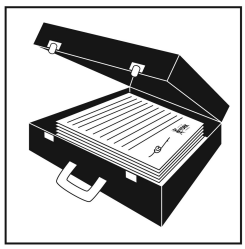
CITY OF YORK COUNCIL



Notice of meeting of

Executive

To:	Councillors Waller (Chair), Ayre, Steve Galloway, Moore, Morley, Reid and Runciman
Date:	Tuesday, 30 March 2010
Time:	2.00 pm
Venue:	The Guildhall

AGENDA

Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10:00 am on Monday 29 March 2010, if an item is called in *before* a decision is taken, *or*

4:00 pm on Thursday 1 April 2010, if an item is called in *after* a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

1. Declarations of Interest

At this point, Members are asked to declare any personal or prejudicial interest they may have in the business on this agenda.

2. Minutes (Pages 3 - 10)

To approve and sign the minutes of the Executive (Calling In) meeting held on 9 March 2010 and the Executive meeting held on 16 March 2010.

3. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak regarding an item on the agenda or a matter within the Executive's remit can do so. The deadline for registering is **5:00 pm on Monday 29 March 2010.**

4. Executive Forward Plan (Pages 11 - 14)

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

5. Minutes of Working Groups (Pages 15 - 34)

This report presents the minutes of recent meetings of the LDF Working Group and the Social Inclusion Working Group and asks Members to consider the advice given by the Groups in their capacity as advisory bodies to the Executive.

6. York Northwest Area Action Plan: Update on Planning Progress and York Central Review (Pages 35 - 48)

This report presents the results of collaborative work carried out by the Council and the York Central Consortium following the suspension of the developer procurement process for the York Central site, seeks approval for further work to explore other models of regeneration partnerships and funding opportunities, and provides an update on progress with the York Northwest Urban Eco Settlement.

7. Traffic Arrangements at York Railway Station (Pages 49 - 60)

This report provides an update on progress made in reviewing the traffic arrangements at York Railway Station and recommends further work with East Coast and Network Rail to investigate possible short, medium and long term improvements.

8. Camera Enforcement Project Summary Report (Pages 61 - 80)

This report provides a summary of the study undertaken by the Road Safety Partnership 95 Alive on the feasibility of Camera Enforcement, gives an overview of work carried out to assess the possibility of using Safety Cameras in reducing casualties and seeks approval in principal for the use of camera enforcement as a casualty reduction measure.

9. Information Governance Policy and Strategy 2010 (Pages 81 - 112)

This report presents a proposed single strategic framework for improving Information Governance arrangements in the Council, as laid down in the draft policy and strategy documents attached at Annex A and Annex B to the report.

10. Public Reporting of Enquiries and Replies made under the Freedom of Information Act 2000 (Pages 113 - 118)

This report considers options for publishing requests for information made under the Freedom of Information Act, with related replies, on the Council's public website. It also comments on the routine publication of information and the Council's Publication Scheme.

11. Fibrecity York (Pages 119 - 122)

This report seeks approval for the Council to enter into a Memorandum of Understanding to establish a Fibrecity network in York, with the objective of giving every business and home the option to have a free fibre connection with speeds of 100Mbps.

Note:
The above item was not included on the Forward Plan and has been added to this agenda with the agreement of Group Leaders and the Chair of Scrutiny Management Committee.

12. Urgent Business

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

Democracy Officer:

Name: Fiona Young
Contact details:

- Telephone – (01904) 551027
- E-mail – fiona.young@york.gov.uk

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

Agenda Annex

About City of York Council Meetings

Would you like to speak at this meeting?
If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than** 5.00 pm on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting
All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements
We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Executive to Account
The majority of councillors are not appointed to the Executive (40 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

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

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

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council	Committee Minutes
MEETING	EXECUTIVE (CALLING IN)
DATE	9 MARCH 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE AND MORLEY
APOLOGIES	COUNCILLORS REID AND RUNCIMAN

15. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

16. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

17. CALLED-IN ITEM: CITY OF YORK'S LOCAL TRANSPORT PLAN 3 - STAGE 1 CONSULTATION RESULTS AND PREPARATIONS FOR STAGE 2 (OPTIONS AND IMPACTS) CONSULTATION

Members considered an item which had appeared on the agenda for the Decision Session of the Executive Member for City Strategy held on 2 March 2010. The item related to a report which outlined the development of York's third Local Transport Plan (LTP2), summarised the findings of the first stage of consultation and recommended options for undertaking the second consultation stage.

