risk in the York area and maps these to assist with statutory land use planning and to support the development of strategic and development level plans.

6. The report documents the process that must be taken to determine how developments are sited across the city to remove the risk of flooding completely or, when relevant tests of wider sustainable need are passed, the way in which developments could be adapted to ensure they are resilient to current and future flood risks.

7. This updated document proactively refreshes the Local Plan evidence base in advance of examination hearing sessions on detailed policies. The Strategic Flood Risk Assessment (2013) report [SD091] and Flood Risk Management Strategy (2015) [SD092] were submitted as part of the Local Plan evidence base and currently underpin Policy ENV4 in the plan. This evidence fed into the preparation of the plan as well as the methodology for identifying suitable sites for allocation and has been used to inform planning decisions.

8. The updated report also comments on any flood risk impacts in relation to site allocations taken forward in the Local Plan based upon the updated outcomes. This has concluded that there were no significant changes identified.

9. A separate guidance document for developers has been produced and published called "York Sustainable Drainage Systems Guidance for Developers". This document signposts other policies and regulations that developers have to adhere to when designing and building developments in and around flood risk areas in York. The guidance document can be accessed via the Council's Flood Risk Management webpage[1:]

1 https://www.york.gov.uk/downloads/file/2724/sustainable-drainage-systems-guidance-for-developers

Consultation

10. Following Members' decision, the SFRA will be submitted to the Local Plan Inspectors for consideration as part of the Local Plan evidence base undergoing examination. Officer's intend to include this technical evidence as part of a forthcoming consultation on the Local Plan evidence base and further documents submitted post hearing sessions in December 2019.

11. Subject to the Inspector's confirmation, the SFRA will be placed into the Local Plan Examination Library[2] and will be made available for a 6-week citywide consultation.

12. All of the representations received as a result of consultation will be wholly provided to the Planning Inspectors for their consideration. Outcomes of the consultation will be reported in summary via a Consultation Statement prepared in accordance with Regulation 22 of the Town and Country Planning Regulations. Additional consultation and reporting as part of the Duty-to-Cooperate with neighbouring authorities and statutory bodies will also be undertaken, where necessary.

Options

13. As a statutory requirement and a key aspect of the Local Plan evidence base only two options are available for members:
    i. Accept the updated SFRA as evidence base to support decision-making and the emerging Local Plan policy and agree to submit the SFRA for consideration as part of the ongoing Local Plan Examination and for consultation purpose.
    ii. Reject the plan as proposed and advise on alternate content or details to be developed and included within the city's SFRA.

Analysis

14. Members are recommended to support option 1. The report updates the policy and procedure required to effectively manage flood risk and drainage in planning applications; it does not deviate from the overarching guidance in the National Planning Policy Framework and the national Flood Risk Planning Policy Guidance.

15. It has evolved the 2013 plan and updated the evidence base to include the latest modelling from the Environment Agency. A further opportunity

2 Available via: www.york.gov.uk/localplanexamination

has been taken to simplify the document for usage by all users, the development of the separate drainage guidance document has helped achieve this.

16. The updated SFRA provides technical guidance to support the emerging Local Plan. As part of this process, the consultants have tested the development sites allocated in the plan concluding that there are no strategic development sites within high flood risk areas and it is therefore not intended to progress to a Level 2 Strategic Flood Risk Assessment at this time. This supports the outcomes of the Site Selection Process undertaken in identifying suitable site allocations to include in the Local Plan to meet the city's development needs.

17. The submission of this evidence base to inform the ongoing Local Plan Examination refreshes part of the evidence base supporting policy ENV4. This proactive approach helps to address concerns expressed by our Local Plan Inspector regarding evidence base supporting the plan.

Council Plan

18. The plan supports the delivery of sustainable and flood resilient developments in the city and helping to develop a prosperous city for all through safer communities for residents, businesses and visitors and supporting mitigation and adaptation for becoming a greener and cleaner city.

Implications

- **Financial**

No impact: the updated plan will be used to advise and steer safe and sustainable developments in terms of flood risk and drainage matters across the city.

In respect of the Local Plan, it should also be considered that if the approach taken is subsequently judged to be non-compliant with Government Guidance could lead to further technical work and additional consultation adding to the identified costs and creating delay.

- **Human Resources (HR)**

There are no HR implications

- **One Planet Council / Equalities**
  The Flood risk assessment will help to mitigate and adapt to future flood risk events. It will ensure that new development is located where adverse effects are avoided or can be mitigated. This will have a positive overall effects for York's population now and in the future.

- **Legal**

The procedures which the Council is required to follow when producing a Local Plan derive from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012.

The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:

- Positively Prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
- Justified: the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective: deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy: enable the delivery of sustainable development in accordance with the policies in the Framework.

In order for the draft Local Plan to pass the tests of soundness, in particular the 'justified' and 'effective' tests, it is necessary for it to be based on an adequate, up to date and relevant evidence base. The Council also has a legal duty to comply with the Statement of Community Involvement in preparing the Plan. (S19(3) 2004 Act).

In addition the Council also has a legal "Duty to Co-operate" in preparing the Plan. (S33A 2004 Act).

- **Crime and Disorder**
  There are no Crime and Disorder implications

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

- **Property**

There are no implications directly to CYC Property, however, the plan has been developed to steer all developments within the city and CYC plans and projects will be influenced by its requirements

- **Other**
  There are no Other implications

Risk Management

8. There are no risk management implications associated with this plan.

Contact Details

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Steve Wragg **Flood Risk Manager** **Flood Risk Management**	**James Gilchrist** **Director of Highways, Environment & Planning**
Alison Cooke **Forward Planning Manager** **Forward Planning**	**Report Approved** √ **Date** 08/04/2021

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

For further information please contact the author of the report

Background Papers:

Strategic Flood Risk Assessment (2013) [SD091]
https://www.york.gov.uk/downloads/file/1714/sd091-city-of-york-council-strategic-flood-risk-assessment-revision-2-2013-

Strategic Flood Risk Strategy (2015) [SD092]
https://www.york.gov.uk/downloads/file/1715/sd092-york-local-flood-risk-management-strategy-2015-

York Sustainable Drainage Systems Guidance for Developers (2018)
https://www.york.gov.uk/downloads/file/2724/sustainable-drainage-systems-guidance-for-developers

Annexes

Annex 1 – CYC Level 1 SFRA_FINALDraft_March2021

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City of York Council

Strategic Flood Risk Assessment

Level 1 Report

DRAFT

March 2020

DRAFT

Quality information

Prepared by	Checked by	Approved by
Julia Parr Graduate, Water Joanne Somerton Senior Flood Risk Consultant	Joanne Somerton Senior Flood Risk Consultant	Christian Lomax Associate, Water

Revision History

Revision	Revision date	Details	Authorized	Name	Position
A	June 2017	Updated to reflect client comments	JCS	Jo Somerton	Principal Consultant
B	December 2017	Updated to include updated climate change and reservoir flood extents	JCS	Jo Somerton	Principal Consultant
C	March 2020	Client review prior to consultation	AC	Steve Wragg	CYC Flood Risk Manager

DRAFT

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Executive Summary

City of York Council is currently working towards a new Local Plan that is fully compliant with the National Planning Policy Framework (NPPF) and other relevant statutes. The new Local Plan will set strategic priorities for the City of York and forms the basis for future planning decisions, as well as detailed policies to guide development. In 2016 City of York Council undertook a Local Plan Preferred Sites Consultation to set out the revised housing and employment demand, as well as the supply of sites they identified to meet this need. The portfolio of sites was subsequently confirm through the Local Plan Publication Draft (2018) submitted for Examination in Public on 25 May 2018. As at March 2021, the Examination of the Local Plan is ongoing.

Since 2013 when the existing City of York Strategic Flood Risk Assessment (SFRA) was completed, the NPPF and its supporting guidance has been developed, climate change guidance has evolved and updated flood modelling (York Detailed Model) was finalised in 2016 for the River Ouse and River Foss within the City of York administrative area.

The NPPF and associated Planning Practice Guidance (PPG) for Flood Risk and Coastal Change emphasise the active role Local Planning Authorities (LPAs) should take to ensure that flood risk is assessed, avoided, and managed effectively and sustainably throughout all stages of the planning process.

With greater scrutiny on flood risk and drainage issues a review of the way in which City of York Council provide guidance and recommendations to developers and other partner organisations is desirable, therefore the existing SFRA needs to be updated to reflect all of these changes to policy and guidance.

Assess Flood Risk

Section 4 of this Level 1 Strategic Flood Risk Assessment (SFRA) and the supporting mapping in Appendix B provide a strategic overview of flood risk across the City of York administrative area from all sources based on readily available datasets. A strategic assessment of the risk of flooding has been provided for the fluvial watercourses including the Rivers Ouse, Foss and Derwent, flooding from ordinary watercourses, surface water, groundwater, as well as reservoirs and the existing drainage infrastructure.

A database of potential development sites and strategic development areas that have been identified by City of York Council has been created as part of the SFRA process. For each site, an assessment of the risk of flooding, based on the datasets presented in the Level 1 SFRA, has been undertaken and provided to City of York Council to enable the direct comparison of sites in the application of the Sequential Test.

Avoid Flood Risk

The outputs of the Level 1 SFRA and the guidance presented in Section 6 should be used by City of York Council to apply the Sequential Test to future site selection, so that development is, as far as reasonably possible, located where the risk of flooding from all sources is lowest, taking account of climate change, and the vulnerability of future users to flood risk.

Manage and Mitigate Flood Risk

Where alternative sites in areas at lower risk of flooding are not available, it may be necessary to locate development in areas at risk of flooding. In these cases, City of York Council and developers must ensure that development is appropriately flood resilient and resistant, safe for its users for the lifetime of the development, and will not increase flood risk overall. City of York Council and developers should seek flood risk management opportunities (e.g. safeguarding land), and to reduce the causes and impacts of flooding (e.g. through the use of sustainable drainage systems).

Level 2 Strategic Flood Risk Assessment

Following the update of the evidence base for the Level 1 Strategic Flood Risk Assessment it has been determined that there are currently no strategic development sites within high flood risk areas and it is not intended to progress to a Level 2 Strategic Flood Risk Assessment at this time. This will be further reviewed as any updated information is made available.

Living Document

The Level 1 SFRA has been developed building heavily upon existing knowledge with respect to flood risk within the study area. The Environment Agency may in the future revise the hydraulic modelling for the Rivers Ouse, Foss, Derwent and associated tributaries, which will improve the current knowledge of flood risk, and may marginally alter predicted flood extents within parts of the study area in the future.

New information may influence future development control decisions within these areas. Therefore it is important that the SFRA is adopted as a 'living' document and is reviewed regularly in light of emerging policy directives, flood risk datasets and an improving understanding of flood risk within City of York Council's administrative area.

This document is supported by a separate drainage design guide, City of York Council's Sustainable Drainage Guidance which should be consulted to further inform resilient design of developments.

1. Introduction and Background

1.1 Terms of Reference

AECOM Infrastructure and Environment UK Ltd ('AECOM') has been commissioned by City of York Council to review and revise the Level 1 and Level 2 Strategic Flood Risk Assessments (SFRA) for its administrative area. This report comprises the updated Level 1 SFRA.

1.2 Project Background

The National Planning Policy Framework[1] (NPPF) and associated Planning Practice Guidance for Flood Risk and Coastal Change (PPG)[2] emphasise the active role Local Planning Authorities (LPAs) should take to ensure that flood risk is understood and managed effectively and sustainably throughout all stages of the planning process. The NPPF outlines that Local Plans should be supported by a Strategic Flood Risk Assessment (SFRA) and LPAs should use the findings to inform strategic land use planning.

In 2013 City of York Council's Flood Risk Management Team finalised the existing Strategic Flood Risk Assessment[3] for the City of York. Since the preparation of that report, there have been a number of further changes in legislation and guidance relating to planning and flood risk such as the introduction of the NPPF and updated climate change guidance. The introduction of the NPPF, has replaced Planning Policy Statements (PPS), which covered all aspects of national planning policy. The accompanying technical guidance document relating to flood risk, originally derived from the PPS documents has also been recently replaced by the PPG.

The Flood and Water Management Act (FWMA) attained royal assent in 2010, with the intention of enabling the provision of more effective flood management. As such, City of York Council is designated a Lead Local Flood Authority (LLFA) and has significant duties and powers in relation to flooding from local sources, specifically surface water, groundwater and ordinary watercourses. The Environment Agency retains responsibility for leading and coordinating the management of flood risk associated with main rivers and the sea.

As well as legislative and planning policy changes, a number of new and revised datasets have been made available since the release of the previous SFRA in 2013. The Environment Agency has undertaken revised modelling of the River Ouse and River Foss for City of York Council's administrative area which was finalised in 2016). In addition, Environment Agency national surface water flood risk mapping, the Risk of Flooding from Surface Water Map (RoFSW) has been released by the Environment Agency for use by LPAs in SFRAs. City of York Council also have a new Local Flood Risk Management Strategy[4] (LFRMS) (2015) document which has been used to inform this revised SFRA.

The purpose of the revised Level 1 SFRA is to collate and analyse the most up to date readily available flood risk information for all sources of flooding, to provide an overview of flood risk issues across the study area. This will be used by City of York Council to inform the application of the Sequential Test for future site allocations.

The NPPF sets stringent tests to protect people and property from flooding which all LPAs are expected to follow. Where these tests are not met, national policy is clear that new development should not be allowed. The main steps to be followed can be summarised as **Assess**, **Avoid** and **Manage and Mitigate** flood risk. These steps are set out below, and are designed to ensure that if there are better sites in terms of flood risk, or a proposed development cannot be made safe, it should not be permitted.

[1] Department for Communities and Local Government. 2019. *National Planning Policy Framework*. Available at: https://www.gov.uk/government/publications/national-planning-policy-framework--2
[2] Department for Communities and Local Government. . *Planning Practice Guidance: Flood Risk and Coastal Change.* Available at: http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/
[3] City of York Council (2013) City of York Strategic Flood Risk Assessment Revision 2 (March 2013)
[4] City of York Council. *Local Flood Risk Management Strategy.* Available at: https://www.york.gov.uk/downloads/file/3120/local_flood_risk_management_strategypdf

Assess Flood Risk	As the LPA, City of York Council should undertake a **SFRA** to fully understand the flood risk in the area to inform Local Plan preparation. For sites in areas at risk of flooding, or with an area of 1 hectare or greater, developers must undertake a **site-specific Flood Risk Assessment** (FRA) to accompany planning applications (or prior approval for certain types of permitted development).
Avoid Flood Risk	City of York Council should apply the **sequential approach** to site selection so that development is, as far as reasonably possible, located where the risk of flooding from all sources is lowest, taking account of climate change and the vulnerability of future users to flood risk. In **plan-making this involves applying the Sequential Test**, and where necessary the **Exception Test** to Local Plans, as described in Figure 1. In **decision-taking this involves applying the Sequential Test** and if necessary the **Exception Test** for specific development proposals.
Manage and Mitigate	Where alternative sites in areas at lower risk of flooding are not available, it may be necessary to locate development in areas at risk of flooding. In these cases, City of York Council and developers must ensure that development is appropriately flood resilient and resistant, safe for its users for the lifetime of the development, and will not increase flood risk overall. City of York Council and developers should seek flood risk management opportunities (e.g. safeguarding land), and to reduce the causes and impacts of flooding (e.g. through the use of sustainable drainage systems).

1.3 SFRA Deliverables

The Level 1 SFRA Report has been is structured as follows:

- Section 1: Description of Study Area and Partner Organisations
- Section 2: Legislative and Planning Policy Context;
- Section 3: Level 1 SFRA Assessment Methodology;
- Section 4: Level 1 **Assessment** of Flood Risk;
- Section 5: **Avoiding** Flood Risk – Applying the Sequential Approach;
- Section 6: Flood Risk Management Measures;
- Section 7: Guidance for Preparing Site Specific FRAs;
- Section 8: Next Steps;
- Appendix A: Data Register;
- Appendix B: Level 1 SFRA Flood Risk Mapping Figures; and
- Appendix C: Flood Risk Management Policy Recommendations.

Section 4 provides a strategic assessment of flood risk from all sources across City of York Council's administrative area. The figures included within Appendix B should be referred to when reading this Section.

Section 5 provides guidance on the application of the Sequential Test by City of York Council when allocating future development sites as part of the plan-making process, as well as by developers promoting development on windfall sites. The strategic assessment of flood risk presented in Section 4 will inform the Sequential Test carried out by City of York Council. The datasets presented in Section 4 have been used to prepare a site assessment database for City of York Council, detailing the flood risk at each of their potential development sites to enable comparison of sites throughout the application of the Sequential Test.

Section 6 provides guidance on the Flood Risk Measures that can be used after the Sequential Test to mitigate flood risk where alternative sites in areas at lower risk of flooding are not available and it is necessary to locate development in areas at risk of flooding. In these cases, City of York Council and developers must ensure that development is appropriately flood resilient and resistant, safe for its users for the lifetime of the development, and will not increase flood risk overall.

Section 7 provides guidance for prospective developers and City of York Council on the contents of a site-specific FRA. It should be noted that this document is strategic in nature and only provides an overview of flood risk within City of York Council's administrative area. This document should be used as a starting point for developers and City of York Council Development Management Officers and read alongside City of York Council's Sustainable Drainage Guidance to gain an understanding of flood risk across the City. City of York Council should ensure that each planning application is supported by an appropriate site-specific FRA, where required by the NPPF, PPG and this Level 1 SFRA.

Section 8 presents the next steps for City of York Council following completion of the Level 1 SFRA.

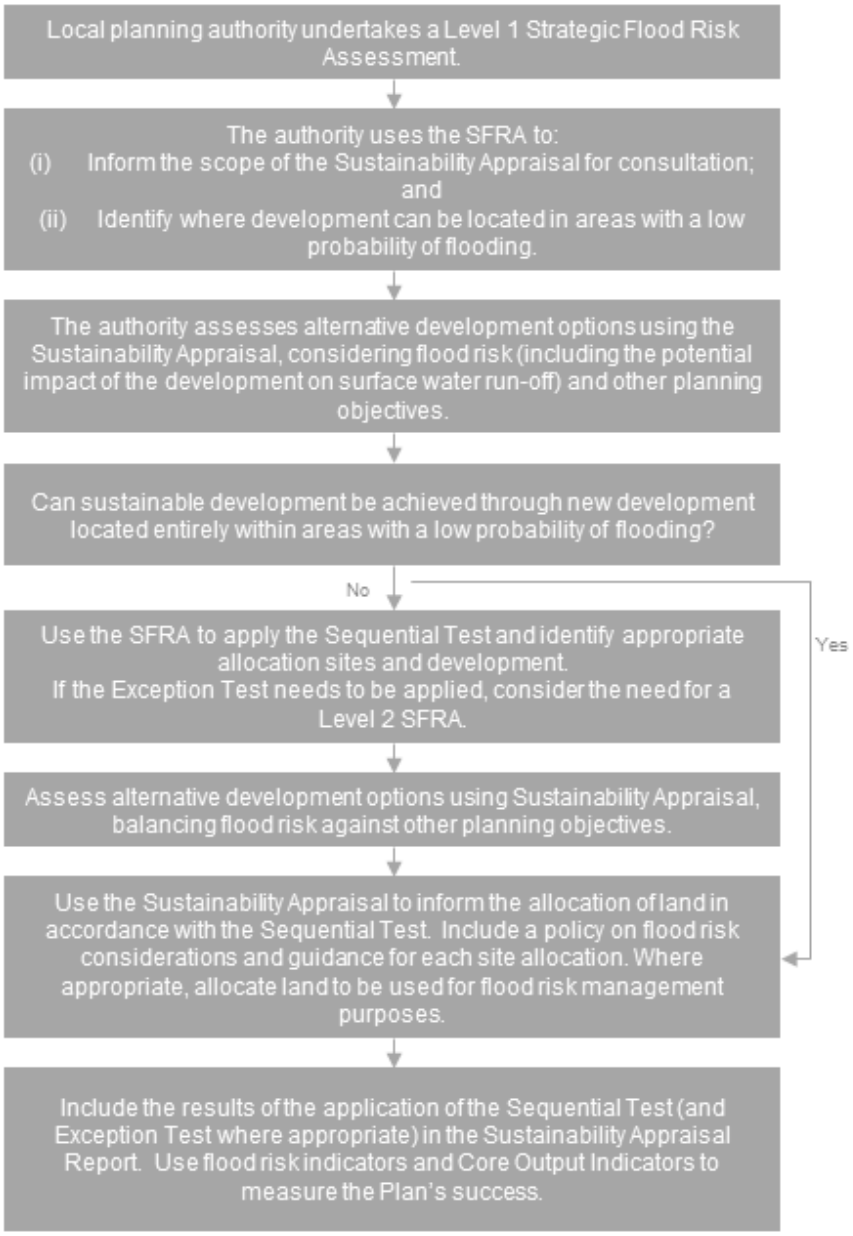

Figure 1. Taking flood risk into account in the preparation of a Local Plan (PPG, p6)

1.4 Partner Organisations

There are several organisations involved in development and flood risk management across the study area. These are identified below:

City of York Council is the LPA for the study area and is a statutory consultee in the planning system in England and Wales. The role of local councils in the planning process covers an array of responsibilities, which include:

- influencing decisions and policies;
- developing city/town/parish plans;
- identifying potential sites for affordable housing; and
- leading community engagement in implementation projects.

All councils have a statutory duty to produce a Local Plan. A Local Plan sets strategic priorities for the whole city, forms the basis for planning decisions and must be reviewed at regular intervals to keep it up to date. City of York Council's Local Plan is currently under Examination following submission for independent Examination on 25 May 2018, This was prepared to be NPPF 2012 compliant and is currently being examined under transitional arrangements[5] (against NPPF 2012). In advance of adoption, decision-making can afford weight to policies in the emerging plan in accordance with paragraph 48 of the NPPF (2019)..

Adopting a Local Plan is important to provide a spatial strategy for growth to ensure the economic, social and environmental requirements over the plan period are delivered. To meet identified need, the Local Plan sets out overarching strategic policies as well as detailed policies against which applications will be judged. Additionally, the plan aims to deliver 600 jobs per annum and 13152 homes over the plan period 2017-2033, and beyond. To meet this requirement the plan identifies approximately 480 hectares of land for housing and 57 hectares of land for employment across strategic allocations (over 5 hectares) and general housing and employment allocations (under 5 ha).

As the designated LLFA under the FWMA, City of York Council has a duty to lead and coordinate the management of local flood risk, which includes flood risk from surface water, groundwater and ordinary watercourses. Main River and coastal flooding remain the responsibility of the Environment Agency.

City of York Council is also a statutory consultee for surface water drainage in its capacity as the LLFA, and is required to assess applications for the provision of surface water drainage for all major development. In accordance with the FWMA and subsequent communication from Central Government, from 6th April 2015, City of York Council is required to ensure that Sustainable Drainage Systems (SuDS) are implemented for all major developments where appropriate, and that through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development.

In addition, under the Civil Contingencies Act, City of York Council has emergency planning functions during flood events as a Category 1 responder.

The **Environment Agency** is a statutory and non-statutory consultee in the planning system in England and Wales. As an advisor to government, the Environment Agency influences and informs planning legislation and planning policy.

Further to this, as an advisor and consultee to regional and local planning authorities, the Environment Agency promotes sustainable development by providing environmental evidence advising on:

- draft strategies;
- development plans and other strategic frameworks;
- environmental assessments;
- monitoring planning applications; and
- reporting on environmental performance.

On the individual development level, the Environment Agency is a statutory consultee for all developments in Flood Zones 2 and 3. The Environment Agency is consulted for expert technical advice on around 50 higher-risk planning applications and pre-planning enquiries in York per annum, and any developer wishing to develop a site in Flood Zones 2 or 3 should contact the Environment Agency to determine the precise requirements of a FRA.

Within City of York Council, the Environment Agency has operational responsibility for managing flood risk associated with Main Rivers and reservoirs and is a statutory consultee for any development, other than minor development, proposed within Flood Zone 2 or 3 or works in the bed of or within 20m of a bank of Main River. The Environment Agency is continually improving and updating their flood map for main rivers[6] and has permissive powers to carry out flood defence works, maintenance and operational activities for these main rivers under the

[5] See Para 214 - Department for Communities and Local Government. 2019. *National Planning Policy Framework*. Available at: https://www.gov.uk/government/publications/national-planning-policy-framework--2

[6] Environment Agency Flood Map for Planning. Available at Flood map for planning - GOV.UK (flood-map-for-planning.service.gov.uk)

Water Resources Act. However, overall responsibility for maintenance lies with the riparian owner. Further information outlining the rights and responsibilities of riparian landownership is provided in the Environment Agency's 'Living on the Edge'[7] publication.