This item had been called in by Cllrs Merrett, D'Agorne and Hudson prior to a decision being taken by the Executive Member. It had subsequently been considered by the Scrutiny Management Committee (SMC) (Calling In) at a meeting on 8 March. The SMC (Calling In) had resolved:

"(i) That Option B be approved and the report be referred back to the Executive Member for the reasons as set out in the call-in;

(ii) That the Executive Member be recommended to delay the City of York's Local Transport Plan 3 consultation until after the General Election;

(iii) That the final draft consultation questionnaire be sent out to members of the Traffic Congestion Ad Hoc Scrutiny Committee for their comments;

(iv) That Officers prepare a timeline of indicative dates to meet the final Strategy deadline of March 2011."

In considering the matter in the light of the advice offered by the SMC (Calling In), Members commented on the absence of any of the Calling In Members at the meeting and noted that delaying the consultation would result in minimal time for residents to respond and may mean that the second and third consultation stages would effectively have to be merged.

RESOLVED: (i) That public consultation on LTP be suspended until after the General Election has taken place.[1]

(ii) That Officers report to a future Executive Member Decision Session on the implications for the LTP preparation timetable of the SMC's recommendation.[2]

REASON: In accordance with the calling-in procedure and to take account of the advice offered by the Scrutiny Management Committee (Calling In), whilst noting the potential consequences of this advice.

Action Required

1. Make arrangements to delay consultation on the LTP3	IS
2. Prepare report to Decision Session and schedule on Forward Plan	IS

A Waller, Chair
[The meeting started at 2.00 pm and finished at 2.05 pm].

City of York Council	Committee Minutes
MEETING	EXECUTIVE
DATE	16 MARCH 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY AND RUNCIMAN
APOLOGIES	COUNCILLOR REID

171. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Cllr Waller declared a personal, non prejudicial interest in agenda item 7 (Review of Flood Defence Trial in Clementhorpe), as a member of the Regional Flood Defence Committee.

172. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 2 March 2010 be approved and signed by the Chair as a correct record.

173. PUBLIC PARTICIPATION

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

Simon Fogden spoke in relation to agenda item 7 (Review of Flood Defence Trial in Clementhorpe), as a Director of Waterfront House Management Co. (York) Ltd. He expressed concern at the proposal to cancel the Aquabarrier flood trial and the Council's failure to consult with the Management Company and residents on the proposal. He referred to a letter sent to the Council by the Company's Chair and the response received from Officers and queried why no consideration had been given to reinforcing the road surface behind the Aquabarrier site to address the problem of seepage.

174. EXECUTIVE FORWARD PLAN

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

175. 10:10 CAMPAIGN AND SUSTAINABILITY UPDATE

Members considered a report which responded to a Council motion approved in October 2009, signing up to the national 10:10 Campaign.

The report, which had been deferred from the Executive meeting on 16 February, set out how the Council would seek to achieve a 10% reduction in CO_2 emissions in 2010, as required by the campaign, and provided updates on some of the major projects being carried out across York with the Sustainability Team.

Based upon 2008/09 figures, the Council would need to reduce its CO_2 emissions by about 1,220 tonnes between 1 April 2010 and 31 March 2011. This target excluded schools and outsourced services. Projects that would deliver a reduction of about 930 tonnes in 2010/11 were detailed in paragraph 8 of the report. Further potential projects to meet the total required saving were listed in paragraph 11 and Appendix 1. A report would be prepared for the Executive Member for City Strategy once these additional projects had been confirmed. Progress on other sustainability projects in the City, including the Climate Change Framework and Action Plan being prepared by the Without Walls Partnership, the Renewable Energy Viability Study and the Without Walls Green Streets Challenge, was highlighted in paragraphs 14 to 40. Further details were provided in Appendices 2 and 3.

A further appendix, setting out a draft outline communication plan for the campaign, had been published online with the agenda; copies were circulated at the meeting. The Chair presented some notes of a recent meeting between himself and the National Head of Campaigns with Friends of the Earth regarding support for Officers in reaching the 40% reduction of emissions by 2020 set by the Covenvants of Mayors and the Friends of the Earth 'Get Serious' campaign, as referred to in paragraph 20 of the report.

Having noted the comments of the Labour Group on this item, it was

RESOLVED: (i) That the 10:10 projects, and the preferred reporting mechanism of regular updates to the Executive Member for City Strategy, be endorsed.[1]

(ii) That the good progress being made with other sustainability projects be noted and that engagement be offered with the Without Walls Green Streets project.[2]

REASON: In order to respond to the Council motion and clarify the way in which the Council aims to reduce its carbon emissions in line with the 10:10 campaign.

Action Required

1. Schedule update reports on Forward Plan for appropriate Executive Member Decision Sessions	DW
2. Make arrangements to engage with the Green Streets project	DW

176. CYCLING CITY YORK - PROGRESS REPORT

Members considered a report which provided an update on the progress of the Cycling City York Programme, highlighting works carried out over the past six months, successes to date and proposals for the 2010/11 revenue arm of the programme.

Progress since the last update report, in September 2009, was set out in paragraphs 6 to 40 of the report and included:

- A second stakeholder meeting held in October, combined into a Cycle Forum and attended by about 80 people
- Preparation of a call-off contract to allow better delivery of the revenue element
- Procurement of service to develop the CYC website to provide a one stop shop to all things cycling in York
- Recruitment of 15 new casual cycle trainers for schools
- Good progress on participation projects and workplace initiatives
- Strong partnership working with the Police (Operations Image and Spoke).

The revenue and capital programme for 2010/11 was detailed in paragraphs 41 to 54, with a further breakdown of the revenue schemes provided in Annex A. Revenue works would remain a high priority, with a proposed revenue spend of £600k, £1,055,000 for capital spend and £65k for the Bike It project.

Having noted the comments of the Labour Group on this item, it was

RESOLVED: (i) That the progress made on the Cycling City York programme be noted and that the programme's aims and achievements continue to be supported.

(ii) That a further update report be received in September. [1]

REASON: To ensure that the programme stays on track and delivers the measures necessary to increase levels of cycling and ensure that funding is allocated to schemes most likely to deliver the programme's aim and further strengthen the case for future years' funding.

(iii) That Officers be requested to arrange a survey of public opinion, on the conclusion of the present Cycling City programme, aimed at assessing both the success of the new cycling facilities that have been provided and any changes to public attitudes on the use of cycles as a means of transport in the City. [2]

REASON: In order to gauge the effect of the programme to date.

Action Required

1. Schedule update report on Forward Plan for Executive meeting in September 2010 GT
2. Arrange a public opinion survey, as requested GT

177. REVIEW OF FLOOD DEFENCE TRIAL IN CLEMENTHORPE

Members considered a report which advised them of progress made on the trial use of the Aquabarrier flood defence system and sought guidance on the future response to flooding from the River Ouse in the Clementhorpe area.

On 8 June 2006, the Executive Member for Neighbourhood Services had approved the acceptance of an offer by Aquabarrier Systems Ltd. to pilot a demountable flood defence system in Clementhorpe, at minimal cost to the Council. The Aquabarrier had since been deployed during a river flood event in September 2008, when problems with seepage had occurred, as illustrated in the diagram at Annex B to the report. Aquabarrier Systems Ltd. believed the problem fell outside the scope of their commitment to the pilot project, due to the poor ground conditions and the unknown extent of remedial works.

Members were therefore invited to consider the following options:
Option 1 – continue with the trial of the barrier. Not recommended, due to health and safety implications, as detailed in paragraphs 10-15 of the report.
Option 2 – provide underground seepage cut-off. Not recommended, as it would be very expensive (with the Council bearing the cost) and difficult to install due to the number of utility services in the area.
Option 3 – terminate the trial of the Aquabarrier system and provide a sand bag bund across Clementhorpe pending the provision of a permanent flood alleviation scheme by the Environment Agency (EA). This was the recommended option, as the EA had plans to study the feasibility of a permanent scheme for this area, starting in the 2012/13 financial year.

In response to the issues raised under Public Participation, Officers explained why the geology of the area meant that reinforcing the road surface would not be an appropriate response and why a permanent solution, as provided by the EA's scheme, was required. Having noted the comments of the Labour Group on this item, it was

RESOLVED: (i) That approval be given to terminate the trial of the Aquabarrier system and implement a revised action plan of introducing a sandbag bund across Clementhorpe to offer residents some assistance in times of flooding from the river Ouse in the Clementhorpe area. [1]

REASON: To overcome the potential health and safety risks associated with the seepage flow through the ground causing road failure and flooding behind the line of defence and to offer

some measure of assistance to residents of the Clementhorpe area.

(ii) That the Environment Agency be requested to report on how the Clementhorpe area, and other parts of the City, will be provided with permanent flood protection and to make this information, and programme installation dates, available to affected communities and Ward Councillors. [2]

REASON: To secure the long term protection of this area from flooding and to ensure that residents are kept informed.

Action Required

1. Make arrangements to terminate the Aquabarrier trial, as agreed	RC
2. Request a report from the Environment Agency in the terms agreed	RC

A Waller, Chair
[The meeting started at 2.00 pm and finished at 2.40 pm].