As part of taking a strategic overview for all sources of flooding the Environment Agency are involved in strategic flood risk mapping projects, such as the national mapping of surface water flood risk. The Environment Agency also has a key role in allocation of funding for flood and coastal erosion risk management projects.

Yorkshire Water Services Ltd has a duty as a statutory undertaker to provide clean and waste water services across the City and is responsible for the management, maintenance and operation of flood control structures associated with their operational sources. Water Companies are defined as a Risk Management Authority (RMA) within the FWMA and are responsible for flood risk management functions in accordance with the Water Resources Act 1991 and the Land Drainage Act 1991. As part of this role they are required to make sure their systems have the appropriate level of resilience to flooding, maintain and manage their water supply and sewerage systems to manage the impact and reduce the risk of flooding and provide advice to LLFAs on how water and sewerage company assets impact on local flood risk.

Yorkshire Water Services Ltd is responsible for surface water drainage from development via adopted sewers and for maintaining trunk sewers into which many of the highway drainage assets in the study area connect.

Internal Drainage Boards are independent public bodies responsible for managing water levels and reducing the risk from flooding within their districts. Each Internal Drainage Board (IDB) operates within a defined area, known as a Drainage District. They are made up of elected members who represent land occupiers, and others nominated by local authorities who represent the public and other interest groups. Under the Land Drainage Act 1991, each IDB exercises a general power of supervision over all matters relating to water level management within its district. IDBs also have a series of bylaws relating to the management of watercourses and can designate features and structures within their district which relate to managing flood risk.[8]

IDBs are not statutory consultees in the Planning Application process undertaken by the Local Planning Authority. However, IDBs will endeavor to make comment on Planning Applications in relation to Land Drainage Act 1991 Section 23 and Section 66 (byelaws) related consent requirements.

The following IDBs are located within City of York Council's administrative area:

- **Kyle and Upper Ouse IDB** - covering the north west of York extending into the Hambleton District Council area with the River Ouse as its western boundary. It includes Burdyke and Blue Beck upstream of the lengths designated as Main River;
- **Ainsty (2008) IDB** - covering the west and south west of York, extending into the Harrogate Borough and Selby District Council areas, with the River Ouse as its eastern boundary. It includes Holgate Beck upstream of the length designated as Main River;
- **Ouse and Derwent IDB** - covering an area south and east of York extending into the Selby District Council area with the River Ouse forming its western boundary and the River Derwent its eastern boundary. It includes non-main river watercourses Elvington Beck, Germany Beck and Tunnel Drain; and
- **Foss (2008) IDB** - covering an area centred on the River Foss north of York extending into the East Riding of Yorkshire area. It includes Tang Hall and Osbaldwick Becks upstream of the lengths designated as Main River, and also non-Main River watercourses Westfield Beck and part of South Beck.

Highways Authorities have a responsibility under the Highways Act 1980 for the effectual drainage of surface water from adopted roads and along major roads insofar as ensuring that drains, including kerbs, road gullies and ditches and the pipe network which connect to the sewers, are maintained.

1.5 Study Area

The study area, as shown in Figure 2, covers an area of approximately 275 km^2 and is defined by the administrative boundary of City of York Council, which is bordered to the north, west and south by North Yorkshire County Council. The River Derwent forms the eastern boundary with the East Riding of Yorkshire Council

[7] Environment Agency (2014) Living on the Edge, A guide to your rights and responsibilities of riverside ownership. 5th Edition, October 2015.

[8] ADA. 2016. *Internal Drainage Boards.* Available at: http://www.ada.org.uk/about_idbs.html

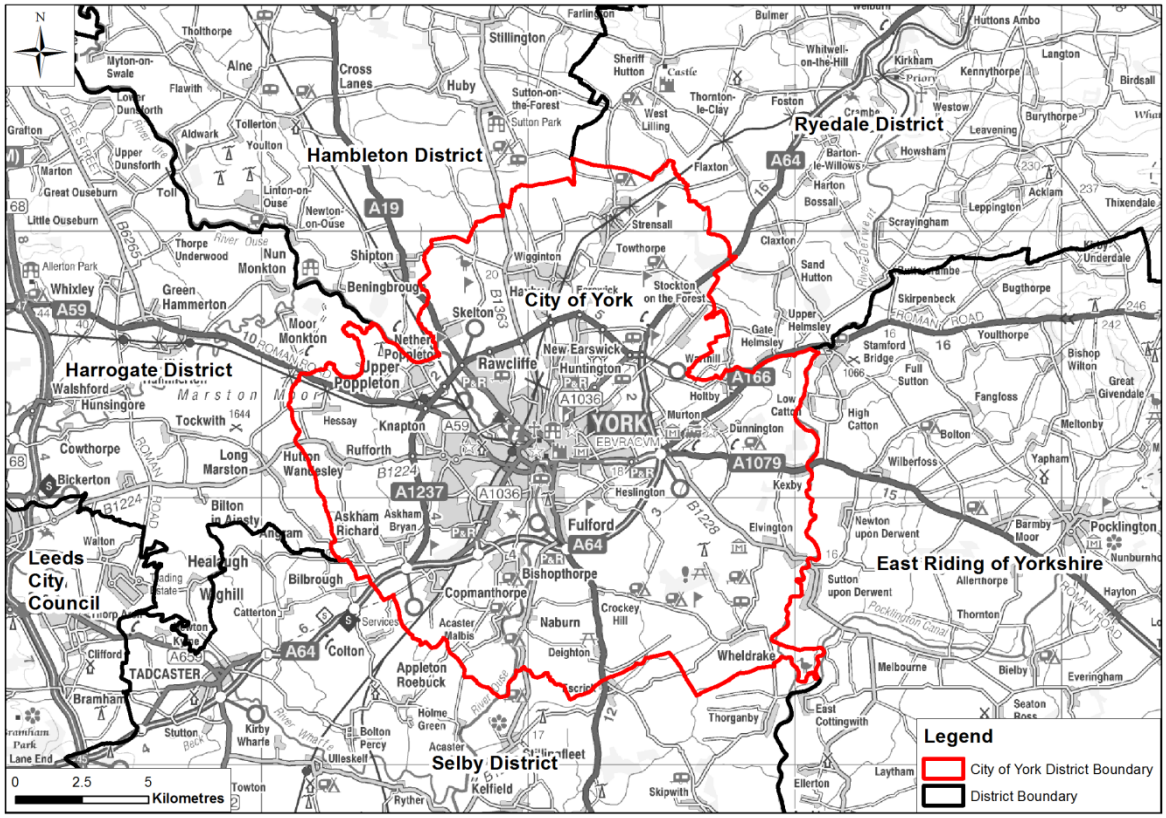

Figure 2. City of York Council Study Area

York and its surrounding areas have a diverse character consisting of urban, industrial and agricultural land-uses. The Vale of York consists mainly of valuable agricultural land, with the urban and residential areas centred on the two largest settlements of York and Selby.

1.6 Topography

The Vale of York is a low-lying mainly flat landscape, though minor ridges and glacial moraines provide subtle local variations in topography. The area lies between the Pennines to the west and the North York Moors and the Wolds to the east. South of York, much of the land is less than 20m above sea level. Topographic data for City of York Council's administrative area is presented in Appendix B, Figure 1.

1.7 Geology and Hydrogeology

British Geological Survey maps show the bedrock in the study area to consist of the Sherwood Sandstone group, a thick soft sandstone of Triassic age that forms the centre of the Vale of York. The superficial deposits, which overlay the sandstone, consist predominantly of sands and gravels, with some clay and till. Bands of alluvium deposits can be seen to intersect the City of York along the path of the River Ouse and River Foss.

Soil types are often a reflection of the underlying solid geology and similarly, land use is often associated with the soil. The river valleys are dominated by soils formed from glacial till, sands and gravels that are generally fertile and suitable for agriculture. A band of groundwater clay soils, which are seasonally waterlogged and affected by shallow fluctuating groundwater table, extends south easterly from Thirsk, around York to Selby.

The hydrogeology of an area is directly influenced by the characteristics of the local drift and solid geology. Different rock types may either hold or transmit water or may act as a barrier to groundwater flow. Aquifers are important for several reasons; they act as a source of good quality water for water supply and provide base flow to rivers. The underlying bedrock for the whole flood risk area is Sherwood Sandstone, a formation always classified as a Major Aquifer. The drift deposits overlying the Sherwood Sandstone are classified as a Minor Aquifer, where the drift is relatively permeable, and a Non-Aquifer, where the drift deposits are fairly thick and have low permeability.

1.8 Watercourses

The City of York sits astride the confluence of the River Ouse and the River Foss, and the River Derwent forms the eastern boundary of City of York Council's administrative area with East Riding of Yorkshire Council, as shown on Figure 2. These rivers drain three catchments, the Yorkshire Dales, the Howardian Hills and the North York Moors respectively. A more detailed illustration of the Main River and Ordinary Watercourses network is presented in Appendix B, Figure 2.

River Ouse - the largest river within York drains the Yorkshire Dales catchment and is formed from the rivers Swale, Ure and Nidd upstream of York. Water levels in the River Ouse are controlled at Naburn Lock and weir, downstream of which the watercourse is tidal. The River Wharfe joins the Ouse at Kelfield just south of the York boundary. The catchment extends across the majority of the City of York boundary, covering approximately 243.8 km^2 (90%) of the study area. The Ouse has the following main tributaries within the York boundary:

- **Blue Beck** - draining residential and commercial development in Rawcliffe and Clifton Moor north west of the city, the responsibility of Kyle and Upper Ouse IDB to Rawcliffe Lake. The lake is the responsibility of Yorkshire Water and its level is controlled by them. Downstream of this to the Ouse Blue Beck is Main River;
- **Holgate Beck** - draining residential development in Woodthorpe, Acomb and Holgate west of the city to the north of Hob Moor, the responsibility of Ainsty (2008) IDB. Downstream of this point to the Ouse is main river including Holgate Beck pumping station;
- **Burdyke** - draining residential and commercial development in Clifton north of the city, to the south of Bootham Stray, the responsibility of Kyle and Upper Ouse IDB. Downstream of this point to the Ouse is main river, including Burdyke pumping station; and
- **Germany Beck** - draining residential development in parts of Heslington and Fulford including the existing and new university campuses, along with agricultural land east of the city to the River Ouse south of Fulford. The entire length is the responsibility of Ouse and Derwent IDB.

In addition to these there are minor watercourses draining Poppleton, Acomb, Bishopthorpe, Naburn and Acaster Malbis.

River Foss – Known as the River Foss along its whole length, the watercourse is designated as Main River from just upstream of Yearsley Bridge (OS NGR 6097 5393) to its downstream extent at the confluence with the River Ouse, a distance of approximately 3 km, above this point the river is in the area managed by the Foss IDB. The watercourse is the third largest river within York and has the following main tributaries:

- **Westfield Beck** - drains relatively flat areas of residential development in Haxby, Wigginton and New Earswick north of the city to join the Foss south of New Earswick. This is the responsibility of Foss (2008) IDB. Westfield Beck pumping station, owned by YWS, diverts excess flows from the Haxby and Wigginton catchments to the river Foss to protect the downstream village of New Earswick from flooding;
- **South Beck** – draining Monk's Cross Retail Park and residential development in Huntington north east of the city. The upstream of length is the responsibility of Foss (2008) IDB and final 350 m to the Foss is the responsibility of City of York Council;
- **Tang Hall Beck** - draining residential development in Tang Hall and agricultural land in the upper catchment around Stockton on Forest north east of the city, the responsibility of Foss (2008) IDB to the outskirts of Heworth. Downstream is Main River; and
- **Osbaldwick Beck** - draining residential development in Osbaldwick and agricultural land in the upper catchment around Holtby and Murton east of the city, the responsibility of Foss (2008) IDB to the outskirts of Tang Hall. Downstream is Main River.

The River Derwent – the second largest river within York covers an area of 27.2km^2 (10%) of the study area. Within the York boundary, **Elvington Beck** at Elvington drains into the Derwent. This drains relatively flat areas of residential development and agricultural land to the west of the village of Elvington, including part of the former airfield which is now in commercial and leisure use. The entire length is in the area managed by the Ouse and Derwent IDB including the pumping station at the confluence of the beck and the River Derwent.

2. Legislative and Planning Policy Context

2.1 Introduction

This Section provides an overview of the legislative and planning policy context specific to the updated Level 1 SFRA for the City of York. The information presented in the SFRA should be used by City of York Council to establish robust policies in relation to flood risk as part of their emerging Local Plan and used to guide responses to applications for development within areas of flood risk.

2.2 Flood and Water Management Act 2010

In response to the severe flooding across large parts of England and Wales in summer 2007, the Government commissioned Sir Michael Pitt to undertake a review of current flood risk management practices. The Pitt Review – Learning Lessons from the 2007 Floods[9], and subsequent progress reviews outlined the need for changes in the way the UK is adapting to the increased risk of flooding and the role different organisations have to deliver this function.

The FWMA enacted by Government in response to The Pitt Review in 2010 designated Councils and Unitary Authorities such as City of York Council as LLFAs. As a LLFA, City of York Council has responsibilities to lead and co-ordinate local flood risk management. Local flood risk is defined as the risk of flooding from surface water runoff, groundwater and ditches and watercourses (collectively known as ordinary watercourses).

The FWMA also formalises the flood risk management roles and responsibilities of other organisations including the Environment Agency, water companies and highways authorities establishing them as RMAs. The responsibility to lead and co-ordinate the management of tidal and fluvial flood risk remains that of the Environment Agency.

2.2.1 National Flood and Coastal Erosion Risk Management Strategy for England

In accordance with the FWMA, the Environment Agency has developed a National Strategy for Flood and Coastal Erosion Risk Management (FCERM) in England. Whilst this strategy has been developed by the Environment Agency, it provides a framework for the work of all flood and coastal erosion risk management authorities. The first strategy was published in 2011, the strategy was updated in 2020.

It sets the context for, and informs the production of, local flood risk management strategies by LLFAs, which will in turn provide the framework to deliver local improvements needed to help communities manage local flood risk. It also builds on Governments 25 Year Environment Plan by incorporating a stronger approach to making nature part of the solution and to support an integrated approach to land management to better support flood risk management needs. It has 3 long-term ambitions:

- climate resilient places: working with partners to bolster resilience to flooding and coastal change across the nation, both now and in the face of climate change
- today's growth and infrastructure resilient in tomorrow's climate: making the right investment and planning decisions to secure sustainable growth and environmental improvements, as well as infrastructure resilient to flooding and coastal change
- a nation ready to respond and adapt to flooding and coastal change: ensuring local people understand their risk to flooding and coastal change, and know their responsibilities and how to take action

The Environment Agency's 'Adapting to Climate Change: Advice for Flood and Coastal Erosion Risk Management Authorities'[10] was published in February 2016. The 2016 version of the document reflects an assessment completed by the Environment Agency between 2013 and 2015 using the UK Climate Projections (UKCP09) data, to produce more representative climate change allowances for river flood flows and extreme rainfall for each of the river basin districts in England. It is essential that land use planning decisions consider the impact of a changing climate where appropriate both now and into the future. Further information is presented in Section 4.3.10.

[9] The Cabinet Office. 2008. *The Pitt Review: Learning Lessons from the 2007 Floods.* Available at: http://webarchive.nationalarchives.gov.uk/20100807034701/http:/archive.cabinetoffice.gov.uk/pittreview/_/media/assets/www.cabinetoffice.gov.uk/flooding_review/pitt_review_full%20pdf.pdf

[10] Environment Agency. 2016. *Adapting to Climate Change: Advice for Flood and Coastal Erosion Risk Management Authorities.* Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/516116/LIT_5707.pdf.

2.2.2 Local Flood Risk Management Strategy (LFRMS)

City of York Council's Local Flood Risk Management Strategy[11] was created in partnership with the Environment Agency and other risk management authorities and through consultation with residents. The strategy is a legal document which provides a framework for addressing flood risk and links to existing key information in six guidance documents. The development, maintenance and implementation of the strategy for the management of local flood risk is a statutory duty of City of York Council, as a LLFA under the FWMA.

The LFRMS defines how City of York Council, in partnership with other organisations who also have statutory roles, will seek to manage flood risk across their area. The strategy focuses on flood risk from all sources, rivers, surface runoff, ordinary and groundwater. The strategy aims to understand flood risk from all sources in the city, reduce its likelihood and impact on residents and visitors and take the opportunity to improve the city environment. It is a living document which will provide an ongoing comprehensive framework for managing York's flood risk. The strategy has drawn on existing plans and knowledge to form an understanding of the various flood risks, what management is already in place and where risk remains a concern.

2.2.3 Surface Water Management Plan

A Surface Water Management Plan (SWMP) was prepared for City of York Council in December 2012[12]. A SWMP is a plan which outlines the preferred surface water management strategy in a given location. In this context surface water flooding describes flooding from sewers, drains, groundwater, and runoff from land, small water courses and ditches that occurs as a result of heavy rainfall.

The objectives of the SWMP are to:

- Achieve a clear understanding of the causes of flooding at each location investigated.
- Gain a record of the infrastructure serving the location and its condition and ownership.
- Provide a validation of the EA Flood Map for Surface Water.
- Provide recommendations for future maintenance to prevent a repetition of the problem.
- Achieve an understanding of how representative the findings are of the situation citywide.
- Provide recommendations for further investigation.
- Provide recommendations for further work.
- Provide advice and information to local authority planners.

Where appropriate, the findings of the SWMP have been referred to within this Level 1 SFRA.

2.2.4 Yorkshire Regional Flood and Coastal Committee (RFCC)

City of York Council falls within the Yorkshire Regional Flood and Coastal Committee (RFCC) area. The RFCC is a committee established by the Environment Agency under the FWMA 2010 that brings together members appointed by LLFAs (such as City of York Council) and independent members with relevant experience for 3 purposes:

- To ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines;
- To encourage efficient, targeted and risk-based investment in flood and coastal erosion risk management that represents value for money and benefits local communities; and,
- To provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to build understanding of flood and coastal erosion risks in its area.

[11] City of York Council. *Local Flood Risk Management Strategy.* Available at: https://www.york.gov.uk/downloads/file/3120/local_flood_risk_management_strategypdf

[12] City of York Council. *Surface Water Management Plan*. Available at: http://democracy.york.gov.uk/documents/s77948/SWMP%20final.pdf

2.3 Flood Risk Regulations 2009

As well as the duties under the FWMA to prepare LFRMS, LLFAs have legal obligations under the EU Floods Directive,[13] which was transposed into UK Law through the Flood Risk Regulations 2009[14] ('the Regulations').

2.3.1 Preliminary Flood Risk Assessment

Under the Regulations, all LLFAs were required to prepare a Preliminary Flood Risk Assessment (PFRA) report in 2011, which will be subsequently due for renewal on a 6-yearly cycle, see below. The PFRA is a high level screening exercise to identify areas of significant risk as 'Indicative Flood Risk Areas' across England where 30,000 people or more are at risk from flooding for reporting to Europe.

A PFRA was prepared for City of York Council in July 2011[15]. The PFRA seeks to provide a high level overview of flood risk from local flood sources and includes flooding from surface water, groundwater, ordinary watercourses, and canals. It excludes flood risk from Main Rivers, the sea and reservoirs, as these are assessed nationally by the Environment Agency. The PFRA report looks at past flooding and where future flooding might occur across the area and the consequences it might have to people, properties and the environment. The report provides a useful baseline in the preparation of this revised Level 1 SFRA.

2.3.2 Humber River Basin District Flood Risk Management Plan 2015 – 2021

Under the Regulations, the Environment Agency is required to prepare FRMPs for all of England covering flooding from main rivers, the sea and reservoirs. As such, the Humber FRMP[16] has been published by the Environment Agency and sets out the proposed measures to manage flood risk in the Humber River Basin District from 2015 to 2021 and beyond.

FRMPs explain the risk of flooding from rivers, the sea, surface water, groundwater and reservoirs. FRMPs set out how risk management authorities will work with communities to manage flood and coastal risk over the period 2015-2021. Risk management authorities include the Environment Agency, local councils, internal drainage boards, Highways England and lead local flood authorities (LLFAs).

Each river basin district also has a river basin management plan, which looks at how to protect and improve water quality, and use water in a sustainable way. FRMPs and river basin management plans work to a 6-year planning cycle. The current cycle is from 2015 to 2021, work is currently underway to revise the plans and all supporting assessments. The Humber FRMP has been developed alongside the Humber river basin management plan. Both flood risk management and river basin planning form an important part of a collaborative and integrated approach to catchment planning for water. The Humber RBD FRMP draws on existing policies and actions within reports and plans which have been prepared in the past such as the Ouse and Derwent Catchment Flood Management Plans (CFMP).

A CFMP is a high-level strategic planning document that provides an overview of the main sources of flood risk and how these can be managed in a sustainable framework for the next 50 to 100 years. The Environment Agency engages stakeholders within the catchment to produce policies in terms of sustainable flood management solutions whilst also considering local land use changes and effects of climate change. Whilst not entirely superseded by the FRMP, CFMPs complement the later FRMPs and RBMPs prepared for the District and region respectively.

City of York Council falls within the Environment Agency's CFMP area for the River Ouse[17] and the River Derwent[18], where the visions and preferred policy for these areas are:

- Ouse Catchment Sub Areas 4, Policy Option 5: "Areas of moderate to high flood risk where further action can be taken to reduce flood risk"; and
- Derwent Catchment Sub Area 6, Policy Option 3: "Areas of low to moderate flood risk where existing flood risk is generally managing effectively".

[13] Flood risk management - Water - Environment - European Commission (europa.eu)
[13] Environment Agency. 2009. *Flood Risk Regulations*. Available at: The Flood Risk Regulations 2009 (legislation.gov.uk)e
[15]City of York Council, 2011. *Preliminary Flood Risk Assessment*. Available at: http://democracy.york.gov.uk/documents/s50981/Annex%201%20Preliminary%20Flood%20Risk%20Assessment.pdf
[16] Environment Agency. 2016. *Humber River Basin District Flood Risk Management Plan 2015 to 2021.* Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/500465/Humber_RBD_Part_1_river_basin_management_plan.pdf

[17] Environment Agency. 2010. *River Ouse Catchment Flood Management Plan.* Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/289228/River_Ouse_Catchment_Flood_Management_Plan.pdf
[18] Environment Agency. 2010. *River Derwent Catchment Flood Management Plan*. Available at: River Derwent: Catchment flood management plan - GOV.UK (www.gov.uk)

2.4 National Planning Policy Framework

The NPPF is a framework within which councils and local people can produce local and neighbourhood plans that reflect the needs and priorities of their communities. The applicable paragraph of the NPPF (2019) state:

"157 All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

a) applying the sequential test and then, if necessary, the exception test as set out below;

b) safeguarding land from development that is required, or likely to be required, for current or future flood management;

c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and

d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

158 The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding

The NPPF (2019) goes on to confirm

159 If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.

160. The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

161. Both elements of the exception test should be satisfied for development to be allocated or permitted."

Further detail regarding the Sequential and Exception Tests is included in Section 5 of this report.

2.4.1 Planning Practice Guidance

The NPPF is supported by a series of Planning Practice Documents referred to as the PPG. The PPG: Flood Risk and Coastal change guidance outlines how LPAs should develop and use SFRAs, (as follows):

- SFRAs should assess the flood risk to an area from all sources, both in the present day, and in the future. The impacts of climate change should be considered when assessing future flood risk;
- The impact on flood risk of future development and changes to land use should also be considered;
- The SFRA should provide the foundation from which to apply the Sequential and Exception Tests in the development allocation and development management process. Where decision-makers have been unable to allocate all proposed development and infrastructure in accordance with the Sequential Test, taking account of the flood vulnerability category of the intended use, it will be necessary to increase the scope of the SFRA (to a Level 2 SFRA) to provide the information necessary for application of the Exception Test;

- The SFRA should inform the sustainability appraisal of the Local Plan and Site Allocations Development Plan Document;
- The SFRA should outline requirements for site-specific FRAs, with specific requirements for particular locations;
- The SFRA should define the flood risk in relation to emergency planning's capacity to manage flooding;
- Opportunities to decrease the existing flood risk within the study areas should be explored, such as surface water management, provision of flood storage and managing conveyance of flood flows.

SFRAs should be prepared in consultation with the Environment Agency, emergency response and drainage authority functions of the LPA and LLFAs.

2.4.2 NPPF Guidance SuDS Policy (April 2015)

SuDS are an approach to managing direct rainwater and surface water that replicates natural drainage, the key objectives being to manage flow rate and volume of runoff to reduce risk of flooding and water pollution. From 6th April 2015, LPAs such as City of York Council are required to ensure that SuDS are implemented for all major developments where appropriate, and that through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development.

As a LLFA, City of York Council is also a statutory consultee for SuDS applications and will need to be consulted on the drainage elements of planning applications for major development to ensure they conform to necessary national and local SuDS standards. The legislation also encourages the use of SuDS in minor developments.

2.5 Summary

Figure 3 provides a summary of the key documents that are reviewed within this section. The figure demonstrates that the main driver for the SFRA is the NPPF and highlights the multi partnership approach to flood risk management across City of York Council's administrative area. Documents and plans prepared by both the Environment Agency and City of York Council under the requirements of the FWMA and the Flood Risk Regulations provide key inputs to inform the preparation of the revised SFRA and City of York Council's new Local Plan.

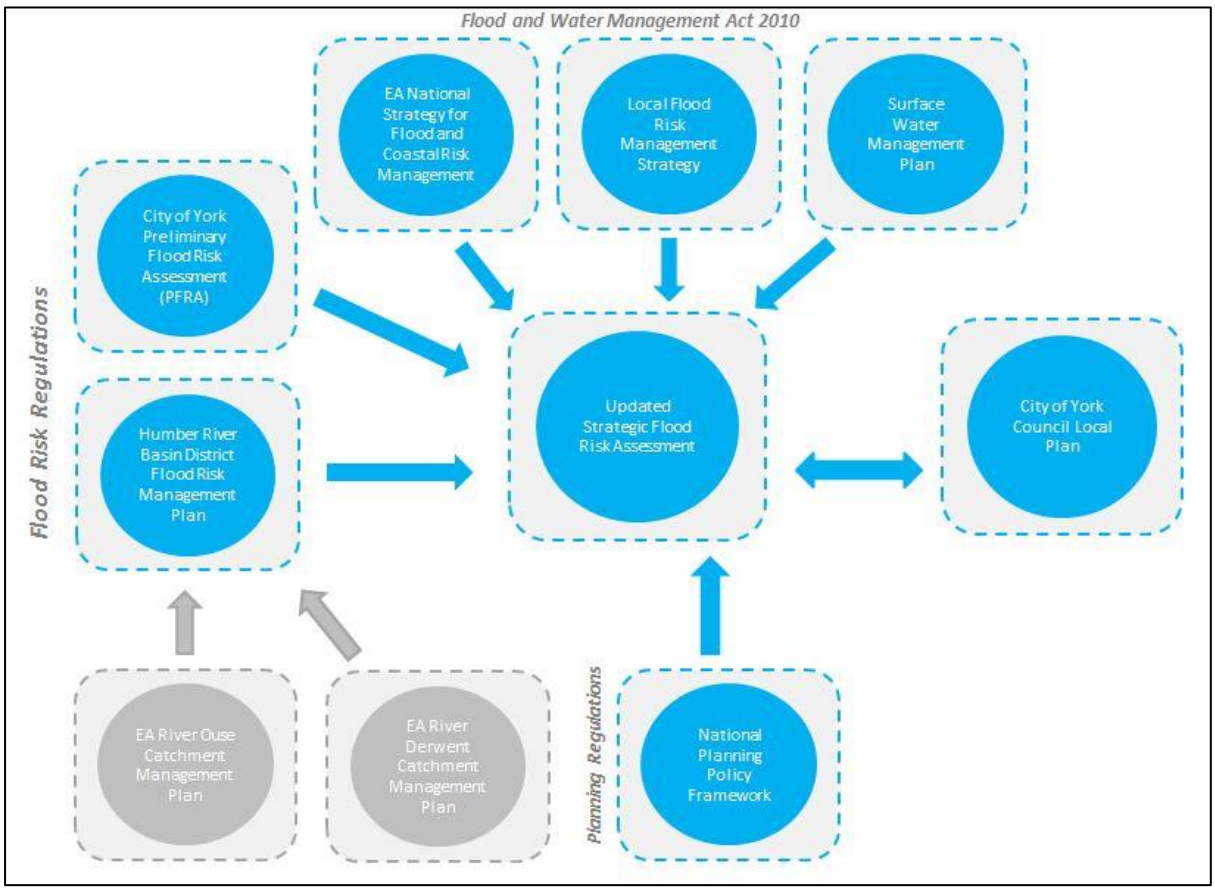

Figure 3. Summary of Legislative and Planning Context

3. Level 1 SFRA Methodology

The Level 1 SFRA is a desk-based study, using readily available existing information and datasets to enable the application of the Sequential Test and to identify where the Exception Test may be required. The main tasks in preparing the Level 1 SFRA are described below.

3.1.1 Establishing relationships and understanding the planning context

An inception meeting was held to facilitate relationships between the project team, City of York Council and the Environment Agency to aid collaborative working and enable the free exchange of available information and datasets. City of York Council provided an overview of the current planning context with respect to the preparation of the new Local Plan and the main flood risk issues in the area were identified and discussed.

3.1.2 Gathering data and analysing it for suitability

Under Section 10 of the NPPF, the risk of flooding from all sources must be considered as part of a Level 1 SFRA, including flooding from tidal sources, rivers (fluvial), land (overland flow and surface water), groundwater, sewers and artificial sources.

In order to provide this assessment of all sources of flooding in the study area, an extensive set of datasets was requested from a number of organisations, including City of York Council, the Environment Agency and Yorkshire Water.

Datasets and information gathered as part of the preparation of the first iteration of the SFRA have been retained where appropriate. In preparation of this assessment, a number of stakeholder datasets were obtained and collated prior to a quality review and gap analysis. This information was then used to establish the most recent and technically robust datasets. Further details relating to this exercise can be found within Appendix A.

3.1.3 Producing strategic flood risk maps, GIS deliverables and a technical report

A series of GIS maps have been produced based using the data gathered during the study. The mapping deliverables are summarised in Table 1 (and presented in Appendix B) and should be referred to when reading Chapter 4 ‘Level 1 Assessment of Flood Risk’ which provides an overview of flood risk across the study area.

Table 1. Strategic Flood Risk Assessment Maps

Figure No.	Figures Title and Content
Figure 1	Study Area Topography *(Administrative boundaries, LiDAR topography, catchments)*
Figure 2	Watercourses and Catchments *(Administrative boundaries, catchments, watercourses, waterbodies)*
Figure 3	Bedrock Geology
Figure 4	Aquifer Designation - Bedrock
Figure 5	Superficial Geology
Figure 6	Aquifer Designation – Superficial Geology
Figure 7A-7E	Recorded Flood Outlines
Figure 8A – 8J	Flood Map (Rivers and Sea) *(Watercourses, surface waterbodies, infrastructure, Flood Zones, flood defences)*
Figure 9A- 9F	Climate Change Allowance- Undefended Scenario
Figure 10A-10F	Climate Change Allowance- Defended Scenario
Figure 11A-11J	Risk of Flooding from Surface Water Map *(RoFSW, historic records of flooding)*
Figure 12	Areas Susceptible to Groundwater Flooding *(Potential groundwater flooding areas, groundwater flood records)*
Figure 13	Flood Risk from Reservoirs

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Figure No.	Figures Title and Content
Figure 14	Flood Warning Areas *(Flood Warning and Flood Alert Areas)*

4. Level 1 Assessment of Flood Risk

4.1 Introduction

This Section provides the strategic assessment of flood risk across the City from each of the sources of flooding outlined in the NPPF. For each source of flooding, the datasets used for the assessment are described, details of any historical incidents are provided, and where appropriate, the impact of climate change on the source of flooding is described. This section should be read in conjunction with the figures provided in Appendix B.

4.2 Tidal Flooding

York has a long history of flooding, with written records of floods stretching back as far as the 13th-century. Before Naburn Lock was built there was some tidal effect seen in the city, but this was relatively small and the predominant flood risk has always been fluvial as a consequence of high flows coming down the River Ouse through the study area.

4.3 Flooding from Main Rivers

4.3.1 Sources

To enable the assessment of flood risk in York, along with the effects on present and future development, City of York Council has been divided into three areas. These areas are based upon the catchments of the Main Rivers passing through the study area:

- The River Ouse;
- The River Foss; and
- The River Derwent.

Appendix B Figure 2 shows the location of these rivers passing through City of York Council's boundary, along with the extent of the upstream catchments. Further information for each watercourse is summarised in Section 1.8.

4.3.2 NPPF Flood Zones

The risk of flooding is a function of the probability that a flood will occur and the consequence to the community or receptor as a direct result of flooding. The NPPF seeks to assess the probability of flooding from rivers by categorising areas within the fluvial floodplain into zones of low, medium and high probability, as defined in Table 2.

The 'Flood Map for Planning (Rivers and Sea)' provides information on the areas that would flood if there were no flood defences or buildings in the "natural" floodplain. The 'Flood Map for Planning (Rivers and Sea)' dataset is available on the Environment Agency website[19] and is the main reference for planning as it contains Flood Zones 1, 2 and 3a which are referred to in the NPPF and presented in Table 2.

[19] Environment Agency Flood Map for Planning (Rivers and Sea) http://apps.environment-agency.gov.uk/wiyby/37837.aspx

Table 2. Fluvial Flood Zone Definitions (extracted from the NPPG, 2014)

Flood Zone	Fluvial Flood Zone Definition	Probability of Flooding
Flood Zone 1	Land having a less than a 0.1% Annual Exceedance Probability (AEP) (1 in 1,000 chance of flooding in any one year). Shown as clear on the Flood Map – all land outside Flood Zones 2 and 3.	Low
Flood Zone 2	Land having between a 1% AEP (1 in 100 chance of flooding in any one year) and 0.1% AEP (1 in 1,000 chance of flooding in any one year). ***In addition, Flood Zone 2 typically includes the extent of historic flood events that have been verified by the Environment Agency, and displayed on the Recorded Flood Outline dataset.***	Medium
Flood Zone 3a	Land having a 1% AEP or greater (1 in 100 chance of flooding in any given year).	High
Flood Zone 3b	Land where water has to flow or be stored in times of flood. LPAs should identify in their SFRAs areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. ***Flood Zone 3b is not separately distinguished from Flood Zone 3a on the Flood Map for Planning.***	Functional Floodplain

The 'Flood Map for Planning (Rivers and Sea)' was first developed in 2004 using national generalised modelling (JFLOW). It is routinely updated and revised using the results from the Environment Agency's programme of catchment studies, entailing topographic surveys, hydrological and/or hydraulic modelling (as described in Table 3) as well as previous flood events.

4.3.3 Functional Floodplain (Flood Zone 3b)

The Functional Floodplain is defined in the NPPF as 'land where water has to flow or be stored in times of flood'. The Functional Floodplain (also referred to as 'Flood Zone 3b'), is not separately distinguished from Flood Zone 3a on the Flood Map for Planning (Rivers and Sea). The extent of the Functional Floodplain should be defined within the SFRA by City of York Council as the LPA and LLFA in discussion with the Environment Agency.

The NPPG states that the identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters. However, land which would naturally flood during a 5% AEP or greater event, or is designed to flood (such as a flood attenuation scheme) in an extreme (0.1% AEP) event should provide a starting point for consideration and discussions to identify the functional floodplain. The NPPG does not provide any additional guidance on how to define the functional floodplain.

The PPG states that '*areas which would naturally flood, but which are prevented from doing so by existing defences and infrastructure or solid buildings, will not normally be defined as functional floodplain*'. There may be opportunities to reinstate areas which can operate as functional floodplain through the use of previously developed land adjacent to watercourses to provide space for flood water to reduce the risk to new and existing development.

The NPPG recognises the importance of pragmatic planning solutions that will not unnecessarily blight areas of existing urban development. It may not be practical to refuse all future development within existing urban areas falling within land which would flood during a 5% AEP (1 in 20 year) event, therefore careful consideration must be given to future sustainability. The Sequential and Exception Tests must be applied to ensure development type is appropriate and the risks posed to and from the development are fully understood and mitigated.

For City of York Council's study area, the flood extent for the 5% AEP (1 in 20 year) flood event has been used as a starting point to delineate the Functional Floodplain where modelling is available. Where modelling data is not available, the Flood Zone 3a extent has been used to represent the Functional Floodplain extent.

4.3.4 Hydraulic Modelling Studies

As discussed above, Table 3 provides a summary of the hydraulic modelling studies that have been undertaken within City of York Council's administrative area and have been used to inform the current 'Flood Map for Planning (Rivers and Sea)'. The hydraulic modelling is often completed to assess risks to specific communities or to develop

flood mitigation options. As such the extent of the modelled areas and the scenarios covered (defended, undefended and return period) can differ between the studies.

Table 3. Summary of Hydraulic Modelling Studies completed across the City of York area

Watercourse	Modelling Study	Year
River Ouse	Complete updated modelling for the River Ouse was finalised in 2016; this has been recalibrated following the Boxing Day flood event.	2016
River Foss	Complete updated modelling for the River Foss was finalised in 2016; this has been recalibrated following the Boxing Day flood event This model also includes the Westfield, Tang Hall and Osbaldwick Becks	2016
Holgate Beck	Holgate Beck / Chaloners Whin, updated in 2016 by JBA.	2016
Burdyke	Burdyke (Detailed), from 120m upstream of the Sutton Way culvert to the Burdyke Pumping Station at the confluence with the River Ouse - Atkins.	2003

4.3.5 River Ouse

4.3.5.1 Historic Records

The City of York has numerous accounts of historical flooding associated with the rivers outlined above and historic flooding records exist for the River Ouse in York, dating back to 1263 AD. Figure 7 in Appendix B illustrates the flood extents as held by the Environment Agency 'Recorded Flood Outline Map'. Table 4 summarises details of recent historic flood events for the Ouse gathered through a review of flood studies and the Environment Agency Recorded Flood Outline Map. It should be noted that not all flooding events would have been recorded therefore this should not be considered a complete dataset.

Table 4. Recent Historic Fluvial Flooding along the River Ouse and Tributaries

Date	Description of flooding
1947	Flooding along the River Ouse in March 1947 due to channel capacity being exceeded. Flooding was caused primarily by the melting of a large volume of snow that had fallen across a prolonged cold spell in January and February that year.
1968	Flooding along the River Ouse in March 1968 due to channel capacity being exceeded.
1978	Flooding along River Ouse in 1978 due to the overtopping of flood defences along the watercourse.
1982	Flooding along the River Ouse in January 1982 due to the overtopping of flood defences along the watercourses. Flooding was caused by a prolonged period of rain over the few weeks leading up to the flood event.
1991	Flooding along the River Ouse in February 1991 due to the overtopping of flood defences along the watercourses.
1995	Flooding along the River Ouse in January and February 1995.
2000	Flooding along the River Ouse in the Autumn of 2000 due to the overtopping of flood defences along the watercourses. Highest water level ever recorded on the River Ouse and there was widespread flooding of the river's major tributaries. This flood followed a period of extreme rainfall; the autumn of 2000 was the wettest since rainfall records began in 1766. Flood defences protected many areas, but there was flooding of 540 properties in York and a further 3,500 threatened. The A19 at Fulford was impassable for 9 days and affected many other major and minor roads.
2012	Flooding along the River Ouse in September 2012 due to channel capacity being exceeded. The River Ouse rose to a level of over 5 metres above normal, and the city's flood defences successfully protected more than 1,000 properties. There were however over 200 properties directly affected by flood water including residential properties at Leeman Road, Lower Ebor Street, Alma Terrace, Fulford and Naburn.
2015	Heavy rainfall through December 2015 (Storm Desmond at the start of December was followed by Storm Eva which in turn was followed by the average monthly rainfall for December falling within a 48 hour period) led to flooding in a number of communities, but the most severe and widespread flooding was seen between Boxing Day and New Year in York. Levels on the River Ouse rose above 5 metres, but there was also very heavy local rainfall over the Foss catchment. Over 600 properties were flooded during the event.

4.3.5.2 Flood Defences

Appendix B, Figure 8 details the locations of the existing flood defence assets protecting the people and property within City of York Council's administrative area from flooding.

York's flood defences are mainly located alongside vulnerable sections of the River Ouse, between Rawcliffe Ings and Rowntree Park, to protect property in areas where major flooding has occurred in the past. These flood defences include a variety of assets including earth embankments, brick or stone clad concrete flood walls and flood gates. Most of the defences also have flood-pump stations associated with them, to deal with surface water flows from the 'dry-side' of the defences. Existing flood defences are listed below from upstream to downstream:

- *Clifton Ings* - a formal washland located upstream of York, Clifton Ings, was created in 1982 from the natural floodplain by raising the existing embankments and new ones constructed to increase the volume of storage to 2.3 million m^3. The Ings are controlled by sluice gates, and can reduce levels downstream in the centre of York by approximately 100mm for the 25% AEP event;
- *Lower Bootham Flood Alleviation Scheme* - implemented following the 1982 floods, it comprises a series of flood embankments and floodwalls from north of Burdyke Beck to Museum Gardens, a pumping station prevents the Burdyke Beck backing up and flooding when free discharge into the Ouse is not possible;
- *Water End Flood Alleviation Scheme* - constructed in 2013, the scheme comprises a floodwall running along the western side of Water End from the junction with Landing Lane to opposite properties on Forth Street, and a flood embankment runs south from Water End, to St. Barnabas Church of England Primary School. Holgate Beck Pumping Station prevents the River Ouse backing-up Holgate Beck;
- *North Street Flood Alleviation Scheme* - provides a line of defence from Lendal Bridge to Ouse Bridge. At Lendal Bridge a flood gate forms a seal across an opening in the bridge from which a floodwall extends south tying into property walls further downstream;
- *Lower Ebor Street* – a floodwall completed in protects Lower Ebor Street from flooding; and
- *Middlethorpe Ings* - like Clifton Ings, Middlethorpe Ings, located on the west bank of the River Ouse opposite Fulford, is a modified floodplain designed to store flood water and lower water levels in York.

Other infrastructure and assets such as: culverts, trash screens, penstocks, flap valves, "de facto" defences, etc. exist throughout York however; due to their small scale these existing assets have not been included on Appendix B, Figure 8.

Appendix B Figure 8 also outlines the Areas Benefitting from the Flood Defences described above. None of the Ouse defences offer protection against a 1 in 100 year flood event (1% AEP) however; large reaches of flood defences along the River Ouse can be seen to benefit York City Centre, Clifton and large areas of agricultural land to the south of Naburn. An extensive programme of defence improvements is currently underway, the Areas Benefitting from Flood Defences mapping will be updated on completion and Appendix B will be revised accordingly.

4.3.6 River Foss

4.3.6.1 Historic Records

Figure 7 in Appendix B illustrates the flood extents as held by the Environment Agency 'Recorded Flood Outline Map'. Table 5 summarises details of historic flood events for the Foss gathered through a review of flood studies and the Environment Agency Recorded Flood Outline Map. It should be noted that not all flooding events would have been recorded therefore this should not be considered a complete dataset.

Table 5. Historic Fluvial Flooding for the River Foss

Date	Description of flooding
1947	Flooding along the River Foss in March 1947 due to channel capacity being exceeded. Flooding was caused primarily by the melting of a large volume of snow that had fallen across a prolonged cold spell in January and February that year.
1968	Flooding along the Foss in March 1968 due to channel capacity being exceeded.
1982	Flooding along the Foss in January 1982 due to the overtopping of the watercourse. Flooding was caused by a prolonged period of rain over the few weeks leading up to the flood event. An area of 70 ha flooded including 78 domestic and 64 commercial properties.

Date	Description of flooding
1995	Flooding along the River Foss in January and February 1995 due to the overtopping.
2000	Flooding along the River Foss in the Autumn of 2000 due to the overtopping of flood defences along the watercourses. This flood followed a period of unprecedented rainfall; the autumn of 2000 was the wettest since rainfall records began in 1766. The flood event had an estimated return period of 1 in 80 years (1.1% AEP).
2015	Heavy rainfall through December 2015 led to flooding in a number of communities, but the most severe and widespread flooding was seen between Boxing Day and New Year in York. The River Foss at Huntington recorded the highest ever level at around 3.57m. Working at full capacity, the Foss Barrier was unable to cope with the level of flow in the River Foss and was at risk of being overwhelmed and rendered inoperable. As a result the decision was made to raise the barrier gate. This slowed the rate of rise on the Foss and reduced the maximum level of the flooding, providing more time for emergency services to respond and reducing the overall damage done by the flooding.

4.3.6.2 Flood Defences

Appendix B, Figure 8 details the locations of the existing flood defence assets protecting the people and property within City of York Council's administrative area from flooding. From the figure it can be seen the majority of the flood defences to be located along the River Ouse, the 'main river' reach of the River Foss and along the reaches of their tributaries that flow through urban areas.

One of the most notable flood defences in the catchment is the Foss Barrier which was built in 1986/7. The barrier consists of a moveable barrier system (a large 'turn and lift gate') which when in place, effectively isolates the Foss from the Ouse, stopping water from surging back upstream when water levels in the River Ouse are high. When the barrier is lowered, the optimum level of water in the Foss is maintained by pumping water around the barrier, directly into the Ouse, thus maintaining a steady water level in the River Foss. The flood protection of the north eastern part of York in the Foss catchment is highly dependent on the operation of the Foss Barrier.

In response to the Boxing Day 2015 flooding, the pump capacity at the barrier has since been upgraded providing increased capacity to maintain a steady water level in the River Foss in the future. In conjunction with the barrier and pumps, there is a floodwall around St George's Field Carpark preventing the River Ouse bypassing the Barrier.

Appendix B Figure 8 also outlines the Areas Benefitting from the Flood Defences described above.

4.3.7 River Derwent

4.3.7.1 Historic Records

Figure 7 in Appendix B illustrates the flood extents as held by the Environment Agency 'Recorded Flood Outline Map'. Table 6 summarises details of historic flood events for the Derwent gathered through a review of flood studies and the Environment Agency Recorded Flood Outline Map. It should be noted that not all flooding events would have been recorded therefore this should not be considered a complete dataset.

Table 6. Historic Fluvial Flooding for the River Derwent

Date	Description of flooding
1978	Flooding within the wider Derwent catchment in December 1978 due to channel capacity being exceeded.
1982	Flooding within the wider Derwent catchment in March 1982 due to channel capacity being exceeded.
1991	Flooding within the wider Derwent catchment in February 1991 due to channel capacity being exceeded.
1999	High water levels in the Derwent lead to flooding of large areas of agricultural land and Elvington village.
2000	This flood followed a period of unprecedented rainfall; the autumn of 2000 was the wettest since rainfall records began in 1766. Extensive flooding of agricultural floodplain took place throughout the catchment and all washlands were filled to capacity. High water levels in the Derwent lead to flooding at Elvington village.

4.3.7.2 Flood Defences

Appendix B, Figure 8 details the locations of the existing flood defence assets protecting the people and property within City of York Council's administrative area from flooding.

Flood defences, primarily in the form of earth embankments, are present from Elvington down to the Barmby Barrage, at the confluence of the River Derwent and the tidal River Ouse.

A further flood defence was completed by the Environment Agency at Elvington in 2008, consisting of an earth embankment and a flood-pump station to prevent backflow into Elvington from the River Derwent. This defence protects the village from the effects of River Derwent floods to a 1% AEP (1 in 100) standard. Maintenance of the flood defence is shared between the Environment Agency (flood bank) and the Ouse and Derwent IDB (pumping station).

4.3.8 Current Fluvial Flood Risk

The current fluvial flood risk is summarised below and illustrated in Figure 8 of Appendix B. The following summary of fluvial flood risk has been determined from predictive and historic flood information:

- The urban reaches of the River Ouse, River Foss and their tributaries can be seen to have a fairly confined Flood Zone 3 extent which is very similar to that of Flood Zone 2. This is primarily due to the confined nature of the river corridor and constrictions that the numerous bridges pose to the watercourses through the urban settlements. Any developments within Flood Zone 2 or 3 will need to consider the risk from more frequent events. Where hydraulic modelling has not been completed, this may require additional assessment.
- Flood Zone 3 can be seen to affect a fairly large urban area between Layerthorpe to Fishergate which surrounds the confluence of the Rivers Ouse and Foss and the River Foss and Tang Hall Beck.
- Downstream of Fulford, to the south of York City Council's boundary, Flood Zone 2 and 3 can be seen to extend further from the River Ouse, with the Flood Zone 2 extent covering the area between the A64 and the A19, across Clementhorpe, Bishopthorpe, Acaster Malbis, Fulford and Naburn. The large number of small dykes and agricultural drains, including the Howden Dyke, South Fields Dike and Wood Dike, combined with the low lying nature of the agricultural land, increases the risk of flooding in this area.
- The areas of Rawcliffe and Clifton can be seen to lie within Flood Zone 2 from Blue Beck. During flood conditions the River Ouse historically has triggered backflow up Blue Beck, causing the flow within the Beck to exceed channel capacity and flow through the surrounding streets.
- The land surrounding the central urban region of York is predominantly characterised by low lying agricultural land. To the North of City of York Council's boundary this low lying land allows for wider, relatively flat floodplains along the upper reaches of the River Foss, Tang Hall Beck and Osbaldwick Beck increasing the Flood Zone 2 and 3 extents in this area, which can be seen to potentially affect thoroughfares such as the A64 and the A1237.