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Executive Meeting 30 March 2010

EXECUTIVE FORWARD PLAN (as at 12 March 2010)

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 13 April 2010		
Title & Description	**Author**	**Portfolio Holder**
School Meal Tender Process - Selection of a preferred supplier *Purpose of report: If members agree with the officers' decisions, all schools that have stated that they wish to be involved in the tender will be affected as this will decide which supplier is to provide catering to these schools until at least 2015. If a different supplier is selected to the current incumbent supplier there will be TUPE issues to resolve before the contract commences in September 2010. The intention is that the new supplier will be providing school meals from September 2010. Due to the lead in time with the new supplier a decision, at this EXEC, needs to be made as to which supplier is selected to provide school meals from September 2010. The resulting effects will be seen by the pupils in September 2010. CYC, school staff, and, if applicable, any staff that are involved in TUPE will see the effects earlier as the selected supplier will be required to start implementing the contract before the start of the contract in September 2010.* *Members are asked to: Review the evaluation outcome of the school meal tender and then make a decision as to the preferred supplier to award the contract to.*	Maggie Tansley	Executive Member for Children and Young People's Services

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 27 April 2010		
More for York Update - Spring 2010 *Purpose of report: To update members on revised governance and delivery arrangements for the More for York Programme, to get Member agreement to Finance and Children's Social Care blueprints.* *Members are asked to: Note progress and agree blueprints.*	Tracey Carter	Executive Member for Corporate Services

Corporate Strategy 2009 - 12 Annual Refresh *Purpose of report: To present the Corporate Strategy which has been refreshed to update the 1 year milestones.* *Members are asked to: To consider and agree the refreshed Corporate Strategy.*	Marilyn Summers	Executive Member for Corporate Services

Table 3: Items slipped on the Forward Plan with the agreement of the Group Leaders

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
Corporate Strategy 2009 - 12 Annual Refresh *Purpose of report: To present the Corporate Strategy which has been refreshed to update the 1 year milestones.* *Members are asked to: To consider and agree the refreshed Corporate Strategy.*	Marilyn Summers	Executive Member for Corporate Services	30 March 2010	27 April 2010	To allow time for consultation with CMT and other consultees.
Publication of FOI Enquiries *Purpose of report: To consider how openness and transparency might be enhanced by publishing FOI enquiries, and the council's responses, on the website.* *Members are asked to: Approve one of the options.*	Pauline Stuchfield	Executive Member for Corporate Services	30 March 2010	-	Duplicated by 'Public Reporting of Enquiries and Replies Made Under The Freedom Of Information Act' report also going to 30 March 2010 meeting

Strategic Asset Management Planning – (MfY) *Purpose of report: This report will set out options for the way forward to improve the effectiveness of strategic asset management planning across the whole authority using the action plan from the recent Audit Commission Report on Asset Management, establishing an Asset Board and writing a new 5 year Corporate Asset Management Plan.* *Members are asked to: Comment on the options in the report and approve the preferred option to establish an Asset Board from April 2010 and have a new Corporate AMP brought to Exec for approval by September 2010.*	Philip Callow	Executive Leader	30 March 2010	--	Executive has already approved this initiative. Its creation is one of five projects contained within the Property Services Blueprint, approved by Executive on 20 October 2009.
School Meal Tender Process - Selection of a preferred supplier *Purpose of report: If members agree with the officers' decisions, all schools that have stated that they wish to be involved in the tender will be affected as this will decide which supplier is to provide catering to these schools until at least 2015. If a different supplier is selected to the*	Maggie Tansley	Executive Member for Children and Young People's Services	30 March 2010	13 April 2010	The reason the delay was caused by a query arising from the responses of one of the Stage 2 bidders for which we needed to seek legal advice before completing the evaluation of that stage. This has pushed the evaluation process timetable back 2 weeks.

current incumbent supplier there will be TUPE issues to resolve before the contract commences in September 2010. The intention is that the new supplier will be providing school meals from September 2010. Due to the lead in time with the new supplier a decision, at this EXEC, needs to be made as to which supplier is selected to provide school meals from September 2010. The resulting effects will be seen by the pupils in September 2010. CYC, school staff, and, if applicable, any staff that are involved in TUPE will see the effects earlier as the selected supplier will be required to start implementing the contract before the start of the contract in September 2010. *Members are asked to: Review the evaluation outcome of the school meal tender and then make a decision as to the preferred supplier to award the contract to.*					

Executive 30 March 2010

Report of the Acting Head of Civic, Democratic and Legal Services

Minutes of Working Groups

Summary

1. This report presents the minutes of recent meetings of the LDF Working Group and the Social Inclusion Working Group and asks Members to consider the advice given by the Groups in their capacity as advisory bodies to the Executive.

Background

2. Under the Council's Constitution, the role of Working Groups is to advise the Executive on issues within their particular remits. To ensure that the Executive is able to consider the advice of the Working Groups, it has been agreed that minutes of the Groups' meetings will be brought to the Executive on a regular basis.