4.3.9 Climate Change

In February 2016 the Environment Agency published revised guidance on climate change allowances in an update to the document 'Adapting to Climate Change: Advice to Flood and Coastal Erosion Risk Management Authorities'[20]. This version of the document reflects an assessment completed by the Environment Agency between 2013 and 2015 using UKCP09 data, to produce more representative climate change allowances for river basin districts across England. Due to the complexity of projecting climate change, there are uncertainties attributed to climate change allowances. As a result, the guidance presents a range of possibilities to reflect the potential variation in climate change impacts over three periods or 'epochs'.

The allowances for the Humber river basin district are of relevance to the City of York study area and are set out in in Table 7 below.). It is envisaged that the '2070-2115' epoch will be appropriate for most developments.

[20] Environment Agency, February 2016, Adapting to Climate Change: Advice to Flood and Coastal Erosion Risk Management Authorities. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/516116/LIT_5707.pdf

Table 7. Peak River Flow Allowances for the Humber River Basin District (1961 to 1990 baseline)

River Basin District	Allowance category	Total potential change anticipated for the '2020s' (2015 to 2039)	Total potential change anticipated for the '2050s' (2040 to 2069)	Total potential change anticipated for the '2080s' (2070 to 2115)
Humber	Upper end	20%	30%	50%
	Higher central	15%	20%	30%
	Central	10%	15%	20%

The allowance category to be used is based on the vulnerability classification of the proposed development and the flood zones within which it is to be located, as set out below.

Flood Zone 2

Vulnerability Classification	Central	Higher Central	Upper End
Essential infrastructure		✓	✓
Highly Vulnerable		✓	✓
More Vulnerable	✓	✓	
Less Vulnerable	✓		
Water compatible		None	

Flood Zone 3a

Vulnerability Classification	Central	Higher Central	Upper End
Essential infrastructure			✓
Highly Vulnerable		Development not permitted	
More Vulnerable		✓	✓
Less Vulnerable	✓	✓	
Water compatible	✓		

Flood Zone 3b

Vulnerability Classification	Central	Higher Central	Upper End
Essential infrastructure			✓
Highly Vulnerable		Development not permitted	
More Vulnerable		Development not permitted	
Less Vulnerable		Development not permitted	
Water compatible	✓		

The impact of climate change on flood risk will not be the same everywhere as local differences in the scale of change may be governed by geographic conditions. For very flat floodplains, where flood extents can increase significantly for a small increase in flood peak magnitudes, locations currently within lower risk zones (e.g. Flood Zone 2) could in future be re-classified as lying within a higher risk zone (e.g. Flood Zone 3a) as a result of climate change. In more well-defined floodplains, increased flows will primarily result in increased flood depths rather than an increase in flood extent. This in turn could have implications for the type of development that is appropriate according to its vulnerability to flooding.

It is essential that developers consider the possible change in flood risk over the lifetime of the development as a result of climate change. For planning purposes, the SFRA assumes that the 'lifetime of development' equates to 100 years for residential development, and 60 years for commercial development.

As part of the hydraulic modelling study for City of York river catchments, simulations have been run for the 1% AEP event (1 in 100 year) including a 20%, 30% and 50% increase in river flow for both the undefended i.e. the removal of raised flood defences, and defended scenarios to account for the implications of climate change based on the Environment Agency climate change guidance. Please refer to Appendix B Figure 9 and Figure 10 for a comparison of the impact of climate change on Flood Zone 3 for the full range of potential allowance factors.

When assessing climate change as part of a site specific FRA, current guidance available at the time of writing should always be applied to any planning application. It is anticipated that future studies will take account of the new allowances, however in the interim period there will be greater emphasis on site specific FRAs to include for additional modelling scenarios to determine the future risk with respect to climate change. See Section 7.6 for further details.

4.4 Flooding from Ordinary Watercourses

4.4.1 Sources

An Ordinary Watercourse is a watercourse that does not form part of a Main River and 'includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows' in accordance with Section 72(1) of the Land Drainage Act 1991. Main Rivers are the responsibility of the Environment Agency; all other watercourses are classified as Ordinary Watercourses and fall under the remit of City of York Council as the LLFA or the IDBs, as outlined in Section 1.4 and Section 1.8.

Appendix A Figures 2, 5A-5D and 8A-8D identify the ordinary watercourses in the study area. This information is provided from the Environment Agency Detailed River Network (DRN) dataset.

The following significant ordinary watercourses are present in the study area:

- Holgate Beck upstream of the length designated as main river;
- Tang Hall and Osbaldwick Becks upstream of the lengths designated as main river;
- Westfield Beck and part of South Beck;
- Burdyke and Blue Beck, upstream of the lengths designated as main river;
- Elvington Beck;
- Germany Beck; and
- Tunnel Drain.

4.4.2 Historic Records

There is no evidence of historic flooding from the ordinary watercourses in the outlying rural areas covered by the four IDBs.

- To the west and south east of the central urban region there are a large number of small dykes and agricultural drains, when combined with the low lying nature of the agricultural land, increase the risk of flooding in these areas. Development in any of these areas will need to consider the risk from more frequent events.

In the suburban areas:

- Westfield Beck west of Haxby reached a level in June 2007 high enough to flood gardens and roads. There were concerns that this was exacerbated by problems with Westfield Beck pumping station and the operating regime was reviewed by City of York Council, YWS, EA and the Foss IDB.
- Elvington Beck has also caused surface water flooding of roads due to intense rainfall, unconnected with levels in the Derwent. Subsequent investigations revealed the cause was lack of maintenance and restricted capacity which have been addressed in response to each investigation.

4.4.3 Assessment of Ordinary Watercourse Flooding from Surface Water Mapping

River modelling studies undertaken by the Environment Agency as part of their national programme of coastal and river modelling typically focus on flooding associated with main rivers, and therefore ordinary watercourses that

form tributaries to the main rivers may not always be included in the models. In the absence of modelled flood extents for these watercourses, the Risk of Flooding from Surface Water Map (RoFSW) provides a useful indication of flood risk associated with these watercourses, particularly where they are flowing at surface level. The RoFSW mapping is provided in Appendix A Figures 8A-8D. Full details regarding the RoFSW dataset is provided in Section 4.5.3.

The RoFSW considers three design rainfall events. The most extreme of these (0.1% AEP) can be used to provide an indication of the impact of climate change on the extent of flooding associated with ordinary watercourses.

4.5 Flooding from Surface Water

Surface water flooding, also known as pluvial flooding, occurs when high intensity rainfall generates runoff which flows over the surface of the ground and accumulates in low lying areas. The presence of impermeable surfaces, saturated soils, and insufficient capacity within the drainage network can further exacerbate surface water flooding. The NPPG states that an SFRA should identify areas at risk from surface water flooding and drainage issues, taking account of the surface water flood risk mapping published by the Environment Agency as well as other available information.

Appendix B, Figure 11 shows the spatial distribution of surface water flood risk across the city of York.

4.5.1 Historic Records

City of York Council has records of surface water flooding at various locations across its area, mainly resulting from rainfall since 2007. The most comprehensive records relate to the consequences of intense rainfall in June 2007 when areas in Haxby, Wigginton, Rufforth, Strensall, Clifton, Rawcliffe, Acomb and Holgate were affected by very localised rainfall events ranging from 1 in 7 to 1 in 100 year return period. These records show that 138 locations reported flood related problems, of which 7 were believed to be habitable properties suffering from internal flooding. The flooding mostly affected roads where the rainfall exceeded the drainage infrastructure design capacity of 1 in 30 years. Similar impacts were experienced following significant city-wide rainfall in August 2018.

4.5.2 City of York Surface Water Management Plan

At the time of commencing the SWMP there was little evidence in the form of reported incidents available pointing to widespread, frequent or persistent surface water flood risk at any location within the study area.

As part of the SWMP for City of York Council, direct rainfall modelling was undertaken and the results used to identify flooding hotspots where surface water flooding poses risk to properties, businesses and infrastructure. The surface water flooding hotspots identified for City of York Council are identified in Table 8.

Table 8. Surface Water Flooding Hotspots

Hotspot Name	Location
Strensall	York Road
Wiggington/ Haxby	The Village
Rawcliffe	Howard Drive, Rawcliffe Croft
Clifton Without	St Phillip's Grove
Clifton	Shipton St Field View
Heworth	Straylands Grove, Elm Park Way, Elmfield Avenue
Acomb	Junction of Carr Lane and Boroughbridge Road, Ouse Acres
Westfield	Huntsman Walk

The SWMP identified potential high level options to manage and mitigate the flooding at each of the hotspots as well as broader ranging actions for City of York Council to meet the requirements of the FWMA in their role as the LLFA.

4.5.3 Risk of Flooding from Surface Water Map

The Environment Agency has undertaken modelling of surface water flood risk at a national scale and produced mapping identifying those areas at risk of surface water flooding during three annual probability events: 3.33% AEP (1 in 30), 1% AEP (1 in 100) and 0.1% AEP (1 in 1000). The latest version of mapping is referred to as the 'Risk of Flooding from Surface Water' (RoFSW) and the extents have been made available to City of York Council as GIS layers. This dataset is also presented on the Environment Agency website.

The RoFSW provides all relevant stakeholders, such as the Environment Agency, City of York Council and the public access to information on surface water flood risk which is consistent across England and Wales[21]. The modelling helps the Environment Agency take a strategic overview of flooding, and assists City of York Council (as the LLFA) in their duties relating to management of surface water flood risk. For the purpose of this SFRA, the mapping allows an improved understanding of areas which may have a surface water flood risk.

The modelling represents an improvement on previous national scale mapping, namely the surface water flood maps, for example:

- Increased model resolution to 2m grid;
- Representation of buildings and flow routes along roads and manual editing of the model for structural features such as flyovers;
- Use of range of storm scenarios; and,
- Incorporation of appropriate local mapping, knowledge and flood incident records.

However, it should be noted that this national mapping has the following limitations:

- Use of a single drainage rate for all urban areas;
- It does not show the susceptibility of individual properties to surface water flood records; and,
- As with all models, the RoFSW is affected by a lack of, or inaccuracies in available data.

The datasets provide a picture of surface water flooding across the study area and identify that areas of susceptibility to surface water flooding are widespread across most parts of the City of York. Through an assessment of the dataset, it can be seen that surface water flood risk can typically be associated with the following, although this list is by no means exhaustive:

- **Fluvial Corridors**: The risk of surface water flooding tends to coincide with the fluvial floodplains of Main Rivers and Ordinary Watercourses, which, due to their low lying nature, allow flows to be accumulated and passed downstream. In these areas, there is significant interaction between fluvial and surface water flows. Within areas of urban development, any surface water drainage networks which discharge to watercourses may be restricted by flood locked outfalls.
- **Land Drains**: Within City of York Council's administrative area, there is an extensive network of land drainage systems and Ordinary Watercourses, which act as conveyance routes for surface water. Although these features tend to occur in primarily rural, undeveloped areas, there is the potential that new sites, particularly minerals and waste allocations, may coincide with these features. The risk of flooding as a result of these flow routes, will need to be examined as part of any development, even if the current risk appears to be minimal.
- **Urban Areas**: Surface water flooding frequently occurs in urban areas as a direct result of topographic features, such as buildings and roads, which restrict infiltration, deflect flows into sewer systems with limited capacity and encourage localised ponding. This can be seen within the majority of the urban areas in City of York Council's administrative area.
- **Railway and Road Embankments**: The presence of raised embankments, such as those usually associated with highway and rail networks, can have a significant impact on surface water flow routes, which restrict flows leading to localised areas of deep ponding. This is evident across to the south west of the City and increases flood risk to those communities which align with this infrastructure.

[21] Environment Agency, 2013. *'What is the updated Flood Map for Surface Water?'*

- **Roads**: Roads, highways and railway lines can act as conveyance routes for surface water whilst flooding can also affect the operational potential of this infrastructure. The risk to these receptors should be considered as part of any future development application, ensuring safe access and egress to sites during times of flood.
- **Underpasses**: Where underpasses are present, the lower elevation allows for the increased risk of surface water flooding. In these areas, although the extent may be minimal, the depth of flooding experienced may be significant.

4.5.4 Climate Change

The RoFSW does not include a specific scenario to determine the impact of climate change on the risk of surface water flooding. However a range of three annual probability events have been undertaken, 3.3% AEP, 1% AEP and 0.1% AEP and therefore it is considered appropriate to use the 0.1% AEP event as a substitute dataset to provide a worst case scenario and an indication of the implications of climate change.

4.6 Flooding from Groundwater

Groundwater flooding usually occurs in areas underlain by permeable rock and aquifers that allow groundwater to rise to the surface through the permeable subsoil following long periods of wet weather. Low lying areas may be more susceptible to groundwater flooding because the water table is usually at a much shallower depth.

4.6.1 Sources

Appendix B Figure 12 illustrates the Environment Agency's Areas Susceptible to Groundwater Flooding (AStGWF) map for City of York Council's administrative area. The mapping shows the susceptibility to coincide with the distribution and thickness of lacustrine clay (typically Boulder Clay) within the superficial geology (Appendix B Figure 4). As such, the greatest susceptibility to groundwater occurs to the north east and south west of the City of York area and along the river corridors where Till cover is typically thin or absent.

4.6.2 Historic Records

Although the AStGWF map suggests a potential for groundwater flooding, the Council has no record of areas where groundwater emergence is known to be a cause of significant flooding. It has therefore been ruled out as a potential cause of flooding in this assessment.

4.7 Flooding from Sewers

4.7.1 Sources

Rainwater falling on impermeable surfaces in developed areas drains into either surface water or combined sewers (which convey both surface water and sewage). Until approximately eighty years ago the use of combined sewers was standard practice, with excess flow in times of storm discharged through combined sewer overflows to an adjacent watercourse. A large part of the central core of the City of York is drained in this way. Post 1930s development is largely drained by separate sewerage systems with surface water sewers ultimately discharging to local watercourses.

During heavy rainfall, flooding from the sewer system may occur if:

(1) The rainfall event exceeds the capacity of the sewer drainage system:

The majority of modern 'adoptable surface water' sewer systems are designed to accommodate rainfall events with a 3.3% AEP or less. Therefore, rainfall with a return period of frequency greater than 3.3% AEP would be expected to result in surcharging of some of the sewer system. While Yorkshire Water, as the sewerage undertaker for City of York Council's administrative area, is concerned about the frequency of extreme rainfall events, it is not economically viable to build sewers that could cope with every extreme rainfall event.

(2) The system becomes blocked by debris or sediment

Over time there is potential that road gullies and drains become blocked from fallen leaves, build-up of sediment and debris (e.g. litter). Reduced hydraulic capacity from siltation is a particular problem in York due to the flatness of the area and the difficulty in designing sewerage systems that are self-cleansing i.e. provides sewer flow

velocities sufficient to pick up and disperse solids. This is also the case with piped and open systems in other ownerships and has been highlighted in the SWMP.

(3) The system becomes blocked by waste products

Sewer blockages may be caused by fats, oils, grease and un-flushable or sanitary items which are largely derived from domestic or commercial waste systems.

(4) The system surcharges due to high water levels in receiving watercourses

Within the study area there is potential for surface water outlets to become submerged due to high river levels. When this happens, water is unable to discharge. Once storage capacity within the sewer system itself is exceeded, the water will begin to overflow into streets and potentially into houses. Where the local area is served by 'combined' sewers i.e. containing both foul and storm water, if rainfall entering the sewer exceeds the capacity of the combined sewer and storm overflows are blocked by high water levels in receiving watercourses, surcharging and surface flooding may again occur but in this instance floodwaters will contain dilute untreated sewage.

4.7.2 Historic Records

Overall the sewerage system has remained largely unchanged over the years, but at some locations schemes have been implemented to address local flooding issues. An example of this is the storage tank at Union Terrace where a number of properties have experienced flooding from the combined sewer network during times of extreme rainfall. A 15 metre diameter storage tank has been built between 83 and 93 Union Terrace to store flows which is pumped back into the sewerage system when there is sufficient capacity.

Further problems can occur where sewerage systems are isolated behind flood defences in times of raised river levels. Systems are in place to manage these occurrences (pumping stations or sluices) but they can be compromised and present risks to areas that are defended – i.e. Leeman Road in 2012.

Yorkshire Water has provided an extract from their DG5 Flood Register for the study area. The DG5 is a water company held register of properties which have experienced sewer flooding due to hydraulic overload, or properties which are 'at risk' of sewer flooding more frequently than once in 20 years. Due to data protection requirements the data has not been provided at individual property level; rather, the register comprises the number of properties within 4 digit postcode areas that have experienced flooding either internally or externally within the last 10 years.

The DG5 records indicate hydraulic flooding within the City of York occurs predominantly in the larger urban areas around the outskirts of York city centre, including Rawcliffe, Acomb, Holgate and Tang Hall. There are fewer isolated incidents of sewer flooding at village level across the administrative area.

It should be noted that records only appear on the DG5 register where they have been reported to Yorkshire Water, and as such they may not include all instances of sewer flooding. Furthermore given that Yorkshire Water target these areas for maintenance and improvements, areas that experienced flooding in the past may no longer be at greatest risk of flooding in the future.

4.7.3 Climate Change

Climate change is anticipated to increase the potential risk from sewer flooding as summer storms become more intense and winter storms more prolonged. This combination is likely to increase the pressure on the existing efficiency of sewer systems, thereby reducing their design standard and leading to more frequent localised flooding incidents.

Yorkshire Water will monitor the risk of sewer flooding and put plans in place to manage this, as required, based on their business plan and priorities. City of York Council will work with Yorkshire Water to identify flooding hotspots and locations of known sewer capacity issues where risk could be exacerbated.

Yorkshire Water will prioritise investment for potential flood alleviation schemes depending on the severity and frequency of flooding, but this can only be identified where affected property owners report the incident to the water company.

4.8 Flooding from Artificial Sources

4.8.1 Risk of Flooding from Reservoirs Mapping

A reservoir can be defined as a natural or artificial waterbody where water is collected and stored until needed. Under the FWMA (2010), the Environment Agency is responsible for managing flood risk from large raised reservoirs. Large raised reservoirs are defined in the FWMA (2010) as:

- A large[22], raised structure[23] designed or used for collecting and storing water; or
- A large, raised lake or other area capable of storing water which was created or enlarged by artificial means.

The failure of a reservoir has the potential to cause catastrophic damage due to the sudden release of large volumes of water. The NPPG encourages LPAs to identify any impounded reservoirs and evaluate how they might modify the existing flood risk in the event of a flood in the catchment it is located within, and / or whether emergency draw-down of the reservoir will add to the extent of flooding.

Reservoir flooding is extremely unlikely to happen; there has been no loss of life from reservoir flooding in the UK since 1925. All large reservoirs are regularly inspected and supervised by reservoir engineers under the enforcement authority for the Reservoirs Act 1975 in England. If a reservoir were to breach, a large volume of water would come cascading down the surrounding valleys with very little warning. People living and working in these areas would be at great danger; therefore it is necessary to plan in advance an emergency strategy should such an event occur.

The Environment Agency 'Flooding from Reservoirs' mapping[24] available online and mapped within Appendix B Figure 13 shows the potential flood risk if reservoirs were breached. The model outputs are for emergency planning purposes and are not intended to reflect the most detailed flood extents. As such, these data show the absolute maximum flood where there is likely to be an impact.

There is only one reservoir (Clifton Ings) located within City of York Council's administrative area used for storage and recreational purposes. A further 32 reservoirs are located within the Ouse catchment upstream of the City. Approximately 6000 people are at risk from flooding resulting from a failure of a reservoir in the upstream catchment, and the greatest areas of risk are upstream of York. Although there is some risk to riverside properties in York, the distance between the reservoirs and the city means that a large amount of water will have dissipated across the floodplain before reaching the city.

From Appendix B Figure 13 there are several additional reservoirs and structures that, if breached, have the potential to affect property and infrastructure in the administrative area. These include the following:

- Angram Reservoir is located along the River Nidd in Upper Nidderdale and is the first of a series of three reservoirs along this section of the Nidd. If a breach were to occur from the reservoir the River Nidd would flood and result in flooding of the River Ouse throughout its length in City of York. Flooding from this breach could potentially flood riverside extents of villages and properties in Nether Poppleton, York City Centre, Fulford, Naburn and Acaster Mabis;
- Scar House Reservoir is the second in the series of three reservoirs along the River Nidd in Nidderdale. If a breach were to occur from the reservoir the River Nidd would flood, consequently causing the River Ouse to flood south of York City Centre. Flooding from this breach would be limited to the floodplain and flood storage areas along the River Ouse;
- Gouthwaite Reservoir is located in Nidderdale and is the final reservoir in the series of three located along the upper course of the River Nidd. If a breach were to occur from the reservoir the River Nidd would flood at the confluence with the River Ouse causing flooding along the River Ouse to Nether Poppleton. Flooding from this breach would be limited to the floodplain and flood storage areas along the River Ouse;

[22] A raised structure or area is "large" if it is capable of holding 10,000m^{3}of water or more, above the natural level of any part of the surrounding land. A review into reducing the capacity to which a reservoir will be regulated from 25,000 m^3 to 10,000 m^{3}is expected to be phased in to improve the safety legislation and regulation of reservoirs[22]. These changes to the safety legislations of reservoirs have yet to come into effect under the Environment Agency.

[23] A structure or area is "raised" if it is capable of holding water above the natural level of any part of the surrounding land.

[24] Environment Agency (2016) Risk of Flooding from Reservoirs Mapping available online http://watermaps.environment-agency.gov.uk/wiyby/wiyby.aspx?topic=reservoir#x=357683&y=355134&scale=2

- Siwards How is a surface water feature located by the University of York. If Siwards How were to flooding would potentially affect property and infrastructure in the University Campus, Heslington and Osbaldwick before flood waters reach Osbaldwick Beck;
- Thruscross Reservoir, located west of Harrogate, and Fewston Reservoir, located north of Otley and west of Harrogate form a series of reservoirs along the upper course of the River Walsburn. If a breach were to occur from either reservoir the River Walsburn and River Wharfe would flood, and, at the confluence with the River Ouse, flood waters would cause flooding upstream within the southern boundary of City Of York. Flooding would be contained within the floodplain of the River Ouse;
- Grimworth Reservoir is located in the south east extent of the Yorkshire Dales National Park in the upstream catchment of the River Wharfe. If a breach were to occur from this reservoir the River Wharfe would flood, and at the confluence with the River Ouse flood waters would cause minor flooding upstream within the southern boundary of City Of York. Flooding would be contained within the floodplain of the River Ouse;
- Linton Ings is a flood storage area located on the floodplain of the River Ouse, immediately south of Linton-on-Ouse. If a breach of this flood storage area were to occur flood waters inside the administrative boundary would be confined to the River Ouse floodplains and channel;
- Bishopthorpe Lagoon is a small surface water attenuation feature located in Bishopthorpe, south of York city centre and is maintained by Yorkshire Water. If a breach were to occur, the River Ouse would likely flood. Flooding from this breach could potentially affect properties in the north of Bishopthorpe, highway infrastructure and greenfield land;
- Rawcliffe Lake, located on Clifton Moor, is a shallow local surface water feature located in the centre of Rawcliffe, and is maintained by Yorkshire Water. If a breach were to occur flooding would be localised to residential properties and local infrastructure to the north, east and west of the lake; and
- Elvington Waste Water Treatment Works (WwTW) is located along the banks of the River Derwent, north east of the village of Elvington and is operated by Yorkshire Water. There are three artificial surface water features associated with the processes at the WwTW. If a breach of these surface water features were to occur the River Derwent would likely flood both upstream and downstream of this location. Flooding from this breach could potentially affect properties in Elvington, the B1228 and surrounding agricultural land.

It should be noted that although the consequences of reservoir flooding are high, the probability of reservoir failure is very low.

Any site specific FRA should identify any reservoir, including those with a smaller area, and determine the risk of flooding from these features.

4.9 Emergency Planning

4.9.1 Flood Warning Areas

The Environment Agency provides a free Flood Warning Service[25] for many areas at risk of flooding from rivers and the sea. The Environment Agency has provided a GIS layer of Flood Warning Areas in the study area which are presented in Appendix B Figure 14. The Environment Agency Flood Warning Areas across City of York Council's study area, at the time of publication, are identified in Table 9.

Table 9. Flood Warning Areas in the City of York

Flood Warning Area	Watercourse
River Derwent at Elvington	River Derwent
River Ouse at York - riverside properties	River Ouse
River Ouse at York - St George's Field and Queen's Staith	River Ouse
River Foss at York - Huntington Road and Foss Island	River Foss
Tang Hall Beck at York - Beckside Properties	Tang Hall Beck, River Foss
River Ouse at York - Skeldergate and Tower Street	River Ouse
Osbaldwick Beck at York - Beckside Properties	Osbaldwick Beck, River Foss

[25] Environment Agency Flood Warning Service http://apps.environment-agency.gov.uk/wiyby/37835.aspx

Flood Warning Area	Watercourse
River Ouse at York - River Street	River Ouse
River Ouse at York - Peckitt Street	River Ouse
River Ouse at York - Fulford and Fordlands Road	River Ouse
River Ouse at Naburn Lock	River Ouse
River Ouse at Naburn and Acaster Malbis	River Ouse
River Ouse at Acaster Malbis	River Ouse
River Ouse at York - Clifton	River Ouse
River Ouse at York - Marygate	River Ouse
River Ouse at York - Leeman Road	River Ouse
Holgate Beck at York	River Ouse, Holgate Beck
River Ouse at York - Clementhorpe, Lower Ebor Street and South Bank	River Ouse
River Ouse at York - Skeldergate	River Ouse
River Foss at York - Huntington and York	River Foss
Tang Hall Beck at York - Tang Hall	Tang Hall Beck, River Foss
Osbaldwick Beck at York - Osbaldwick and Tang Hall	Osbaldwick Beck, River Foss
River Ouse at York - Fulford Road	River Ouse
River Ouse at York - North Street	River Ouse
River Ouse at York - Rawcliffe	River Ouse, Blue Beck
River Ouse at York - City Centre	River Ouse

Note that the areas presented in Table 9 are illustrative of the range of flood warnings within the City of York Council area and up to date details should be obtained from the Environment Agency to inform a site specific flood risk assessment.

The Environment Agency also issue flood alerts when flooding to low lying land and roads is expected. Flood alerts cover larger areas than flood warnings and are issued more frequently. Flood warnings and flood alerts are signed up to separately, however when signing up for flood warnings homes and businesses must agree to receive flood alerts.

4.9.2 Emergency Planning

The provision of flood warning systems is primarily the responsibility of the Environment Agency. Their flood warning dissemination plan assesses the predicted risks to the City from rising river levels. Appropriate warnings are issued, including individual warnings to high-risk properties.

City of York Council plays an important role in emergency planning and response, and therefore:

- Ensures that its emergency response plans include appropriate arrangements for flooding emergencies and reviews the plan, in consultation with the Environment Agency, IDBs, all statutory undertakers and the emergency services annually;
- Maintains an awareness of the Environment Agency's flood warning dissemination plan for its area and contributes to its implementation as necessary; and
- Plays an agreed role in any flood warning emergency exercises organised by the Environment Agency covering its area.

City of York Council has produced an Emergency Plan[26] for responding to river flooding in its Emergency Planning Procedures and has arrangements for cascading warnings received from the Environment Agency to relevant Council services. The Emergency Plan:

- outlines the procedures for responding to Environment Agency flood warning notices; and

[26] City of York Council York Flood Plan

- details matters such as health and safety considerations, resource prioritisation, vulnerable community identification and appropriate evacuation procedures.

5. Avoiding Flood Risk - Applying the Sequential Test

5.1 Sequential Approach

This Section guides the application of the Sequential Test and Exception Test in the Plan-making and planning application processes. Not all development will be required to undergo these tests, as described below, but may still be required to undertake a site specific FRA. Guidance is included in Section 7.

The sequential approach is a simple decision-making tool designed to ensure that sites at little or no risk of flooding are developed in preference to sites at higher risk. This will help avoid the development of sites that are inappropriate on flood risk grounds and to minimise the extent of development in areas at risk of flooding. The subsequent application of the Exception Test, where required, will ensure that new developments in areas of particular flood risk will only occur where flood risk is clearly outweighed by other sustainability drivers and where development can be made safe from flooding and will not increase the risk of flooding elsewhere.

All opportunities to locate new developments (except Water Compatible) in reasonably available areas of little or no flood risk should be explored, prior to any decision to locate them in areas of higher risk.

5.2 Applying the Sequential Test – Plan- Making

As the LPA, City of York Council must demonstrate that, throughout the site allocation process and related Sustainability Appraisal process, a range of possible sites have been considered in conjunction with the flood risk and vulnerability information set out in the SFRA, and that the Sequential Test, and where necessary the Exception Test, has been applied.

The Sequential Test, as set out in the NPPF, is principally based on the definition of Flood Zones associated with tidal and fluvial flood risk, and the PPG provides guidance on the application of the Sequential Test with reference to tidal and fluvial flood risk. However, the NPPF acknowledges that some areas will be at risk of flooding from sources other than tidal or fluvial. All sources of flood risk must be considered when planning for new development including: flooding from land or surface water runoff; groundwater; sewers; and artificial sources. If a location is recorded as having experienced repeated flooding from the same source this should be acknowledged within the Sequential Test.

In order to ensure that the Sequential Test takes account of flood risk from all sources, Table 10 provides a suggested flood risk classification based on available datasets in the SFRA that could be employed by City of York Council to apply the Sequential Test.

Table 10. Flood Risk Classifications for the Sequential Test

Risk	Source of Flooding				
	Fluvial/Tidal	Surface Water	Groundwater	Sewer	Reservoir
Low	Flood Zone 1	RoFSW Very Low	Not within a Potential Groundwater Flooding Zone OR Limited potential for groundwater flooding to occur	Yorkshire Water to assess the sewer network for each site.	Use EA Flooding from Reservoirs map
Medium	Flood Zone 2	RoFSW Low to Medium	Potential Groundwater Flooding Zone – Potential for groundwater flooding of property situated below ground level.		N/A
High	Flood Zone 3a	RoFSW High OR Within Critical Drainage Area	Potential Groundwater Flooding Zone Potential for groundwater flooding at surface. – and/or Historic records of groundwater flooding.		N/A
Very High	Flood Zone 3b	N/A	N/A		N/A

As well as an understanding of flood risk across the study area, the Sequential Test requires an understanding of the vulnerability classification of the proposed developments. Flood risk vulnerability classifications, as defined in the NPPG are presented in Table 11.

Table 11. Flood Risk Vulnerability Classification (PPG, 2014)

Essential Infrastructure	• Essential transport infrastructure (including mass evacuation routes) which has to cross the area at risk. • Essential utility infrastructure which has to be located in a flood risk area for operational reasons, including electricity generating power stations and grid and primary substations; and water treatment works that need to remain operational in times of flood. • Wind turbines.
Highly Vulnerable	• Police stations, ambulance stations and fire stations and command centres and telecommunications installations required to be operational during flooding. • Emergency dispersal points. • Basement dwellings. • Caravans, mobile homes and park homes intended for permanent residential use. • Installations requiring hazardous substances consent. (Where there is a demonstrable need to locate such installations for bulk storage of materials with port or other similar facilities, or such installations with energy infrastructure or carbon capture and storage installations, that require coastal or water-side locations, or need to be located in other high flood risk areas, in these instances the facilities should be classified as “essential infrastructure”).
More Vulnerable	• Hospitals. • Residential institutions such as residential care homes, children’s homes, social services homes, prisons and hostels. • Buildings used for dwelling houses, student halls of residence, drinking establishments, nightclubs and hotels. • Non–residential uses for health services, nurseries and educational establishments. • Landfill and sites used for waste management facilities for hazardous waste. • Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan.
Less Vulnerable	• Police, ambulance and fire stations which are not required to be operational during flooding. • Buildings used for shops, financial, professional and other services, restaurants and cafes, hot food takeaways, offices, general industry, storage and distribution, non–residential institutions not included in “more vulnerable”, and assembly and leisure. • Land and buildings used for agriculture and forestry. • Waste treatment (except landfill and hazardous waste facilities). • Minerals working and processing (except for sand and gravel working). • Water treatment works which do not need to remain operational during times of flood. • Sewage treatment works (if adequate measures to control pollution and manage sewage during flooding events are in place).
Water-Compatible Development	• Flood control infrastructure. • Water transmission infrastructure and pumping stations. • Sewage transmission infrastructure and pumping stations. • Sand and gravel working. • Docks, marinas and wharves. • Navigation facilities. • MOD defence installations. • Ship building, repairing and dismantling, dockside fish processing and refrigeration and compatible activities requiring a waterside location. • Water-based recreation (excluding sleeping accommodation). • Lifeguard and coastguard stations. • Amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms. • Essential ancillary sleeping or residential accommodation for staff required by uses in this category, subject to a specific warning and evacuation plan.

Table 12 is reproduced from the NPPF PPG and indicates the compatibility of different development types with each of the Flood Zones.

Table 12. Flood Risk Vulnerability and Flood Zone 'Compatibility' (PPG, 2014)

Flood Risk Vulnerability Classification		Essential Infrastructure	Water Compatible	Highly Vulnerable	More Vulnerable	Less Vulnerable
Flood Zone	1	✓	✓	✓	✓	✓
	2	✓	✓	Exception Test Required	✓	✓
	3a	Exception Test Required	✓	×	Exception Test Required	✓
	3b	Exception Test Required	✓	×	×	×

Key:

✓ - Development is appropriate

× - Development should not be permitted

† - In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

* - In Flood Zone 3b (functional floodplain) essential infrastructure that has to be there and has passed the Exception Test, and water-compatible uses, should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

Figure 4. Application of the Sequential Test for Local Plan Preparation

Figure 4 illustrates the approach for applying the Sequential Test that City of York Council should adopt in the preparation of the Local Plan. The approach is also described in the steps below. The Sequential Test should be undertaken by City of York Council and accurately documented to ensure decision processes are consistent and transparent.

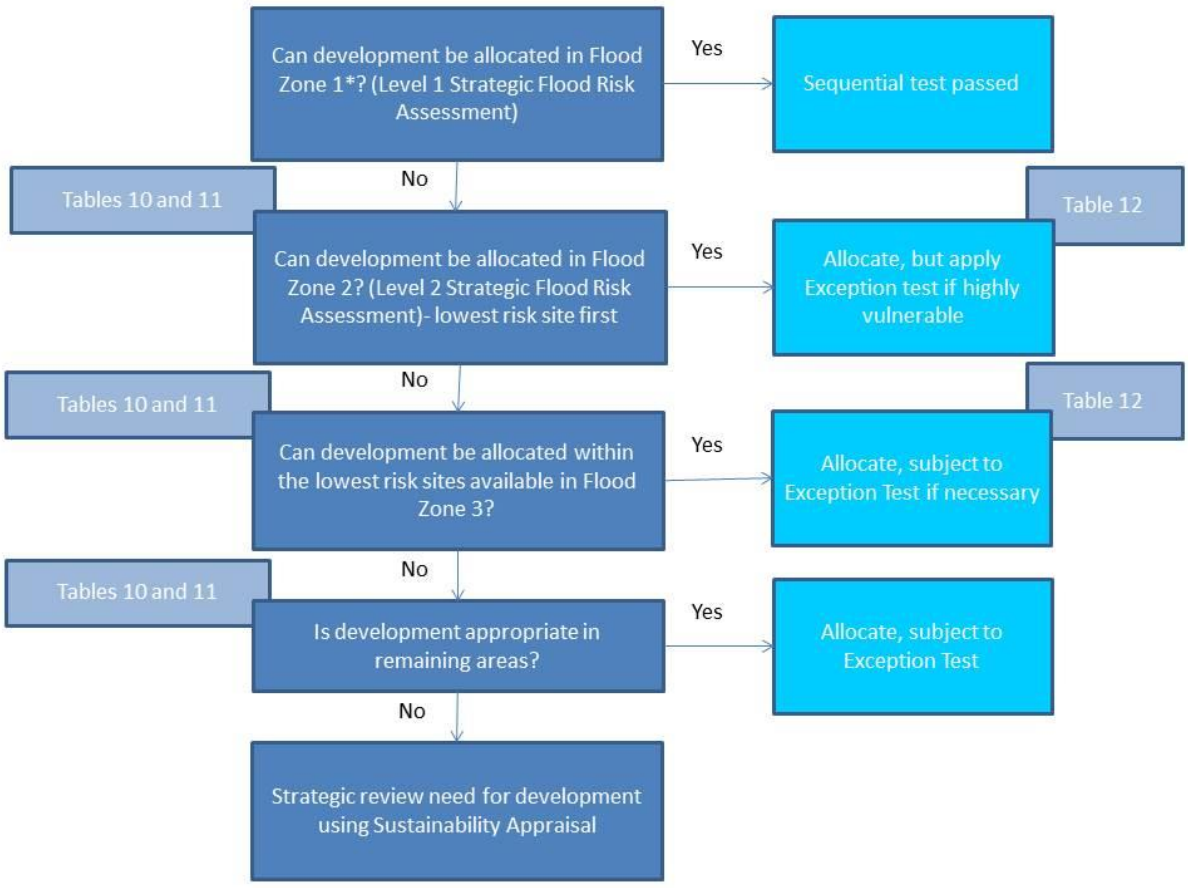


Figure 4. Application of the Sequential Test for Local Plan Preparation

5.2.1 Stages for LPA application of the Sequential Test in Plan-Making

The information required to address many of these steps is provided in the accompanying maps in Appendix B and site assessment database held by City of York Council.

a. Assign potential developments with a vulnerability classification (Table 8). Where development is mixed, the development should be assigned the highest vulnerability class of the developments proposed.

b. The location and identification of potential development should be recorded.

c. The Flood Zone classification of potential development sites should be determined based on a review of the Flood Map for Planning (Rivers and Sea). Where these span more than one Flood Zone, all zones should be noted.

d. The risk of flooding from other sources should also be identified, based on readily available datasets and local information as set out in Section 4 of this Report and the figures in Appendix B.

e. Identify existing flood defences serving the potential development sites. (However, it should be noted that for the purposes of the Sequential Test, Flood Zones ignoring defences should be used).

f. The design life of the development should be considered with respect to climate change:

- 100 years – up to 2115 for residential developments; and
- Design life for commercial / industrial developments will be variable, however a 75 year design life may be assumed for such development, unless demonstrated otherwise.

g. Highly Vulnerable developments to be accommodated within the LPA area should be located in those sites identified as being within Flood Zone 1 and at low risk of flooding from other sources. If these cannot be located in areas of low flood risk, because the identified sites are unsuitable or there are insufficient sites in areas of low risk, sites in Flood Zone 2 can then be considered. Highly Vulnerable developments in Flood Zone 2 will require application of the Exception Test. If sites in Flood Zone 2 are inadequate then the LPA may have to identify additional sites in Flood Zones 1 or 2 to accommodate development or seek opportunities to locate the development outside their administrative area. Within each Flood Zone Highly

Vulnerable development should be directed, where possible, to the areas at lowest risk from all sources of flooding. It should be noted that Highly Vulnerable development is not appropriate in Flood Zones 3a and 3b.

h. Once all Highly Vulnerable developments have been allocated to a development site, the LPA can consider those development types defined as More Vulnerable. In the first instance, More Vulnerable development should be located in any unallocated sites in Flood Zone 1 and at low risk of flooding from other sources. Where these sites are unsuitable or there are insufficient sites remaining, sites in Flood Zone 2 can be considered. If there are insufficient sites in Flood Zone 1 or 2 to accommodate More Vulnerable development, sites in Flood Zone 3a can be considered. More Vulnerable developments in Flood Zone 3a will require application of the Exception Test. As with Highly Vulnerable development, within each Flood Zone, More Vulnerable development should be directed to areas at lowest risk from all sources of flooding. It should be noted that More Vulnerable development is not appropriate in Flood Zone 3b.

i. Once all More Vulnerable developments have been allocated to a development site, the LPA can consider those development types defined as Less Vulnerable. In the first instance Less Vulnerable development should be located in any remaining unallocated sites in Flood Zone 1 and at low risk of flooding from other sources, continuing sequentially with Flood Zone 2, then Flood Zone 3a. Less Vulnerable development types are not appropriate in Flood Zone 3b – Functional Floodplain.

j. Essential Infrastructure should be preferentially located in the lowest flood risk zones, however this type of development may be located in Flood Zones 3a and 3b, provided the Exception Test is satisfied.

k. Water Compatible development has the least constraints with respect to flood risk and it is considered appropriate to allocate these sites last. The sequential approach should still be followed in the selection of sites; however it is appreciated that Water Compatible development by its nature often relies on access and proximity to water bodies.

l. Where the development type is Highly Vulnerable, More Vulnerable, Less Vulnerable or Essential Infrastructure and a site is found to be impacted by a recurrent flood source (other than tidal or fluvial), the site and flood sources should be investigated further regardless of any requirement for the Exception Test.

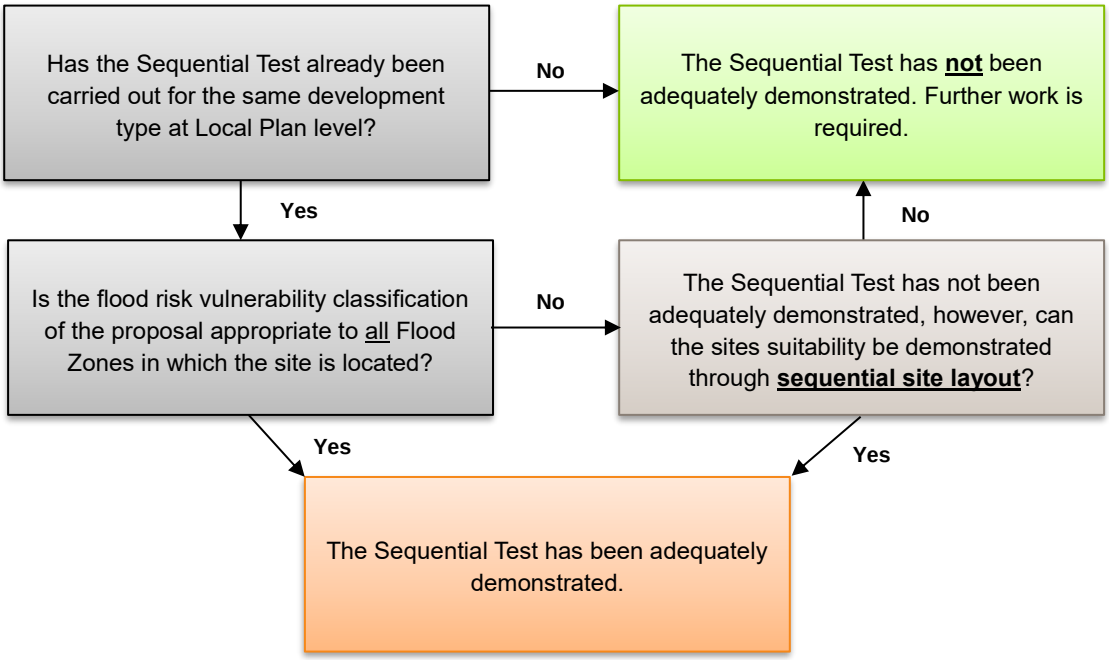
5.2.2 Windfall Sites

Windfall sites are those which have not been specifically identified through the Local Plan process. They comprise sites that have become available and/or could not reasonably have been identified through the site selection process. In cases where development cannot be fully met through the provision of site allocations, LPAs are expected to make a realistic allowance for windfall development, based on past trends and expected future trends. It is recommended that the acceptability of windfall applications in flood risk areas should be considered at the strategic level through a policy setting out broad locations and quantities of windfall development that would be acceptable or not in Sequential Test terms.

5.3 Applying the Sequential Test – Individual Applications

As illustrated in Figure 5 the flood risk Sequential Test can be considered adequately demonstrated if (1) the Sequential Test has already been carried out for the site for the same development type at the Local Plan level and (2) the development vulnerability is appropriate to the Flood Zone.

Figure 5. Determining when the Sequential Test is required for Planning Applications



If the answer to the first criteria is 'yes', but is 'no' for the second, it may be possible to make the site suitable for the proposed use by applying a sequential approach to the development site layout. Further guidance on how to apply a sequential approach is provided in Section 5.3.2.

If the answer to either of these two criteria is 'no', then it is necessary to undertake a Sequential Test for the site. The Environment Agency publication 'Demonstrating the Flood Risk Sequential Test for Planning Applications'[27] sets out the procedure as follows:

- Identify the geographical area of search over which the test is to be applied; this could be the District area, or a specific catchment if this is appropriate and justification is provided (e.g. school catchment area or the need for affordable housing within a specific area identified for regeneration in Local Plan policies);
- Identify the source of 'reasonably available' alternative sites; usually drawn from evidence base / background documents produced to inform the Local Plan;
- State the method used for comparing flood risk between sites; for example the Environment Agency Flood Map for Planning, the SFRA mapping, site-specific FRAs if appropriate, other mapping of flood sources;
- Apply the Sequential Test; systematically consider each of the available sites, indicate whether the flood risk is higher or lower than the application site, state whether the alternative option being considered is allocated in the Local Plan, identify the capacity of each alternative site, and detail any constraints to the delivery of the alternative site(s);
- Conclude whether there are any reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed;
- Where necessary, as indicated by Table 9, apply an Exception Test;
- Apply the sequential approach to locating development within the site.

It should be noted that it is for LPAs, taking advice from the Environment Agency as appropriate, to consider the extent to which Sequential Test considerations have been satisfied, taking into account the particular circumstances in any given case. The developer should justify with evidence to the LPA what area of search has been used when making the application. Ultimately City of York Council needs to be satisfied in all cases that the proposed development would be safe and not lead to increased flood risk elsewhere.

[27] Environment Agency (April 2012) Demonstrating the flood risk Sequential Test for Planning Applications, Version 3.1

5.3.1 Sequential Test Exemptions

It should be noted that the Sequential Test does not need to be applied in the following circumstances:

- Individual developments proposed on sites which have been allocated in development plans through the Sequential Test.
- Minor development, which is defined in the NPPF as:
  - Minor non-residential extensions: industrial / commercial / leisure etc. extensions with a footprint <250 m^2;
  - Alterations: development that does not increase the size of buildings e.g. alterations to external appearance; and
  - Householder development: for example; sheds, garages, games rooms etc. within the curtilage of the existing dwelling itself. This definition excludes any proposed development that would create a separate dwelling within the curtilage of the existing dwelling e.g. subdivision of houses into flats;
- Change of Use applications, unless it is for a change of use of land to a caravan, camping or chalet site, or to a mobile home site or park home site;
- Development proposals in Flood Zone 1 (land with a low probability of flooding from rivers or the sea) unless the SFRA, or other more recent information, indicates there may be flooding issues now or in the future (for example, through the impact of climate change);
- Redevelopment of existing properties (e.g. replacement dwellings), provided they;
  - Will not be placed at an unacceptable level of flood risk, irrespective of the risk posed to the existing dwelling;
  - Do not increase the number of dwellings in an area of flood risk (i.e. replacing a single dwelling with an apartment block); and
  - Do not increase the net footprint of the building(s) unless accompanied by adequate floodplain compensation or suitable under floor voids.
- Redevelopment, for example replacement dwellings, will be expected to meet current Flood Risk Management best practice standards. Where this is not feasible due to conflicting planning reasons, designs should be as close to best practice as possible. Under no circumstances will a worsening of flood risk compared to the existing case be accepted.

5.3.2 Sequential Approach to Site Layout

It is important to acknowledge that some proposed development sites may only partially fall within Flood Zone 2, 3a or 3b, and as a result, may be discarded at an early stage of the Sequential Test. This Section provides some guidance on allowances that could be made by identifying those portions of proposed development sites located within these flood zones.

The sequential approach should be applied within development sites to locate the most vulnerable elements of a development in the lowest risk areas. Development should be sequentially allocated within the site boundary to areas firstly within Flood Zone 1 (Low Probability) and then Flood Zone 2 (Medium Probability) where ‘less vulnerable’ development uses would be more appropriate. Residential developments (‘more vulnerable’) should be restricted to areas at low probability of flooding and the following types of ‘water compatible’ development can be placed on lower ground with a higher probability of flooding (Flood Zones 3a and 3b):

- Car parks;
- Green Infrastructure (i.e. open spaces, proposed landscaped areas, nature conservation);
- Outdoor sports and recreation;
- Flood control infrastructure; and
- Water and sewerage transmission infrastructure.