3. Members have requested that minutes of Working Groups requiring Executive endorsement be submitted as soon as they become available. In accordance with that request, and the requirements of the Constitution, minutes of the following meetings are presented with this report:

   - LDF Working Group – draft minutes of the meeting of 4 January 2010 (Annex A)
   - Social Inclusion Working Group – draft minutes of the meeting of 17 February 2010 (Annex B)

4. The following meeting has also taken place:

   - Social Inclusion Working Group – 28 January 2010. The draft minutes were considered by the Executive at their meeting on 16 February 2010 as Annex 11 to the report on "Financial Strategy 2010-2016".

Consultation

5. No consultation has taken place on the attached minutes, which have been referred directly from the Working Groups. It is assumed that any relevant

consultation on the items considered by the Groups was carried out in advance of their meetings.

Options

6. Options open to the Executive are either to accept or to reject any advice that may be offered by the Working Groups, and / or to comment on the advice.

Analysis

7. There are no resolutions within the attached minutes which require the specific endorsement or approval of the Executive.

Corporate Priorities

8. The aims in referring these minutes accord with the Council's corporate values to provide strong leadership in terms of advising these bodies on their direction and any recommendations they wish to make.

Implications

9. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to consider the minutes and determine their response to the advice offered by the Board:
   - **Financial**
   - **Human Resources (HR)**
   - **Equalities**
   - **Legal**
   - **Crime and Disorder**
   - **Property**
   - **Other**

Risk Management

10. In compliance with the Council's risk management strategy, there are no risks associated with the recommendations of this report.

Recommendations

11. Members are asked to note the minutes attached at Annexes A and B and to decide whether they wish to respond to any of the comments offered by the Working Groups.

Reason:

To fulfil the requirements of the Council's Constitution in relation to the role of Working Groups.

Contact details:

Author:
Jayne Carr
Democracy Officer
01904 552030
email:
jayne.carr@york.gov.uk

Chief Officer Responsible for the report:
Alison Lowton
Acting Head of Civic, Democratic and Legal Services

Report Approved √ **Date** 11/03/2010

Specialist Implications Officer(s) None

Wards Affected: **All** √

For further information please contact the author of the report

Annexes

Annex A – Draft minutes of the meeting of the Local Development Framework Working Group held on 4 January 2010.

Annex B – Draft minutes of the meeting of the Social Inclusion Working Group held on 17 February 2010.

Background Papers

Agenda and associated reports for the above meetings (available on the Council's website).

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Annex A

City of York Council — Draft Committee Minutes

MEETING	LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP
DATE	4 JANUARY 2010
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), POTTER (VICE-CHAIR), D'AGORNE, MERRETT, REID, SIMPSON-LAING, R WATSON AND WATT

6. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

7. MINUTES

RESOLVED: That the minutes of the meeting of the Local Development Framework Group held on 7 September 2009 be approved and signed by the Chair as a correct record.

Councillor Merrett requested a number of amendments to the minutes and agreed to email the Democracy Officer with the in depth explanations, but the amendments were briefly as follows:

Minute Item 2 Public Participation – be amended to state that the unanswered letters highlighted by the speaker are to be replied to by officers.

Minute Item 4 – Green Infrastructure.

- That it be made clear that once Local Green Corridors are identified, they should form a constraint on planning.
- That further information on Local Green Corridors and Local Green Wedges be brought to the LDF Working Group in Summer 2010.
- That resolution (iii) be amended to include the additional areas highlighted by Members.

Minute Item 5 – Biodiversity Audit.

- Railway owned land should be identified on the document as areas of potential interest which warrant further investigation.
- Parish Councils and other groups that would be interested in identifying further areas of ridge and furrow be consulted.

8. PUBLIC PARTICIPATION

It was reported that two people had registered to speak at the meeting under the Council's Public Participation Scheme.

Tom Hughes, from the Meadlands Area Residents Association spoke in relation to item 6. He queried why Green Belt Land was being included in the Core Strategy if the feedback from the City Wide Consultation indicates the majority of respondents want to save the land. He also queried the minutes of the last meeting, in particular the interest declared by Councillor Watson. He asked who the clients are that Councillor Watson represents as he understood the landowners were City of York Council and asked Councillor Watson to reply.

Mark Warters commented that he had not received a reply to his letters further to the meeting of the 7 September. He also made comments on item 6 of the agenda, City-Wide Leaflet feedback as he felt there had been inadequate consultation given the level of response.