Should development pressure create a need to develop in areas within Flood Zone 3 (plus an allowance for climate change) appropriate minimum floor levels to adopt in agreement with the Environment Agency should be determined.

It is required that any flood volume displaced as a result of development within the entire Flood Zone 3 plus an allowance for climate change envelope (encapsulating Flood Zones 3a (High Probability) and 3b (Functional Floodplain) be compensated for elsewhere within the site boundary on a 'level for level' and 'volume for volume' basis. Any proposed layout and location for such compensation should take into account the flow routing to ensure adequate conveyance.

Appropriate mitigation measures should be incorporated, such that the risk of flooding to surrounding areas is not increased, and where opportunity exists reduction is sought.

In addition to mitigating the impact of any fluvial flows displaced as described above, consideration should be given to the impact of any development on pluvial flow routes and areas susceptible to ponding (see Appendix B Figure 9) informed by a review of the local topography, geology and any structures that may influence the movement of water over the surface. Following the sequential approach to the layout of buildings the provision of SuDS (as outlined in the City of York Sustainable Drainage Guidance for Developers document) will assist in mitigating any increase in risk from surface water to surrounding areas.

5.4 Exception Test

The Exception Test, as set out in paragraph 159 of the NPPF, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.

Figure 6 illustrates the approach for applying the Exception Test that City of York Council should adopt in the preparation of the Local Plan.

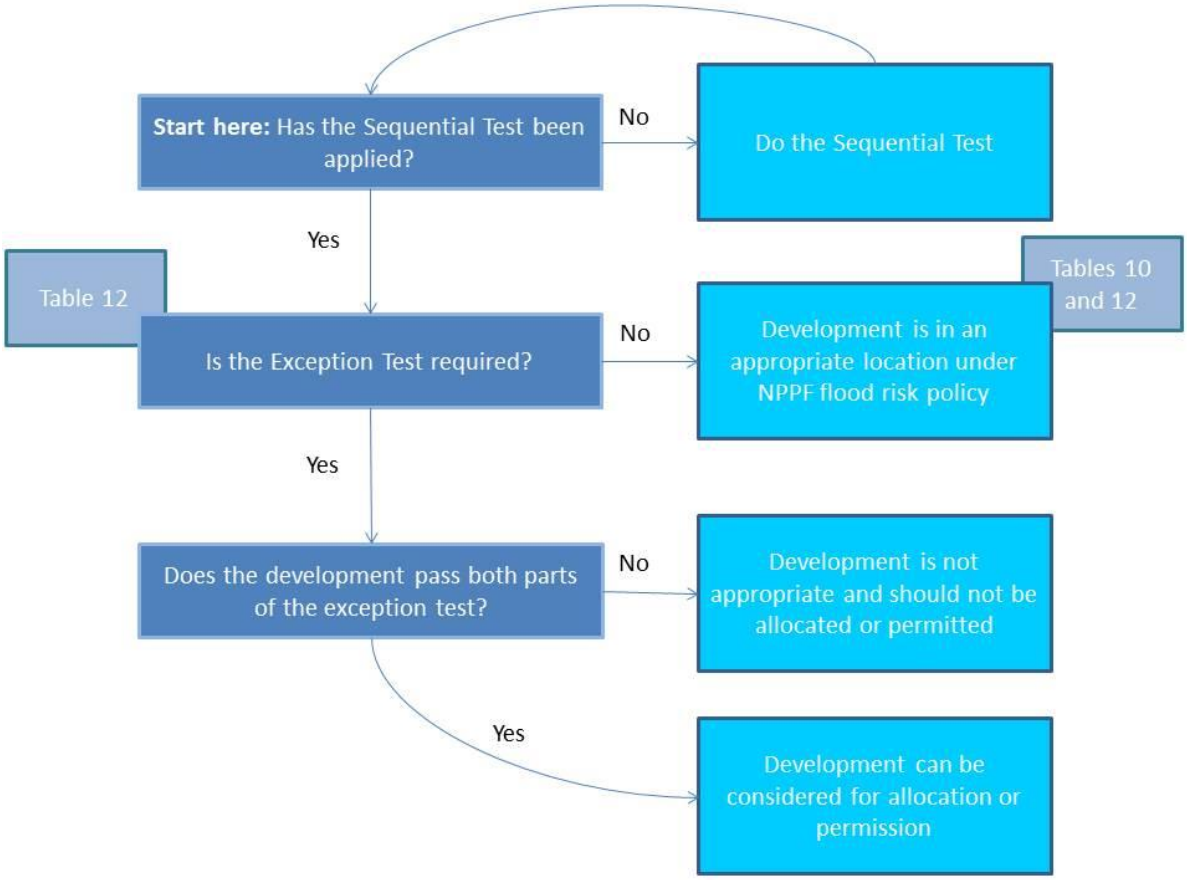


Figure 6. Application of the Exception Test to Local Plan preparation

The purpose of an Exception Test is to ensure that where it may be necessary to locate development in areas at risk of flooding, new development is only permitted in Flood Zone 2 and Flood Zone 3 where the flood risk is clearly outweighed by other sustainability factors and where the development will be safe during its lifetime, considering climate change.

The NPPF states that for the Exception Test to be passed:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

In order to determine Part 1) of the Exception Test, applicants should assess their scheme against the objectives set out in the Local Plan Sustainability Appraisal (2018)[28] and reproduced in Table 13. In order to demonstrate satisfaction of Part 2) of the Exception Test, relevant flood risk management and mitigation measures should be applied and demonstrated within a site-specific FRA as detailed in Section 7.

Table 13. City of York Council's Sustainability Appraisal Objectives

	Sustainability Objectives
1	To meet the diverse housing needs of the population in a sustainable way.
2	Improve the health and wellbeing of York's population.
3	Improve education, skills, development and training for an effective workforce.
4	Create jobs and deliver growth of a sustainable, low carbon and inclusive economy.
5	Help deliver equality and access to all.
6	Reduce the need to travel and deliver a sustainable integrated transport network.
7	To minimise greenhouse gases that cause climate change and deliver a managed response to its effects.
8	Conserve and enhance green infrastructure, biodiversity, geodiversity, flora and fauna for accessible high quality and connected natural environment.
9	Use land resources efficiently and safeguard their quality.
10	Improve water efficiency and quality.
11	Reduce waste generation and increase level of reuse and recycling.
12	Improve air quality.
13	Minimise flood risk and reduce the impact of flooding to people and property in York.
14	Conserve and enhance York's historic environment, cultural heritage, character and setting.
15	Protect and enhance York's natural and built landscape.

5.4.1 Exemptions

It is noted that applications for minor development and change of use are exempt from an Exception Test (see Notes to the Flood Risk Vulnerability and Flood Zone 'Compatibility' table (PPG, 2014) however site-specific FRAs are still required, as detailed in Section 7.

[28] City of York Council & Amec Foster Wheeler, (2018) Sustainability Appraisal of the Local Plan Publication Draft [Examination Library references: CD008 and CD009]

6. Flood Risk Management Measures

Where alternative sites in areas at lower risk of flooding are not available, it may be necessary to locate development in areas at risk of flooding. In these cases, City of York Council and developers must ensure that development is appropriately flood resilient and resistant, safe for its users for the lifetime of the development, and will not increase flood risk overall.

6.1 Sequential Approach within Development Sites

Flood risk should be considered at an early stage in deciding the layout and design of a site to provide an opportunity to reduce flood risk within the development and to ensure flood risk is not increased elsewhere.

Most large development proposals include a variety of land uses of varying vulnerability to flooding. The sequential approach should be applied within development sites to locate the most vulnerable elements of a development in the lowest risk areas e.g. residential developments (classified as More Vulnerable Development) should be restricted to areas at lower probability of flooding whereas parking, open space or proposed landscaped areas (classified as Water Compatible or Less Vulnerable Development) can be placed on lower ground with a higher probability of flooding.

Whilst traditionally applied to the risk of river flooding, this approach should also be implemented when considering the risk of other sources of flooding (i.e. surface water flooding, groundwater flooding etc.) across a site.

6.2 Finished Floor Levels

Where developing in fluvial or tidal flood risk areas is unavoidable, the recommended method of mitigating flood risk to people, particularly with More Vulnerable (residential) land uses, is to ensure internal floor levels are raised 600mm above the known or modelled 1 in 100 year (1% AEP) flood level for rivers or 1 in 200 year (0.5% AEP) flood level for tidal sources, including a suitable allowance for climate change (see Environment Agency Standing Advice). Floor levels may not need to be raised for other types of development where buildings can be designed to be floodable e.g. Less Vulnerable development.

Development Type	Flood Zone 3	Flood Zone 2
Minor residential development	Floor levels within the proposed development will be set no lower than existing levels AND, flood proofing of the proposed development should be incorporated OR, Floor levels within the extension will be set 300mm above the known or modelled 1 in 100 year (1% AEP) flood level including climate change for fluvial flood risk and the 1 in 200 year (0.5% AEP) event including climate change for tidal flood risk.	Floor levels within the proposed development will be set no lower than existing levels AND, flood proofing of the proposed development should be incorporated.
Other development - residential	Where appropriate, subject to there being no other planning constraints (e.g. restrictions on building heights), finished floor levels should be set at whichever level is higher: • 300mm above the general ground level of the site • 600mm above the estimated river or sea level. This level should be defined as the 1 in 100 year (1% AEP) flood level including climate change for fluvial flood risk and 600mm above the 1 in 200 year (0.5% AEP) flood level including climate change for tidal flood risk. For defended fluvial floodplain, flood levels in the event of a breach should be derived for the 1 in 100 year (1% AEP) event plus climate change and for defended tidal floodplain, flood levels should be derived for the 1 in 200 year (0.5% AEP) event plus climate change. Where ground floor levels cannot be set above the estimated river or tidal level, sleeping accommodation should be restricted to the first floor or above to offer the required 'safe places'. Internal ground floors below this level could however be occupied by either Less Vulnerable commercial premises, garages or non-sleeping residential rooms (e.g. kitchen, study, lounge) (i.e. applying a sequential approach within a building)	

Development Type	Flood Zone 3	Flood Zone 2
Other development – non residential	Finished floor levels may not need to be raised. For example, Less Vulnerable developments can be designed to be floodable instead of raising floor levels, and this may be beneficial to help minimise the impact of the development on the displacement of floodwater and the risk of flooding to the surrounding area. However, it is strongly recommended that internal access is provided to upper floors (first floor or a mezzanine level) to provide safe refuge in a flood event. Such refuges will have to be permanent and accessible to all occupants and users of the site and a Flood Warning and Evacuation Plan should be prepared to document the actions to take in the event of a flood. Other flood resilience and resistance measures may also be required.	
Basement dwellings	Basements, basement extensions, conversions of basements to a higher vulnerability classification or self-contained units are not permitted in Flood Zone 3b. Self-contained residential basements and bedrooms at basement level are not permitted in Flood Zone 3a. Internal access to a higher floor situated 300mm above the 1 in 100 year (1% AEP) flood level including climate change must be provided for all other basements, basement extensions and conversions.	All basements, basement extensions and conversions must have internal access basement higher floor situated 300mm above the 1 in 100 year (1% AEP) flood level including climate change.

In certain situations (e.g. for proposed extensions to buildings with a lower floor level or conversion of existing historical structures with limited existing ceiling levels), it could prove impractical to raise the internal ground floor levels to sufficiently meet the general requirements. The Environment Agency has provided Standing Advice on extensions and floor levels.

Where an area benefits from the presence of flood defences, the fluvial and/or tidal risk is considered to be residual.

The Environment Agency has prepared updated guidance on the methodology used to assess record and address the residual uncertainties associated with final floor levels and freeboard allowances[29].

6.2.1 Basement Dwellings

Basement dwellings are classified as Highly Vulnerable under the NPPF and as such the following should be adhered to within the FRA:

- Basements dwellings are discouraged within areas at risk of fluvial, surface water or groundwater flooding risk;
- Basement dwellings are not permitted within Flood Zone 3a and Flood Zone 3b;
- For Flood Zone 2, basement dwellings must pass the Sequential and Exception Tests;
- Where basement dwellings are constructed, access must be situated 300mm above the design flood level, and developers are required to install protection to prevent surcharge from the public sewer network into the property. This is often achieved by the installation of a positively pumped system in the basement;
- Waterproof construction techniques should be employed to avoid seepage during flood events;
- An assessment of ground conditions is required to inform the structural integrity of the basement construction. This should include consideration of groundwater conditions, as well as flow paths and the potential for excessive surface water to pond at the side of buildings with the potential to infiltrate and compromise structural integrity;
- Surface water flow paths should be assessed to inform the strategic location of SuDS and techniques to route flows around the edge of buildings.

6.3 Flood Resistant and Resilient Design, including Property Flood Resilience

Flood resistant measures aim to keep water out and give occupants time to relocate ground floor contents. Flood resistant and resilient design should be undertaken in line with the Department for Communities and Local

[29] Environment Agency (2017) Accounting for residual uncertainty: updating the freeboard guide. Report – SC120014

Government Guidance: Improving the Flood Performance of New Buildings, Flood Resilient Construction. This provides specific advice on how to improve the resilience of new properties in low or residual flood risk areas and suitable materials and construction techniques for floors, walls, doors and windows and fittings. Figure7 provides a summary of different design strategies depending on the depth of floodwater that could be experienced.

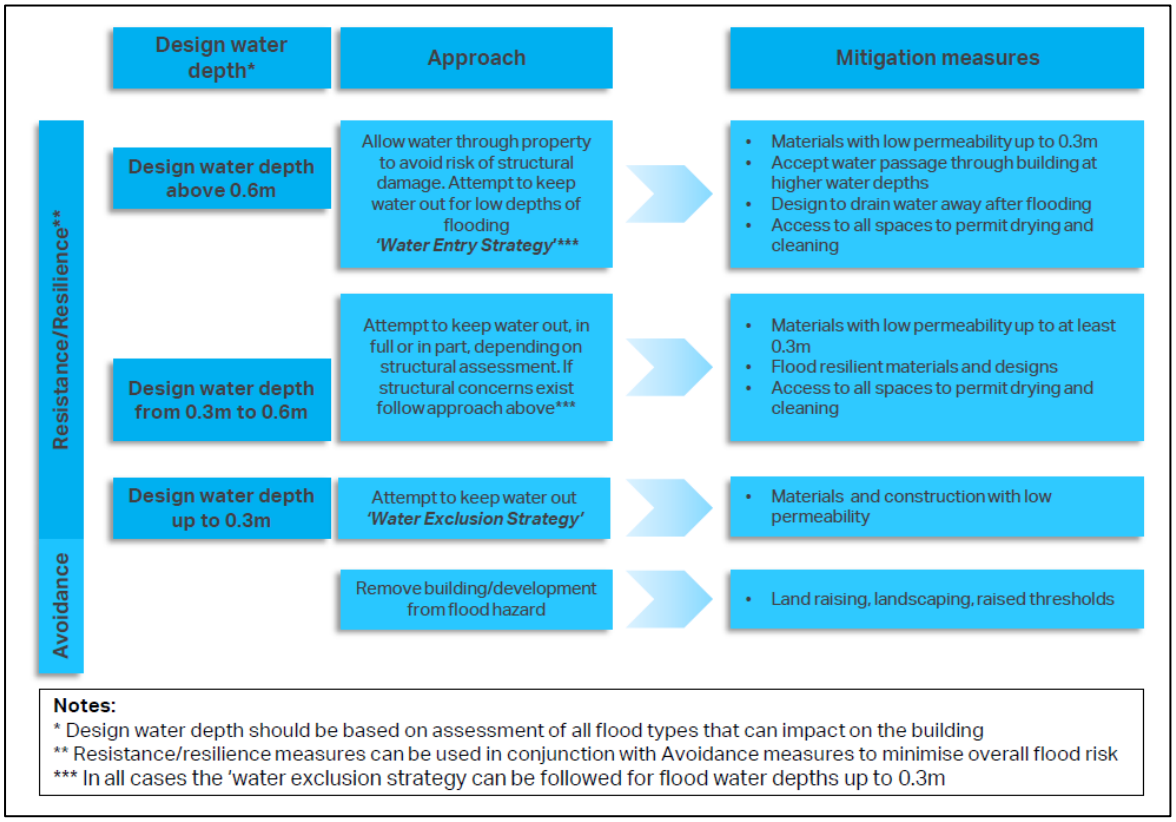


Figure 7. Rationale for Flood Resilient Design Strategies, Improving Flood Performance, (Figure 4.1 from CLG 2007)

Materials can be used which allow the passage of water whilst retaining their structural integrity and they should also have good drying and cleaning properties. Alternatively sacrificial materials can be included for internal and external finishes; for example the use of gypsum plasterboard which can be removed and replaced following a flood event. Flood resilient fittings should be used to at least 0.1m above the design flood level. Resilience measures are either an integral part of the building fabric or are features inside a building that will limit the damage caused by floodwaters.

Property flood resilience measures are affordable flood resistant and resilience measures that homeowners can deploy to help prevent and limit the damage caused by flood water. Information on property level protection can be found on the National Flood Forum website, the Environment Agency website and The University of Manchester and Manchester Metropolitan University's Six Steps to Property Level Flood Resilience[30].

6.4 Development adjacent to Existing Defences

Flood defences are an essential means of protecting low-lying areas from flooding. Where development directly adjacent to the defences is permitted, the Environment Agency and City of York Council may wish to use this opportunity to extend public access to the waterside and protect and enhance existing ecological features.

Development should take into account the need to raise these defences and otherwise accommodate increased river levels in the future and must be sufficiently set back from them to allow for their inspection, maintenance and renewal. Horizontal set-back distances should be calculated relative to the landward extent of the defences, in order to allow for a range of engineering options for future works. Development should aim to be 8m behind a fluvial flood wall. Site specific constraints may affect the amount of setback that can be achieved, in these instances; a smaller set back may be acceptable following discussion and agreement from the Environment Agency / LPA.

[30] Six Steps to Property Level Flood Resilience. Available at: http://www.smartfloodprotection.com/

The EA are a statutory consultee for planning applications where development is within 20m of a main river (http://www.legislation.gov.uk/uksi/2015/595/schedule/4/made). Permission is required for any work activity within 8m of a flood defence or culvert on a main river, or within16m of a tidal river or tidal defence (https://www.gov.uk/guidance/flood-risk-activities-environmental-permits).

City of York Council, as the LLFA, is responsible for consenting of works in ordinary watercourses under Section 23 of the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010).

In addition, IDBs are responsible for consenting of works in watercourses within their Drainage Districts (for any work activity within 9m of an IDB watercourse) under Section 23 of the Land Drainage Act 1991 (as amended), and the Drainage Byelaws, created under Section 66 of the Land Drainage Act.

6.5 Construction of flood defences and land raising in a new development

The construction of flood walls to protect a development are not considered to be an appropriate strategic option for City of York Council as residual risk of flooding will still remain. However, if a development is to include the construction of flood defences, designs should include details of access for pedestrians and vehicular access to the elevation of the development, impacts on the streetscape and challenges of perceived isolation, land-take for the use of access routes and embankments and challenges to site drainage and surface water runoff.

Land raising can ensure that development is located above the design flood level. However land raising can increase risk to neighbouring communities, reduce community place-making and can require high land-take. Where land raising is proposed within flood risk areas, compensatory storage should be provided on a level for level/volume for volume basis.

Developers should engage as early as possible with City of York Council and the Environment Agency to confirm whether new defences and/or land raising would be acceptable in principle. This reduces the potential for abortive work, delays in relevant planning permissions and completion of development.

When considering development proposing to raise land, City of York Council will consider the following potential impacts:

- Changes to the topography of the area following a redevelopment could lead to an increase in water level to other parts of the area during a flood event following a defence breach;
- For the Exception Test to be passed to allow development in a flood risk zone it must be demonstrated that the development will not increase flood risk elsewhere;
- Wider scale use of land raising or secondary defences across City of York Council could require detailed breach modelling and potentially compensatory flood storage, which is unlikely to be suited to the densely urbanised area.

6.5.1 Floodplain Compensation Storage

Where a proposed development results in a change in building footprint, the developer must ensure that it does not impact on the ability of the floodplain to store water, and in areas of higher risk e.g. Flood Zone 3b, should seek opportunities to provide betterment.

Similarly, where ground levels are elevated to raise the development out of the floodplain, compensatory floodplain storage within areas that currently lie outside the floodplain must be provided to ensure that the total volume of the floodplain storage is not reduced.

Compensation works can be divided into 'direct' and 'indirect' methods. These terms are used in CIRIA report 624 ’Development and flood risk - guidance for the construction industry’ (CIRIA, 2004). Direct or 'level for level' methods re-grade land at the same level as that taken up by the development, hence providing a direct replacement for the lost storage. Indirect methods rely on water entering a storage area, which then releases the water back at a controlled rate, in a manner similar to surface water attenuation schemes. Indirect schemes are complex to design and construct, and require a much more intensive maintenance regime, which needs to be carried out in perpetuity, so are generally less favourable.

Compensatory volume must be provided at the same level as the lost storage for it to be ‘level for level’. An equal volume of flood plain must be created to that taken up by the development. This equal volume must apply at all

levels between the lowest point on the site and the design flood level (the 1% AEP floodwater level with an allowance for the potential impacts of climate change).

The height between the lowest point of the development and the floodwater design levels is split into a series of bands (commonly at 0.2 metre intervals). The volume of lost floodplain storage space as a result of the development is then calculated individually for each of these bands. Elsewhere on-site, existing ground levels are then lowered at the same band levels, such that, for each band level, the lowered areas equate to at least the volume lost.

The compensation areas provided should be able to freely fill and drain.

Unacceptable options for compensatory flood storage:

- Excavation of a hole in the ground, as this will become full before the time in the flood event when the compensation is needed.
- Providing a compensation area within a landlocked location, that is connected by a narrow access or a culvert. These links are more prone to blockages and maintenance can be an issue.
- Works that will damage sensitive habitats or the heritage of the site.
- Works that may place surrounding properties at risk. For example, lowering the ground level close to 'at risk' properties, thereby increasing their flood risk further by creating new flow routes.

6.6 Designing for Exceedance and Flood Routing

Design for exceedance approaches should be considered by using urban areas and infrastructure to help manage local flooding. This can include temporarily using roads to channel water, open spaces such as car parks to store water and erect temporary barriers to make homes and businesses flood resilient and resistant. Further information on designing for exceedance is available in the CIRIA (C738a) Managing Urban Flooding from Heavy Rainfall Guidance.

Careful consideration should be given to the use of fences and landscaping walls so as to prevent causing obstruction to flow routes and increasing the risk of flooding to the site or neighbouring areas.

6.7 Riverside Development

Under the Land Drainage Act 1991 and associated regional byelaws, any works within 8 metres of a statutory main river (defended or otherwise) and within 16m of a tidal river or flood defence requires an Environment Agency Flood Risk Activity Environmental Permit depending on the specific activity proposed. In addition, the Environment Agency would seek an 8m wide undeveloped buffer strip alongside main rivers, and would also ask developers to explore opportunities for river restoration as part of any development.

City of York Council, as the LLFA, is responsible for consenting of works in ordinary watercourses under Section 23 of the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010). For ordinary watercourse flood defence consent requirements it is specific activities that necessitate the consent of City of York Council. However, primarily in order to ensure access to ordinary watercourses is maintained, consultation with City of York Council is recommended for any work within 4m of an ordinary watercourse so that advice can be provided.

Under Section 23 of the Land Drainage Act 1991 (as amended) and the Drainage Byelaws created under Section 66 of the Land Drainage Act IDBs are responsible for consenting of works in watercourses within their Drainage Districts. Consent for any work activity within 9m of an IDB watercourse should therefore be obtained from the appropriate IDB.

6.8 Safe Access and Egress

Safe access and egress is required to enable the evacuation of people from the development, provide the emergency services with access to the development during times of flood and enable flood defence authorities to carry out any necessary duties during periods of flood.

A safe access/egress route should allow occupants to safely enter and exit the buildings and be able to reach land outside the flooded area (e.g. within Flood Zone 1) using public rights of way without the intervention of emergency services or others during design flood conditions, including climate change allowances. This is of particular

importance when contemplating development on sites within Flood Zone 1, but the surrounding area is within Flood Zone 2 or 3.

Guidance prepared by the Environment Agency[31] uses a calculation of flood hazard to determine safety in relation to flood risk. Flood hazard is a function of the flood depth and flow velocity at a particular point in the floodplain along with a suitable debris factor to account for the hazard posed by any material entrained by the floodwater. The derivation of flood hazard is based on the methodology in Flood Risks to People FD2320, the use of which for the purpose of planning and development control is clarified in the above mentioned publication. Flood hazard mapping should be undertaken as part of a site specific FRA, if required, when looking at potential access and egress routes.

Table 14. Hazard to People Rating (HR=d x (v +0.5) + DF) (Table 13.1 FD2320/TR2)

Flood Hazard (HR)	Description
Less than 0.75	Very low hazard – Caution
0.75 to 1.25	Dangerous for some – includes children, the elderly and the infirm
1.25 to 2.0	Dangerous for most – includes the general public
More than 2.0	Dangerous for all – includes the emergency services

For developments located in areas at risk of tidal fluvial flooding safe access and egress must be provided for new development as follows in order of preference:

- Safe dry route for people and vehicles.
- Safe dry route for people.
- If a dry route for people is not possible, a route for people where the flood hazard (in terms of depth and velocity of flooding) is low and should not cause risk to people.
- If a dry route for vehicles is not possible, a route for vehicles where the flood hazard (in terms of depth and velocity of flooding) is low to permit access for emergency vehicles. However the public should not drive vehicles in floodwater.

For fluvial flooding, a 'dry' access/egress is a route located above the 1% annual probability flood level (1 in 100 year) including an allowance for climate change.

6.9 Safe Refuge

In exceptional circumstances, dry access above the 1% annual probability (1 in 100 year) flood level including climate change associated with fluvial flooding may not be achievable. In these circumstances the Environment Agency and the LPA should be consulted to ensure that the safety of the site occupants can be satisfactorily managed. This will be informed by the type of development, the number of occupants and their vulnerability and the flood hazard along the proposed egress route. For example, this may entail the designation of a safe place of refuge on an upper floor of a building, from which the occupants can be rescued by emergency services. It should be noted that sole reliance on a safe place of refuge is a last resort, and all other possible means to evacuate the site should be considered first. Provision of a safe place of refuge will not guarantee that an application will be granted.

6.10 Green Infrastructure and Urban Blue Corridors

Urban Blue Corridors present the opportunity to link into existing networks of Green Infrastructure to provide dynamic hydraulic and ecological corridors in the urban environment and provide multifunctional use. This can be done in tandem with delivering environmental, social and economic benefits.

[31] Environment Agency, HR Wallingford, May 2008, Supplementary note on Flood hazard ratings and thresholds for development planning and control purpose. Clarification of Table 13.1 FD2320/TR2 and Figure 3.2 FD2321/TR1. http://evidence.environment-agency.gov.uk/FCERM/Libraries/FCERM_Project_Documents/FD2321_7400_PR_pdf.sflb.ashx

Green Infrastructure is defined as “a network of multi-functional green space, both new and existing, both rural and urban, which supports the natural and ecological processes and is integral to the health and quality of life of sustainable communities.”

Definitions for Green Infrastructure vary in the degree to which they refer to ‘Blue’ infrastructure elements. The Natural England Green Infrastructure Guidance[32] recognises rivers and streams within a Green Infrastructure typology, whereas other definitions make specific reference to water resources forming part of the Green Infrastructure network. Green Infrastructure elements or assets include individual sites or broader features such as urban squares, city parks, nature reserves, brown/green roofs, private gardens, railway corridors and woodland. Most assets can contribute to surface water management, however, whilst Green Infrastructure takes into account flood risk management, it does not, at present, include overland flow paths.

By linking with Green Corridors and Infrastructure, Urban Blue Corridors offer the opportunity to help align with national environmental aspirations. For example, Natural England, in their Position Statement on Urban Areas, states that:

- The natural environment in towns and cities is fundamental to sustaining urban life and should be integral to the way in which urban areas are planned and managed;
- The distinctive fabric of the natural environment in towns and cities makes a major contribution to urban landscape and sense of place and should be valued, conserved and enhanced;
- The natural environment in towns and cities should underpin their adaptation to a rapidly changing climate and provide environmental security for communities; and
- People should have opportunities to readily access high quality natural environment in urban areas in order to enjoy the broad range of environmental and social benefits it offers.

Where proposed sites contain a Main River or Ordinary Watercourse, conservation and restoration of the river corridor should be incorporated into the site layout, and if necessary a fluvial management strategy developed. Where possible, the post development situation should be better in terms of flood risk compared to the existing situation, by providing space for water to include an allowance for climate change, as well as improve ecology, water quality and amenity. In these instances, it may not be necessary to undertake a Sequential Test for the site, if all development can be shown to be within Flood Zone 1.

6.11 Car Parks

Where car parks are specified as areas for the temporary storage of floodwaters, flood depths should not exceed 300mm given that vehicles may be moved by water of greater depths. Where greater depths are expected, car parks should be designed to prevent the vehicles from floating out of the car park. Signs should be in place to notify drivers of the susceptibility of flooding and flood warning should be available to provide sufficient time for car owners to move their vehicles if necessary.

The Environment Agency recommends that in areas where under croft parking is provided, occupants should also sign up to flood alerts. Due to the nature of flood warnings, it is possible that under croft parking areas may have flooded before a flood warning has been issued.

[32] Natural England. 2009.Natural England’s Green Infrastructure Guidance (NE176). Available at: http://publications.naturalengland.org.uk/publication/35033

7. Guidance for Preparing Site-Specific FRAs

7.1 Overview

This Level 1 SFRA provides a high level assessment of the flood risk posed to the City of York. However, this document has a strategic scope and therefore a site specific Flood Risk Assessment (FRA) may need to be undertaken for a proposed development, in accordance with the requirements of the NPPF and supporting PPG.

A FRA should assess the risk of flooding to the development from all sources, and detail any measures required to mitigate the risk of flooding to the development, site users and surrounding area.

This chapter sets out when a FRA is required, what it should contain, and guidance on a range of mitigation measures that are typically applied to development in areas of flood risk, including residual flood risk.

7.2 Pre-Application Consultation

Pre-Application discussions are recommended to be undertaken with City of York Council. Early discussions may result in improved flood risk management for the site and surrounding area to ensure the required and correct documentation is prepared and submitted.

As recommended within the NPPF and supporting PPG, discussions between City of York Council, as the local planning authority and LLFA; the Environment Agency, IDB, if required, and Yorkshire Water, as the water and sewerage company, from the outset are advised. This will enable water supply and quality issues and the need for new water and wastewater infrastructure to be identified, both on and off-site. Specifically, developers should engage with Yorkshire Water at the earliest convenience if they wish to connect surface water to the Yorkshire Water sewer network. The City of York Council Sustainable Drainage Guidance for Developers document considers this further.

7.3 When is a Flood Risk Assessment required?

In accordance with the NPPF, a site-specific FRA must be produced to support applications for development proposed in flood risk areas or where a proposed development may increase flood risk to third parties.

The NPPF states that a site-specific FRA is required to accompany a planning application for a site:

- where the site lies within Flood Zone 1 and is greater than 1 hectare in area; or
- in an area within Flood Zone 1 which has critical drainage problems (as notified to the LPA by the Environment Agency[33]); and,
- All proposals for new development (including minor development[34] and change of use) in Flood Zones 2 and 3; or
- where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.

The Environment Agency Guidance Note[35] for FRAs in Flood Zone 1 should be consulted for advice on the approach and content of a site-specific FRA.

[33] A critical drainage area in this context is defined under the Town and Country Planning Order 2006 as an area within Flood Zone 1 which has critical drainage problems and has been notified to the Local Planning Authority (LPA) by the Environment Agency. This is separate to critical drainage areas (CDAs) that may be highlighted in Surface Water Management Plans (SWMP) which are defined by a local authority when there is a cluster of surface water flood hotspots

[34] According to the PPG, minor development means:
minor non-residential extensions: industrial / commercial / leisure etc. extensions with a footprint <250m^2.
alterations: development that does not increase the size of buildings e.g. alterations to external appearance.
householder development: for example; sheds, garages, games rooms etc. within the curtilage of the existing dwelling itself.
This definition excludes any proposed development that would create a separate dwelling within the curtilage of the existing dwelling e.g. subdivision of houses into flats.

[35] https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/311502/LIT_9193.pdf

7.4 What are the objectives of a Flood Risk Assessment?

The objectives of a site-specific FRA are to:

- Assess the risks for all sources of flooding to and from development.
- Provide evidence (where required in the PPG) to apply the Sequential Test[36] to individual developments and demonstrate to the LPA that this has been applied (based on specific guidance from the LPA).
- Show that the development is safe and passes the Exception Test[37] (if applicable) as required by the NPPF.
- Demonstrate that flood risk to the development can be managed now and over the lifetime of the development, taking climate change into account, and;
- Demonstrate that the development does not increase the risk of flooding to third parties from all sources.

The Planning Practice Guidance Section 10 on flood risk and coastal change provides detail on the requirements of a site-specific flood risk assessment, and the application of the sequential and exception tests:

– Planning Practice Guidance section 10: http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/site-specific-flood-risk-assessment/

It additionally includes the considerations that need to be made to meet the wider sustainability benefits to the community and the safety of the development if it is to satisfy the exceptions test.

– The Environment Agency provides guidance on the requirements of, and how to complete, an FRA as part of a planning application:

– Environment Agency Planning Application Advice: https://www.gov.uk/planning-applications-assessing-flood-risk

This also includes information on when an FRA is required and advice on the contents of FRAs for different development types in Flood Zones 1, 2 and 3. Applicants for planning permission within City of York Council's area should follow both the PPG and EA advice when preparing a site-specific FRA.

General Flood Risk Standing Advice can also be useful to consult as it is this guidance which City of York Council will use in combination with the PPG to assess your application: https://www.gov.uk/flood-risk-standing-advice-frsa-for-local-planning-authorities

Additionally, the Environment Agency can provide pre-application advice to developers, at a cost. Further information is available here:

– Pre-planning application advice: https://www.gov.uk/government/publications/pre-planning-application-enquiry-form-preliminary-opinion

– Detailed planning advice: https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions

7.5 What should a Flood Risk Assessment address?

Site-specific FRAs should be **proportionate to the degree of flood risk and appropriate to the scale, nature and location of the development**. The report should make optimum use of readily available guidance and information, including the PPG, Environment Agency Standing Advice and the mapping presented within the City of York SFRA, City of York SWMP and available through the Environment Agency website.

[36] The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. Further information is provided in the NPPF and the PPG – Sequential Test

[37] The Exception Test is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. Further information is provided in the NPPF and the PPG – Exception Test

FRAs should also be **appropriate to the scale, nature and location of the development**. For example, City of York Council would generally need a less detailed assessment to be able to reach an informed decision on the planning application where the development is an extension to an existing house (for which planning permission is required), as this is unlikely to significantly increase the number of people in an area at risk of flooding. For a new development comprising a greater number of houses in a similar location, or one where the flood risk is greater, City of York Council would require a more detailed assessment.

7.6 FRA Specific Requirements Checklist

The PPG contains a model FRA checklist which has been used as a basis for a City of York Council FRA checklist outlined below. Where appropriate, additional flood risk issues requiring attention and relating specifically to York have been added.

It should be noted that organisations listed within the following tables may be able to provide sources of data to support the FRA but will not undertake the investigations for developers.

The information below is based on the checklist for site specific FRAs provided in the PPG. Where appropriate, references have been added to determine where the information can be found to support each required item. Further guidance to inform the development of a site specific Flood Risk Assessment can be found in the City of York Sustainable Drainage Guidance for Developers document Report jj 2017-03-14 (york.gov.uk).

7.6.1 Development Description and Location

Requirements		Notes
a.	What type of development is proposed, and where will it be located?	Site information; it is important at this stage to ensure that sufficient plans are provided showing the site boundary, features including ground levels, watercourses and other bodies of water as well as any structures which may influence the flow of flood water. A site survey may be necessary to ensure all such structures are identified. If the application is for a basement development, refer to Section 6.2
b.	What is the proposed developments flood risk vulnerability classification?	The FRA should identify the vulnerability classification of the proposed development, as set out in Section 5 of this report and Table 2 of the PPG.
c.	Does the proposed development comply with City of York Local Plan policies and follow supplementary planning guidance?	City of York Local Plan (currently in development) provides the strategic planning policy framework for the City.
d.	What evidence can be provided that the Sequential Test and where necessary the Exception Test has/have been applied in the selection of this site for this development type?	Consult City of York Council to determine if the site has been included in the Sequential Test once this has been carried out. If not, refer to Section 5.3 for guidance on undertaking the Sequential Test for individual development sites and to determine whether the Exception Test is required.
e.	Will the proposal increase overall the number of occupants and/or users of the building/land, or the nature or times of occupation or use, such that it may affect the degree of flood risk to these people?	Particularly relevant to minor developments (alterations and extensions), and changes of use, including multi occupancy use.

7.6.2 Identifying Flood Sources

Requirements		Notes
a.	What sources of flooding could affect the site? Assess all potential sources of flooding.	Refer to Section 4
b.	For each source identified in section a above, describe how flooding would occur, with reference to any historic records where these are available.	Refer to Section 4.
c.	What are the existing surface water drainage arrangements for the site?	Developers must be able to demonstrate that there would be no increased risk of surface water flooding either on or off site as a result of the proposed development. Where an increased risk exists, developers need to provide a Drainage Strategy to demonstrate how they intend to address this, by what methods, over what timeframe and how maintenance of such works would be funded over its lifetime. Further guidance can be found in City of York Council's Sustainable Drainage Systems Guidance for Developers document.

7.6.3 Probability

Requirements		Notes
a.	Which Flood Zone (or zones) is the site within?	Refer to the Flood Map for Planning and the Long Term Flood Risk Assessment Search on the Environment Agency's website
b	If there is a Strategic Flood Risk Assessment (SFRA) covering this site, what does it show?	City of York Council SFRA & SWMP
c.	What is the probability of the site flooding?	Environment Agency online flood risk mapping. Where the quality and/or quantity of information for any of the flood sources affecting a site is insufficient to enable a robust assessment of the flood risks, further investigation may be required. For example, where hydraulic modelling is not available for small watercourses, City of York Council and the Environment Agency should be contacted for pre application advice to see if the scope of the site specific FRA needs to be increased to include modelling to ensure details of flooding mechanisms are fully understood and that the proposed development incorporates appropriate mitigation measures.
d.	What are the existing rates and volumes of surface water run-off generated by the site? Assess the sequence of flooding across the site, rate of rise of water level, flow velocities, depths and the duration of flood (existing and post-development).	Rates and volumes of runoff for a range of storm events up to and including the 1 in 100 year (1% annual exceedance probability (AEP) event (including an allowance for climate change) should be calculated. Where the scale of development as advised by City of York Council requires calculation of rates and volumes of runoff this can be

Requirements		Notes
		supported using industry-standard software, such as WinDes, and the outputs from these submitted with the FRA. City of York Council's Sustainable Drainage Systems Guidance for Developers document should be used to inform the drainage design/ surface water management elements. For fluvial flood risk, detailed information on rate of onset of flooding, velocities, depths and duration of flooding may be informed by hydraulic modelling carried out by the Environment Agency. Where such information is currently unavailable, the Environment Agency will advise on the requirement for further investigation. For groundwater flood risk, Potential Groundwater Flooding Zone mapping within the SFRA should be consulted for potential areas of groundwater flooding. It may be necessary to carry out groundwater monitoring on-site to confirm groundwater levels. Yorkshire Water should be contacted regarding flood risk from sewers.
e.	Is the site at residual risk of flooding, e.g. in the event of a failure of the fluvial or tidal flood defences? What level of flood risk could be experienced on the site during such an event? Consider the benefit afforded to the site from any existing flood alleviation measures.	Where a suitable location has not been modelled, a developer may have to conduct their own assessment of the residual risk, in a manner that is proportionate to the scale and nature of development proposed.

7.6.4 Climate Change

Sites located in lower risk areas (Flood Zone 2) could in future be located in higher risk areas (Flood Zone 3a) when the impacts of climate change are taken into account. This predicted greater risk needs to be addressed within a FRA demonstrating that the proposal is safe, does not increase the risk of flooding or impede flows over the lifetime of the development. The EA has provided detailed online guidance[38] on the use of these allowances for flood risk assessment and it is recommended that reference is made to this source for the most up to date guidance.

To help developers decide which allowances to use to inform the flood levels that the flood risk assessment will be based on for a proposed development, the following should be considered:

- likely depth, speed and extent of flooding for each allowance of climate change over time considering the allowances for the relevant epoch (2020s, 2050s and 2080s). It is envisaged that the '2070-2115' epoch will be appropriate for most developments (Table 7);
- vulnerability of the proposed development types or land use allocations to flooding;
- 'built in' resilience measures used, for example, raised floor levels; and
- capacity or space in the development to include additional resilience measures in the future, using a 'managed adaptive' approach.

[38] Climate change allowances for Flood Risk Assessment https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances

The latter point acknowledges that there may be instances where some flood risk management measures are not necessary now, but may be in the future. For example, this 'managed adaptive' approach may include setting a development away from a river so it is easier to improve flood defences in the future.

Requirements		Notes
a.	How is flood risk at the site likely to be affected by climate change?	Use available datasets to assess the potential impacts of climate change including: City of York Council SFRA (for all sources see Section 4) and Appendix B Figure 9 and Figure 10 . Environment Agency's 'Climate Change allowances for planners' guidance NPPF & PPG

7.6.5 Detailed Development Proposals

Requirements		Notes
a.	Demonstrate how land uses most sensitive to flood damage have been placed in areas within the site that are at least risk of flooding (include details of the development layout).	Flood risk should be considered at an early stage in deciding the layout and design of a site to provide an opportunity to reduce flood risk within the development. Most large development proposals include a variety of land uses of varying vulnerability to flooding. The sequential approach should be applied within development sites to locate the most vulnerable elements of a development in the lowest risk areas e.g. residential developments should be restricted to areas at lower probability of flooding whereas parking, open space or proposed landscaped areas can be placed on land with a higher probability of flooding. Refer to Section 7.1 regarding the use of the sequential approach within development sites

7.6.6 Flood Risk Management Measures

Mitigation measures should be seen as a last resort to address flood risk issues to new development. However, where development takes place in an area at risk of flooding, it must be demonstrated, through the production of a FRA that it is:

- Safe for its lifetime;
- Does not increase the risk of flooding elsewhere; and
- Where possible reduced flood risk overall.

Requirements		**Notes**
a.	How will the site/building be protected from flooding, including the potential impacts of climate change, over the development's lifetime?	Developers constructing new developments in lower flood risk areas are required to manage the flood risk by conforming to NPPF and the PPG and considering the design and construction in line with: • Improving the Flood Performance of New Buildings - Flood Resilient Construction Guidance hierarchy:

Requirements		Notes
		Flood Avoidance, Flood Resistance and Flood Resilience (DCLG/Environment Agency's 2007) and, • Property Level Protection measures (see Section 6.2 and Section 6.3).
		Development should ensure that surface water run-off is managed in line with City of York Council's surface water management requirements, as set out in City of York Council's Sustainable Drainage Systems Guidance for Developers document.
		The design life of the proposed development should be considered with respect to climate change as: • 75 years – up to 2090 for commercial / industrial developments; and • 100 years – up to 2115 for residential developments
		Consideration should be given to the following (further detail is provided below): • Finished floor levels, in particular for habitable rooms of more vulnerable uses • Uses of buildings • Flood resistance and resilience design • Existing flood defences.
b.	Where new or modified structural measures are proposed, an assessment of their behaviour in extreme events greater than those for which they are designed should be provided.	The use of raised floor levels and, in particular, raised bedrooms, can minimise the impact of internal flooding in the event of a breach of defences. It is recommended that if these measures are used, that the building design should be resilient to flooding from a breach event in the 1 in 100 year (1.0% AEP), considering climate change. Structural strengthening of buildings should be considered, where this could reduce risk to life. This should incorporate building design that is resistant to flooding up to 0.6m.

7.6.7 Off Site Impacts

Developers should be able to demonstrate that proposed developments will not increase flood risk off-site and/or downstream. Where possible, developments should seek to reduce overall flood risk both on and off site.

Requirements		Notes
a.	Assess the change in flooding conditions progressively away from the site boundary (both upstream and downstream), including volume of displaced water as well as flood levels.	Where proposed development results in an increase in building footprint, the developer must ensure that it does not impact upon the ability of the floodplain to store water and or floodwater flow conveyance.

Requirements		Notes
b.	How will it be ensured that the proposed development and the measures to protect the site from flooding will not increase flood risk elsewhere?	Consider measures such as: **Floodplain Compensation Storage** - where ground levels are elevated to raise the development out of the floodplain or there is a loss of storage from additional structures and buildings, compensatory floodplain storage within areas that currently lie outside the floodplain must be provided to ensure that the total volume of the floodplain storage is not reduced. **Flood Routing** - development in the floodplain will need to prove that flood routing is not adversely affected by the development, for example giving rise to backwater affects or diverting floodwaters onto other properties. **Riverside Development** - development in or adjacent to a watercourse has the potential to impact flow conveyance and increase flood risk elsewhere. All works within or adjacent to a watercourse require consent.
c.	How will run-off from the completed development be prevented from causing an impact elsewhere?	Consider measures such as: **SuDS –** runoff from the site can be managed using SuDS to reduce the impact of urbanisation on flooding. Further guidance can be found in City of York Council's Sustainable Drainage Systems Guidance for Developers document.
d.	Are there any opportunities offered by the development to reduce flood risk elsewhere?	Discussions should be undertaken with City of York Council. Opportunities for delivering wider environmental benefits, including water quality, Water Framework Directive and pollution reduction should also be considered.

7.6.8 Residual Risk

Requirements		Notes
a.	What flood-related risks will remain after the necessary mitigation measures to protect the site from flooding have been implemented?	Residual risks should be identified. These could be associated with a number of potential risk factors including (but not limited to): • a flooding event that exceeds that for which the flood risk management measures have been designed e.g. flood levels above the designed finished floor levels, • the structural deterioration over time or breach of flood defence structures (including informal structures acting as a flood defence), and/or • general uncertainties inherent in the prediction of flooding.

Requirements		Notes
b.	How, and by whom, will these risks be managed over the lifetime of the development?	Steps should be taken to manage the residual risks over the lifetime of the development such as through the use of flood warning and evacuation procedures.
c.	If the development is in an area protected by flood defences, but has a high residual risk classification, the following must be provided: • Details of indicative breach flood water levels, • Ground levels, • Ground, first and second floor levels in metres AOD and the floor level for bedrooms, • Safe refuges, providing justification for the options chosen, and • A Flood Warning and Evacuation Plan.	Guidance on the requirements for Flood Warning and Evacuation Plans is provided in Section 6.3of this document. As part of the Exceptions Test, developers intending to build within Flood Risk Zones 2 or 3 should consult the Council's emergency planning officers at an early stage. Information regarding existing emergency procedures can be provided and advice given on the suitability of any proposed additions/amendments.

7.7 Plans and Cross-Sections

In addition to the below requirements for plans and cross-sections, all plans should explicitly indicate the extent of the floodplain on the site for the design event.

Requirements	
a.	A site location plan, including geographical features, street names and all water bodies.
b.	Topographical plans of both the existing site and the site post-development.
c.	A plan identifying the location of existing defences or other flood alleviation measures, with reference to standards of protection and condition.
d.	A plan of any structures that may influence hydraulic conditions at the site or the surrounding area, with reference to maintenance and operation.
e.	A plan of available historic flood information, such as recorded levels, flood extent, dates, photos, etc. Any changes to the site since the last event should be identified.
f.	A plan identifying safe access and exit routes.
g.	Cross-sections of post-development finished floor and road levels relative to flood levels.
h.	A plan showing drainage proposals and arrangements
i.	A plan showing flow paths and flood receptors both within and surrounding the development site, incorporating receptors identified as being impacted by flow paths from / to the development site.

Further details to inform Requirement h above are available in City of York Council's Sustainable Drainage Systems Guidance for Developers document.

8. Next Steps

8.1 Overview

This Level 1 SFRA provides a strategic overview of the flood risk in City of York Council's administrative area from all sources of flooding based on readily available datasets, local knowledge and historic information supplied by stakeholders. The mapping and information in Section 4 has been used to assess the 39 housing and 11 employment sites across the Borough, to enable a robust consideration of flood risk throughout the drafting of the Site Allocations Local Plan for the City of York.

8.2 The Sequential Test

The information, mapping and site assessment database included in this report should be used by City of York Council to apply the Sequential Test and identify any sites where the Exception Test may be required. The guidance presented in Section 5 should be used to facilitate the application of the Sequential Test and the process should be carefully documented by City of York Council.