9. YORK NORTHWEST AREA ACTION PLAN - PROGRESS REPORT AND NEXT STEPS.

Members considered a report which outlines the current position with York Northwest and which set out a programme of work to move the York Central project forward. Members were asked to note the progress with York Northwest and to endorse the approach outlined.

Officers introduced the report and updated Members on the progress made with the York Northwest Area Action Plan and outlined the intended joint approach with the York Central Consortium in order to identify a way forward. Members raised various comments and questions which were addressed by Officers. These included:

- Whether it was possible for Councillors to have access to the proposals mentioned in paragraph 14 of the report. Officers advised that the document is a Leeds City Council document but is a Public document and they can provide Members with an email link.
- Whether Officers had a 'back up' plan if the proposals for the York Northwest site encountered difficulties and what is being done in the wider LDF process. Officers advised that other sites are coming forward and that the Core Strategy would be flexible enough to deal with a large site not coming forward.
- Appendix 1 Option 2 – Members queried the educational facilities as the consultation identified a specific requirement to look at a secondary school site. Officers advised that the Options in appendix 1 are not final solutions and educational facilities would be taken into account.
- Also in reference to Appendix 1 Option 2, members queried whether a school playing field on the site would mean that other open space provision would be taken out. Officers advised it is too early to comment on this.

- Members commented that further discussion is required concerning the provision for a secondary school on the site, e.g.: if there are enough students in the combined areas to attend a new school.
- Officers advised that in order to understand why the procurement process had stalled they will be looking at why the bids were not acceptable. Educational facilities and other specifics would be looked into again. Officers asked Members to note that the contaminated land may challenge parts of the site and the Land Use Model would be utilised in order to establish what is feasible.

Members queried when the LDF Working Group would receive a further update. Officers advised it would be mid February before any further details would be made public.

RESOLVED: (i) That Members note the progress with the York Northwest AAP.

REASON: To ensure that work being undertaken for York Northwest is progressed.

RESOLVED: (ii) That Members endorse the joint approach for York Central and the joint programme of work outlined in Appendix 2 to the Officers report.

REASON: To ensure the regeneration of the area is delivered which will meet the objectives for the area.

10. LOCAL DEVELOPMENT FRAMEWORK: CITY CENTRE ACTION PLAN - PROGRESS TOWARD PREFERRED OPTIONS.

Members received a report which outlined the progress on the City Centre Action Plan (AAP). It presented the following; appraisals of options and emerging preferred options, progress on ongoing consultation, progress on background documents and further work required, next steps in preparation of a Preferred Options document.

Since the last report to Members in January 2009 Officers have been involved in the following areas of work:

- Completion of the Options Appraisals (Annex A to report).
- Progressed the evidence base.
- Worked on the People Changing Places project alongside Beam
- Progressed discussions on key projects such as the riverside, cultural quarter, Minster Piazza.
- Ongoing consultation including a presentation to the Without Walls Board in March and York Civic Trust in September.
- Production of a Vision Prospectus.

Members received a presentation from Officers, reminding them of the importance of the City Centre AAP, especially the importance of the City Centre to York's economy due to tourist spend. The presentation also outlined the work completed to date.

Members queried the delay in the City Centre Plan Process. Officers advised that there had been some slippage, but they were now satisfied with the timetable. Officers advised that in order to move the City Centre AAP forward, it is important to decide which of the Emerging Preferred Options should be taken forward as Preferred Options and invited Members to make comments. Members commented as follows, by reference to the Issues and Options Questions detailed in Annex A of the Officers report:

- Question 8 – Offices in the City Centre have declined and significant employment sites are being lost as a result. Members felt that Options 2 and 3 should be considered as preferred options to support the principle of Office Quarters.
- Question 9 – it was highlighted that the size of office development should be clearly specified and not referred to as 'small or medium sized'.
- Question 12 – Members requested that Options 2 and 3 be kept in.
- Question 13 – The potential for Option 3 should be reviewed.
- Question 17 – members commented that Officers should consider including an Archaeology policy.
- Question 21 – Option 3 to still be considered.
- Question 22 – Members queried Option 5 and which other areas were being looked at as potential foot streets. Officers advised that this is still being looked into and there is no definitive answer at the moment.
- Question 23 – Members queried Option 4 and the provision of a children's play area. Officers advised that there is specific allocation for a City Centre play area under the Playbuilder Scheme which will ensure provision in the City Centre.
- Question 29 – Members commented that the wording of Option 2 should be strengthened to emphasise that off-site facilities are a last resort.
- Question 32 – Option 2 – any option should minimise energy consumption and not increase light pollution.
- Question 33 – Members commented that the late night park and ride services in the City had not been successful and felt Officers should consider this fact when looking at Option 1.
- Question 34 – Any options for housing over shops should consider how accessible they are and the need for outdoor space.
- Question 35 – Ensure that the sites are suitable for future development in all respects and not just for affordable housing. Members commented that the affordable housing threshold will be set through the Core Strategy process.
- Question 38 – Members commented on the need for public open spaces at Castle Piccadilly.
- Question 48 – AAP boundary needs to be wide enough to include necessary transport projects.