8.3 Level 2 Strategic Flood Risk Assessment

Following the update of the evidence base for the Level 1 Strategic Flood Risk Assessment it has been determined that there are currently no strategic development sites within high flood risk areas and it is not intended to progress to a Level 2 Strategic Flood Risk Assessment at this time. This will be further reviewed as any updated information is made available.

8.4 Living Document

This SFRA has been updated building heavily upon existing knowledge with respect to flood risk across City of York Council's administrative area. The Environment Agency review and publish updates to the Flood Map for Planning on a quarterly basis and update catchment strategic models on a five yearly basis. Future new modelling of watercourses in the area will improve the current knowledge of flood risk within the City.

New information may influence future development management decisions within these areas. Therefore it is important that the SFRA is adopted as a 'living' document and is reviewed regularly in light of emerging policy directives, flood risk datasets and an improving understanding of flood risk across the City.

City of York Council could look to improve their understanding of flood risk to include detailed mapping of their ordinary watercourses and working closely with Yorkshire Water to understand local sewer capacity issues.

Appendix A Data Register

Dataset	Source	Format	Description
City of York Council Assessment Sites	CYC	ArcGIS .shp file	Site boundaries and outlines for potential: - Employment Sites - Residential Sites
OS VML Background Mapping	CYC	TIFF Image	Detailed background mapping provided by CYC via an OS Licence
LiDAR	Data.Gov	TIFF Image	Topographic Data
Watercourse Catchments	FEH CD ROM	ArcGIS .shp file	Catchment outlines for the River Ouse and River Derwent
Flood Zone 3	Data.Gov	ArcGIS .shp file	Flood Zone 3 extent
Flood Zone 2	Data.Gov	ArcGIS .shp file	Flood Zone 2 extent
Flood Storage Areas	Data.Gov	ArcGIS .shp file	Areas classified as Flood Storage Areas (FSA)
Areas Benefitting from Flood Defences	Data.Gov	ArcGIS .shp file	Areas classified as benefitting from the presence of flood defences
Spatial Flood Defences	Data.Gov	ArcGIS .shp file	Details of flood defences including attributes
Flood Warning Areas	Data.Gov	ArcGIS .shp file	Areas that receive flood warnings of fluvial or tidal flooding from the EA
Flood Alert Areas	Data.Gov	ArcGIS .shp file	Areas that receive flood alerts of fluvial or tidal flooding from the EA
Recorded Flood Outlines	Data.Gov	ArcGIS .shp file	Reported and recorded historic flood outlines
Detailed River Network	EA Geostore (via CYC)	ArcGIS .shp file	Main River and ordinary watercourse lines
Main Rivers	EA Geostore (via CYC)	ArcGIS .shp file	Statutory Main Rivers
Risk of Flooding from Surface Water (RoFSW)	EA Geostore (via CYC)	ArcGIS .shp file	Low, medium and high risk of flooding from surface water extents
Aquifer Designation-Bedrock Geology	EA Geostore (via CYC)	ArcGIS .shp file	Designated Aquifers within the bedrock geology
Aquifer Designation-Superficial Geology	EA Geostore (via CYC)	ArcGIS .shp file	Designated Aquifers within the superficial geology
Areas Susceptible to Groundwater Flooding (AStGWF)	EA Geostore (via CYC)	ArcGIS .shp file	Database outlining the susceptibility to groundwater flooding over 1 km^2 grid.
BGS 600k Bedrock Geology	British Geological Survey	ArcGIS .shp file	Bedrock Geology of the UK
BGS 600k Superficial Geology	British Geological Survey	ArcGIS .shp file	Superficial Geology of the UK

YW DG5- Sewer Flooding Locations	Yorkshire Water Limited	Excel Spreadsheet	Details of internal and external flooding recorded within each drainage area
Risk of Flooding from Reservoirs	Environment Agency	ArcGIS .shp file	Flood risk from reservoir extent
EA Flood Model Extents for Climate Change Scenarios	Environment Agency	ArcGIS .shp file	Reports and GIS outputs for the 'York Detailed Modelling Study' completed in October 2016, including climate change scenario extents for both undefended and defended scenarios. For the purposes of the Level 1 SFRA, this data has also been used to derive Flood Zone 3b where applicable.

Appendix B Level 1 SFRA Mapping Figures

Figure 1	Study Area Topography *(Administrative boundaries, LiDAR topography, catchments)*
Figure 2	Watercourses and Catchments *(Administrative boundaries, catchments, watercourses, waterbodies)*
Figure 3	Bedrock Geology
Figure 4	Aquifer Designation - Bedrock
Figure 5	Superficial Geology
Figure 6	Aquifer Designation – Superficial Geology
Figure 7A-7E	Recorded Flood Outline
Figure 8A – 8J	Flood Map (Rivers and Sea) *(Watercourses, surface waterbodies, infrastructure, Flood Zones, flood defences)*
Figure 9A- 9F	Climate Change Allowance- Undefended Scenario
Figure 10A-10F	Climate Change Allowance- Defended Scenario
Figure 11A- 11J	Risk of Flooding from Surface Water Map *(RoFSW, historic records of flooding)*
Figure 12	Areas Susceptible to Groundwater Flooding *(Potential groundwater flooding areas, groundwater flood records)*
Figure 13	Flood Risk from Reservoirs
Figure 14	Flood Warning Areas *(Flood Warning and Flood Alert Areas)*

Appendix C Flood Risk Management Policy Recommendations

Overview

To ensure developments promoted under the NPPF achieve the aims of the PPG for Flood Risk and Coastal Change, a number of recommendations have been made in light of the information generated within this Level 1 SFRA. The aim of these recommendations is to support City of York Council in the development of their Local Plan and provide advice over the type and nature of policies contained within.

Policy Considerations

In order to help the development of Local Plan policy related to flood risk, a series of recommendations for how flood risk can be managed or minimised through the plan making process and through the development control process has been provided. These recommendations also seek to provide general improvement to the water environment as well as flood risk management, and should be taken into account by City of York Council during the policy making process. Guidance on how these objectives can be met throughout the development control process for individual development sites will be set out in Section 7.

Seeking Flood Risk Reduction through Spatial Planning and Site Design

The primary aim of the PPG is to "steer new development to areas with the lowest probability of flooding". To achieve this aim the following policies are recommended:

- The Sequential approach within development sites should be used to inform site layout by locating the most vulnerable elements of a development in the lowest risk areas. For example, the use of low-lying ground in waterside areas for recreation, amenity and environmental purposes can provide an effective means of flood risk management as well as providing connected green spaces with consequent social and environmental benefits;
- Avoid development immediately downstream of flood storage reservoirs which will be at high hazard areas in the event of failure;
- As the variation in flood extents can be negligible between the return periods, consideration should be given to how the proposed site would be affected by this and developers should be confident in their assessment of flood levels. Especially taking into account the range of climate change allowances;
- Seek opportunities for new development to achieve reductions to wider flood risk issues where possible, e.g. larger developments may be able to make provisions for flow balancing within new attenuation SuDS features;
- Identify long-term opportunities to remove development from the floodplain through land swapping, whereby existing development is removed from the floodplain and the site returned to provide its original flood storage function;
- Build resilience into a site's design (e.g. flood resistant or resilient design, raised floor levels); and
- Ensure development is 'safe'. For residential developments to be classed as 'safe', dry pedestrian egress out of the floodplain and emergency vehicular access should be possible. Dry pedestrian access/egress should be possible for the 1 in 100 year return period event including an allowance for climate change associated with fluvial flooding.

Reducing Surface Water Runoff from New Developments

The risk of surface water flooding is less predictable than fluvial flooding and whilst there are clear trends for surface water to accumulate within the river corridors and specific topographic and urban features (embankment etc.), the risk of surface water can be much more localised and harder to predict. Where possible, City of York Council should ensure that all sites located in areas of surface water flood risk (based on the mapping and historic incidences) are supported by a site-specific FRA. The FRA should also consider the impacts of climate change on future surface water flood risk.

- All sites require the following:

  Use of SuDS (where possible use of strategic SuDS should be made);

  Discharge rates should be restricted to Greenfield runoff rates;

1 in 100 year attenuation of surface water, including an allowance for climate change.

- Space should be specifically set aside for SuDS and used to inform the overall layout of development sites;
- Surface water drainage proposals should have a clear plan for the long term maintenance and adoption of the systems, prior to approval of any planning permission in line with national planning policy.
- Large potential development areas should be planned with a holistic approach to the provision of SuDS. This will need to be on an integrated and strategic scale and where necessary will require the collaboration of all developers involved in implementing a specific expansion area or site.
- Careful assessment of the potential impact of surface water drainage from new developments will be necessary in areas with constrained drainage networks, particularly those networks that are dependent upon sewers, culverted watercourses and pumping stations with limited or a finite capacity.
- Surface water drainage proposals should follow the SuDS guidance provided in City of York Council's Sustainable Drainage Guidance for Developers document

Enhancing and Restoring the River Corridor

- Those proposing development in proximity to watercourses should look for opportunities to undertake river restoration and enhancement as part of a development to make space for water. Enhancement opportunities should be sought when renewing assets (e.g. de-culverting, the use of bio-engineered river walls, raising bridge soffits to take into account climate change).
- Further culverting and building over culverts should be avoided. Where practical, all new developments with culverts running through their site should seek to de-culvert rivers for flood risk management and conservation benefit. Any culverting or works requires the prior written consent of either the Environment Agency for main rivers, or City of York Council for ordinary watercourses affecting the flow of that watercourse, under the terms of the Environmental Permitting Regulations 2010 and the Flood and Water Management Act 2010. These regulatory bodies seek to avoid culverting, and their consent for such works will not normally be granted except as a means of access.
- Set development back from rivers, seeking an 8 metre wide undeveloped buffer strip for development by all watercourses including those where the Flood Zone does not exist.

Protecting and Promoting Areas for Future Flood Alleviation Schemes

- Protect Greenfield functional floodplain from future development (our greatest flood risk management asset) and where possible reinstate areas of functional floodplain which have been developed (e.g. reduce building footprints or relocate to lower flood risk zones).
- Identify sites where developer contributions could be used to fund future flood risk management schemes or can reduce risk for surrounding areas.
- Seek opportunities to make space for water to accommodate climate change.

Improving Flood Awareness and Emergency Planning

Where flooding affects only a limited number of properties, it is unlikely that measures to improve flood defences will attract priority funding. Instead it may be necessary to place greater reliance on making properties that are at risk more resilient to flooding. Similarly, steps should be made to improve the resilience of properties and infrastructure that is at risk of surface water flooding, through:

- Seeking to improve the emergency planning process using the outputs from the SFRA.
- For areas at risk of fluvial flooding, encouraging all those within existing Flood Zone 3a and 3b (residential and commercial occupiers) to sign up to Flood Warning Service operated by the Environment Agency.
- Ensuring robust emergency (evacuation) plans are implemented for new developments.
- Considering locations where flood resistant and resilient measures, can be retrofitted to properties at risk of surface water or fluvial flooding.

Executive **22 April 2021**

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

Continuation of Temporary Amendments to the Council's Statement of Community Involvement

Summary

1. The purpose of this report is to seek approval from Members for the continuation of temporary amendments made to the Council's Statement of Community Involvement (SCI) in October 2020. It reflects the need to continue to revise planning related public access and involvement procedures contained in the Council's SCI in response to ongoing social distancing restrictions as a result of the Coronavirus (COVID-19) Pandemic. It is anticipated that the temporary amendments to the SCI can be removed once it is safe to resume all standard consultation methods.

Recommendations

2. The Executive is asked to:

   i) approve, for a further 6 month period, the temporary revisions to the Council's adopted SCI (as shown in Annex A) to reflect the specific requirements arising from national guidance and procedures on dealing with coronavirus implications; and
   ii) agree to delegate authority to the Corporate Director of Economy and Place in conjunction with the Executive Member for Economy and Strategic Planning for any necessary future modifications to the SCI, when the current health pandemic allows for suspended consultation methods to be lifted.

   Reason: To ensure that consultation and engagement in the planning process remains effective at a time when restrictions have been placed on face to face social interactions to help combat the spread of coronavirus.

Background

3. National Planning Practice Guidance was published in May 2020 to encourage authorities to undertake a review of their SCI and update the policies where necessary so that plan-making can continue under the current COVID pandemic. As such, the Council's adopted SCI was reviewed in light of this to consider which consultation methods could not temporarily be used due to social distancing restrictions and should be suspended, until it is safe to reinstate the full range of methods. A paper was taken to Executive in October 2020 where Members agreed to the temporary revisions to the Council's adopted SCI to reflect the specific requirements arising from national guidance and procedures on dealing with coronavirus implications. It was requested that a follow up paper be brought to Members following a six month period to consider whether a further period of implementation is required.

4. Following a second lockdown at the beginning of the year, on 22 February 2021 the Government published their roadmap out of lockdown, setting out how local restrictions can begin to be relaxed. Of relevance to the SCI is the reopening of public buildings, including libraries on 12 April 2021 and the removal of all legal limits on social contact from 21 June 2021. It is noted that the Government are clear that the dates in the roadmap are indicative and subject to change, and relaxing of lockdown restrictions is to be guided by data, not dates.

Consultation

5. National Planning Practice Guidance[1] confirms that there is no requirement in legislation for local planning authorities to consult when reviewing and updating their SCI, although it is good practice to inform the public of their intentions to update the document and of the changes that have been made. However, where a local planning authority has made a pledge in their SCI to consult on any changes, they may wish to take independent legal advice on how best to proceed.

6. The revised guidance issued by the Government require an urgent change to the SCI to enable compliance with the current pandemic restrictions in place. It remains that some of the methods cannot be implemented under the ongoing restrictions and therefore Officers are proposing the continuation of the temporary suspension of some

1 Paragraph: 078 Reference ID: 61-078-201200513

measures, where necessary, for the duration of the pandemic in order to comply with the issued guidance. These changes are only temporary, until it is safe to reinstate all consultation methods. Further, we are recommending that the decision on when to lift these temporary suspensions, is subject to a delegated decision to the Corporate Director of Economy and Place in consultation with the Executive Member for Economy and Strategic Planning.

7. It is Officer's view that the continuation of temporary suspension of the consultation methods listed in Annex A that are required to take account of social distancing requirements during the current unprecedented COVID-19 Pandemic, do not amount to either of the scenarios that would require a formal review of the SCI engaged at para 13.2 of the adopted SCI (2007). As such, should members be minded to approve the continued use of the temporary covering note to the SCI, it is sufficient to publicise the changes to the SCI, as encouraged under national guidance.

Analysis

8. To ensure that consultation and engagement in the planning process remains effective at a time when restrictions have been placed on face to face social interactions to help combat the spread of COVID-19 the continuation of a temporary update to its SCI is proposed. Officers consider that these proposed temporary changes are necessary to ensure that plan making can continue and that the Council continues to promote effective community engagement by means which are reasonably practicable at this time. Should the recommendation not be accepted this could potentially lead to legal challenges for failure to comply with duties placed on the Local Planning Authority in its SCI. Given that these temporary changes are necessary in the existing situation, it would not be considered beneficial to consult on them.

9. The temporary changes currently in place and proposed to be continued are set out at Annex A. The changes relate to suspending the availability of documents at West Offices reception and the city's libraries, and holding face to face meetings. Where measures cannot be complied with, where possible, an alternative has been proposed, for example holding virtual meetings using software platforms such as Skype and Zoom. A number of temporary changes are also proposed in relation to part three of the SCI regarding consultation on planning applications. For example, during the pandemic standard consultation periods have been temporarily extended.

10. Given that the dates in the Government's roadmap are not fixed and may be subject to change it is suggested that the amendments to the SCI (set out at Annex A) stay in place for a further 6 months. It is also suggested that delegated authority be given to the Corporate Director of Economy and Place, in conjunction with the Executive Member for Economy and Strategic Planning, to allow the temporary amendments to the SCI to be reinstated as and when key steps in the Government's roadmap are confirmed to be implemented. This provides the most flexible approach in reinstating consultation methods safely and in line with Government guidance.

11. It is anticipated that the covering note to the SCI will be amended as and when it is safe for consultation methods to be reinstated and ultimately taken down from the website when the removal of all legal limits on social contact is confirmed by the Government. This decision will be publicised, as encouraged under national guidance.

Council Plan

12. In relation to the Council Plan 2019-2023 (Making History, Building Communities), by seeking to maintain the involvement of the community across a range of planning policy matters and planning applications during the pandemic, the covering note to the adopted SCI will help to meet all of the outcomes namely:

- Well-paid jobs and an inclusive economy
- A greener and cleaner city
- Getting around sustainably
- Good health and wellbeing
- Safe communities and culture for all
- Creating homes and world-class infrastructure
- A better start for children and young people

Implications

13. The following impacts have been assessed:

- **Financial** – None
- **Human Resources (HR)** – None

- **One Planet Council / Equalities** – There will continue be positive benefit in ensuring all parts of the community can partake in consultation and ensuring consultation methods are up-to-date.
- **Legal –** Without updating the SCI as proposed in this report, the Council could come under criticism or legal challenge for not being able to carry out consultation in accordance with is commitments, as set out in the SCI at present. The proposed changes reflect specific guidance and regulations that have been issued at a national level to allow consultation to be carried out in alternative ways in light of the COVID-19 pandemic.
- **Crime and Disorder -** None
- **Information Technology (IT) –** There will be increased reliance on IT through the use of virtual meetings/events to replace face to face meetings, for the duration of the COVID-19 Pandemic. Mechanisms are already in place to enable the use of a number of platforms for hosting virtual meetings.
- **Property -** None
- **Other –** None

Risk Management

14. In compliance with the Council's risk management strategy, the main risks associated with updating the SCI are risks arising from failure to comply with the laws and regulations relating to planning.

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Chief Officer Responsible for the report:
Mike Slater Assistant Director Planning and Public Protection
01904 551300

Report Approved ✓ **Date** 08/04/2021

Specialist Implications Officer(s)

Legal:-
Sandra Branigan
Senior Solicitor
01904 551040

Finance:-
Patrick Looker
Finance Manager
01904 551633

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

For further information please contact the author of the report

Background Papers:
Statement of Community Involvement (2007)
https://www.york.gov.uk/downloads/file/1388/cd016-city-of-york-statement-of-community-involvement-sci-adopted-december-2007-

Annexes
Annex A: Proposed Statement of Community Involvement Update April 2021

List of Abbreviations Used in this Report
COVID-19 – Coronavirus
SCI – Statement of Community Involvement

Annex A:

Statement of Community Involvement Update

April 2021

This update to the SCI is in response to the Coronavirus (COVID-19) Pandemic and updated guidance from the Government[1] regarding planning matters and consultation.

Some consultation measures set out in our adopted Statement of Community Involvement cannot currently be used due to social distancing restrictions. Where this is the case, alternative measures will be utilised; Please see the following table for more information. **The suspension of any consultation methods is only temporary for a period of up to 6 months and is subject to change according to Covid-19 and prevailing health advice.** When it is safe to do so the full range of consultation methods will be reinstated.

In response to current guidance on staying at home and away from others, consultation is temporarily primarily carried out online. It is recognised that not everyone is online. **If you have no access to email or the internet, please contact us using the contact details provided at the end of this note to discuss your requirements.**

2007 SCI Reference	Existing commitment	Amended Approach
Table 1 'Proposed Methods of Community Involvement' and Table 2 'How and why community involvement will be sought in the preparation of	Documents and notices available for inspection at the Council's West Offices and libraries	All documents continue to be accessible online via the council's website. Planning Policy documents can be viewed online at: www.york.gov.uk/LocalPlan. Specific enquiries can be made to Forward Planning • by phone: 01904 552255; or • by email to: localplan@york.gov.uk. Consultation documents will also be available to view online via computer access at Explore Libraries, if open at the time of consultation. Computer access will be in line with the library opening hours and the protocols in place for Covid 19, such as booking computer access by appointment only. For further

[1] National Planning Policy Guidance Paragraphs 076-079. Summary via: https://www.gov.uk/guidance/coronavirus-covid-19-planning-update

2007 SCI Reference	Existing commitment	Amended Approach
Planning Policy documents'		information on library opening times and the facilities available to use, including computer access, please see: https://www.exploreyork.org.uk/libraries/ Hard copies of Planning Policy documents will be made available, whenever possible, as follows: • Consultation documents will be deposited at West Offices, if open at the time of consultation and will be available to view by appointment only. Should you wish to arrange an appointment, you should contact the Forward Planning team directly. Access to the documents will be in line the protocols in place for Covid 19, such as quarantine of documents after use. • Consultation documents will be deposited at libraries, if open at the time of consultation. Access to the hard copy documents will be in line with the library opening hours and the protocols in place for Covid 19, such as viewing by appointment only and quarantine of documents after use. For further information on library opening times and the facilities available to use, including computer access, please see: https://www.exploreyork.org.uk/libraries/ If public buildings are not open during a period of consultation or you do not have internet access, you should telephone 01904 552255 to discuss and/or arrange a viewing, including where appropriate access to hard copies subject to prevailing Covid 19 measures and public health advice. Officers will only seek to provide hard copies on request for those who have no other means of access. The consultation arrangements in place at the time of consultation will be made clear on the Council's website. Should this be subject to change during the consultation period, the details will be updated, as applicable, in line with the current health guidelines.

2007 SCI Reference	Existing commitment	Amended Approach
Table 1, Table 2, paragraph 9.4	Face to face meetings, including public exhibitions, one-to-one meetings with selected stakeholders, public meetings, focus groups, area forums, ward committees, planning panels and other community groups, organisations and forums	During the COVID 19 Pandemic, face to face consultation meetings will be suspended. The Council will engage virtually using software platforms such as Skype and Zoom wherever possible. Applicants and stakeholders are expected to do the same.
Paragraph 10.1, criterion b. Paragraph 10.4	Copies of all applications and plans can be inspected at the Council's reception. Reception staff and a Duty Planning Officer will be available to deal with your queries.	During the COVID pandemic, planning applications will continue to be accessible via our online planning search using the application reference number: https://www.york.gov.uk/planning-applications/search-planning-applications/1 If you do not have internet access, you should telephone 01904 551553 to discuss and/or arrange a viewing of planning application documents, including where appropriate access to hard copies subject to prevailing Covid 19 measures and public health advice. Planning officers are enabled for working away from the office and are contactable by • emailing officers directly; • by email to: planning.enquries@york.gov.uk • by phone: 01904 551553
Paragraph 10.5	The timescale for making comments or objections on planning applications is 21 days	Owing to changes that we've had to make to how we print and mail our neighbour notification letters, and possible delays in the postal network, we've temporarily extended our standard consultation periods from 21 days to 28 days so as not to unduly disadvantage any parties that wish to participate in the planning process. Internal systems have been adjusted to accommodate this change. These changes exceed the minimum legal requirement of legislation. An

2007 SCI Reference	Existing commitment	Amended Approach
		insert letter also accompanies each neighbour notification letter to advise notified parties of service changes during the coronavirus outbreak.
Paragraph 10.5	Making comments or objections on planning applications.	Comments on planning applications should continue to be submitted via email, including the application reference number, to: planning.comments@york.gov.uk If you have no access to email or the internet, please address your comment to us in writing, including the application reference number, to: Development Management City of York Council West Offices Station Rise York YO1 6GA Please note that due to the current pandemic and restrictions, the processing of written representations may take longer. There is therefore a risk that last minute comments by post might not be taken into account. Please allow time for your comments to be processed. Processing of posted correspondence is also subject to prevailing Covid 19 measures and public health advice
Paragraph 10.10	Being involved at planning committee	Due to coronavirus, we've made some changes to how we're running council meetings. Face-to-face planning committees are currently suspended. The government has introduced regulations to allow committee meetings to be held without the physical attendance of all parties. We are now holding planning committee virtually using the Zoom software platform. Please contact democratic services at democratic.services@york.gov.uk for more information.

Contact Details

Telephone Contact	Email Contact	Address
Forward Planning		
01904 552255	localplan@york.gov.uk	Forward Planning Team City of York Council West Offices Station Rise York Y01 6GA
Neighbourhood Planning		
01904 552255	neighbourhoodplanning@york.gov.uk	Neighbourhood Planning Forward Planning Team City of York Council West Offices Station Rise York Y01 6GA
Development Management		
01904 551553	planning.enquiries@york.gov.uk	Development Management City of York Council West Offices Station Rise York YO1 6GA
Planning Enforcement		
01904 551553	planning.enforcement@york.gov.uk	Planning Enforcement City of York Council West Offices Station Rise York YO1 6GA
Democratic Services		
01904 551088	democratic.services@york.gov.uk	Democratic Services City of York Council West Offices Station Rise York

		YO1 6GA