Vision Prospectus

Members considered Annex C of the report which introduced to them a document entitled 'A Vision of York City Centre'. Officers advised that

the document would be brought back to the next LDF meeting to be considered further and invited Members to email to them any detailed comments. Members made some initial comments on the document. These were as follows:

- Members queried whether the title 'A Vision of York City Centre' was the correct title for the document and suggested the word 'Prospectus' may be better terminology.
- Certain Members felt that the prospectus would be useful in encouraging vision and stimulating debate amongst interested parties. The prospectus is a step in the right direction and contained some refreshing ideas.
- Members commented that the public transport and air quality problems in the City centre need to be tackled as a priority, and these factors are not mentioned in the document.
- Members commented on the appearance of the document in general and felt the plastic pages were unnecessary and costly and that the number of white blank spaces did not look attractive.
- The Council's Equalities department should be consulted on the style of the document further.

RESOLVED: (i) That Members contact Officers with any further comments on the Vision Prospectus and that it be brought back to the next meeting of the LDF Working Group for further consideration.

REASON: So that changes recommended as a result of discussions at this meeting and after the meeting via email, can be reported to Members and the report can progress through to the Executive.

RESOLVED (ii) That Members noted and commented on the Options Appraisals as detailed above, as a basis for drafting the preferred options and undertaking further background work.

REASON: To ensure that the LDF City Centre Area Action Plan can be progressed to its next stage of development as highlighted in the Council's Local Development Scheme.

RESOLVED (iii) That Members noted the next steps in preparing the Preferred Options document for presentation to them in 2010.

REASON: To ensure that the LDF City Centre Action Plan can be progressed to its next stage of development as highlighted in the Council's Local Development Scheme.

11. LOCAL DEVELOPMENT FRAMEWORK - CORE STRATEGY PREFERRED OPTIONS CITY-WIDE LEAFLET FEEDBACK.

Members considered the first of two reports, which advises them of the outcome of the Core Strategy Preferred Options consultation, carried out in Summer 2009. Annex B to the report sets out the results from the Core Strategy Preferred Options City-wide leaflet consultation.

A wide range of methods were used as part of the Preferred Options Consultation and Annex A to the officers' report sets out the full range of consultation events held. The leaflet helped to ensure that all residents of York were aware of the consultation, whilst the specific events enabled more in depth discussion with interested parties.

Members received a presentation of the sample profile for postcodes following the Core Strategy Preferred Options City-wide leaflet consultation. Officers advised that the survey is just one aspect of the consultation process.

Members commented on the survey results as follows:

- It would be useful for Members to have the population figures for each postcode area in order to understand the response figures clearly in relation to each other.
- Whether the 'not answered' data was available. Officers confirmed any non-responses had been taken out of the data and could be made available if required.
- As some of the responses contradict each other, it was queried how much weight would be given to this survey further down the line. Officers advised that the results of the other methods of consultation such as workshops, would also be taken into account, which should clarify any contradictions once all the data is brought together.
- Whether the questionnaire included a question on the respondent's demographics. Officers advised it did not but the consultation process would ensure that a wide range of views would be received.
- Members pointed out that there was a conflict in that the respondents wished for more jobs and homes in York but were reluctant to identify where they should be located.

RESOLVED: That Members note the comments received from consultees in response to the Preferred Options city-wide questionnaire, and support their consideration in informing the production of the Core Strategy submission draft and, where relevant, other emerging LDF documents.

REASON: To help inform Members of the consultation responses ahead of the next stage of the Core Strategy production.

Annex B

City of York Council	Draft Committee Minutes
Meeting	Social Inclusion Working Group
Date	17 February 2010
Present	Councillors Ayre (Chair), Aspden, Brooks, Crisp (Vice-Chair) (agenda items 30-32 and 35) and Gunnell (agenda items 30-32 and 35) Non-Voting Co-opted Members: David Brown – York Access Group Sarah Fennell – LGBT Forum Sue Lister – York Older People's Assembly Rita Sanderson – York Racial Equality Network Fiona Walker – Valuing People Partnership Expert Witnesses: Maureen Ryan – Valuing People Partnership Carolyn Suckling – York Access Group George Wright – Humanist
Apologies	John Burgess – Mental Health Forum Daryoush Mazloum - YREN

Mrs Corry Hewitt

The group was saddened to hear of the death of Mrs Corry Hewitt, who had served as a representative of York Interfaith on SIWG. A card of condolence would be sent to Mrs Hewitt's family on behalf of the group.

30. Declarations of Interest

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. None were declared.

31. Minutes and Matters Arising

Resolved: That the minutes of the meetings of the Group held on 2 December 2009 and 28 January 2010 be approved as a correct record and signed by the Chair subject to it being noted that Fiona Walker and Maureen Ryan had

submitted their apologies for absence for the meeting on 28 January 2010 and that the meeting finished at 10.00 pm.

In accordance with the Group's request that their recommendations were tracked to ensure that they were being actioned, an update was given on matters arising from the previous minutes:

(i) SIWG Display Boards

Arrangements had been made for the SIWG display boards to be placed in the foyer at York St John University during International Women's Week. Information for inclusion on the boards should be forwarded to Sue Lister by the end of the week.

(ii) Name of the Group

Clarification was sought as to whether the suggestions regarding the name of the group were to be taken on board. It was noted that this would be considered further at the Development Day on 29 March 2010, along with issues including the SIWG budget[1].

(iii) Roles and Responsibilities of Elected Members and Community Representatives

The minutes of the meeting of 28 January 2010 had made reference to the need to look at the role that Elected Members should play when future discussions took place with SIWG to examine the impact of budget proposals on the equality strands. Some Elected Members suggested that they felt that it would be appropriate for them to be present when such discussion took place but would not wish to participate. Others stated that they were happy to participate. It was agreed that further consideration would be given to this matter when the next budget round took place.

Members of the group suggested that there was a more general issue in terms of clarifying the roles and responsibilities of Elected Members and non-voting co-opted members on SIWG. Rita Sanderson offered to support the group in this matter[1]. Officers informed the

Group that this issue would be discussed and finalised at the Development Day on 29 March 2010.

Action Required
1. Include in programme for Development Day EC

32. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

33. Council Workforce Strategy

A presentation was given on the council's Workforce Plan 2010-12. A copy of the presentation is attached as Annex A to these minutes.

SIWG were requested to offer feedback about diversity issues in the plan. It was noted that the council was the largest employer in the city. Consideration was given to York's population profile and how this compared to the council's workforce profile.

The Group welcomed the plan and put forward the following suggestions as to areas that needed further consideration:

- As well as encouraging disabled people to work for the council, more should be done to retain people who become disabled whilst working as an employee of the council.
- Flexible working is important.
- It is important that jobs are not "token jobs" – the level of job is also a key factor.
- Staff training is important – there needs to be a culture of tolerance. Diversity training should be a compulsory part of staff induction.
- Consideration should be given to job carving (The Blueberry Academy could advise on this)
- It was noted that there was no reference to LGBT in the plan. Officers explained that this was because they did not have this data from employees, although there was representation on the Staff Equalities Reference Group (SERG).
- It was suggested that some staff who are disabled or from a minority group may not wish for this to be known. It was

acknowledged that this made it more difficult to ascertain where there was under-representation.

- A suggestion was put forward that people might be reluctant to provide information regarding their sexuality but that if questionnaires were reworded to ask for "partnership preference" this may seem less intrusive.
- Officers were asked how robust the council's arrangements were in ensuring that young people were represented in the workforce. Attention was drawn to the government funding that was available to support apprenticeships. Officers confirmed that the employment of more young people was a priority, as the number of 16-24 year old employees was very low. It was proposed to take a more directive approach to address this matter, for example the Corporate Management Team were to be asked to consider whether posts should be designated as apprenticeships up to a certain level unless there was a proven business case for alternative arrangements to be put in place.

Resolved: That it be requested that the comments put forward by SIWG be taken into account when the Workforce Plan is developed.

Reason: To help officers put in place a fair and inclusive Workforce Plan.

34. Progress with the new Council Headquarters Project and related Equality Impact Assessments

The Group received a presentation on the council's Accommodation Project.

Copies of the comments made by SIWG when they were consulted on the project on 24 September 2009 were circulated, along with the response that had been made to each recommendation. This document is attached as Annex B to these minutes.

The Group was informed that the contract would be formally awarded to York Investors LLP the following Monday. The company would provide the council's new headquarters and York Customer Centre at West Offices on Station Rise by 2012. The Group were shown diagrams illustrating the location of the new headquarters and initial design proposals. 70% of the

building would be new-build. The building would be very efficient in terms of the use of non-renewable resources and would have a BREEAM rating of “excellent”.

The Group made the following comments regarding the proposals:

- Whilst it was pleasing to note that the building would be accessible due to its central location and excellent public transport links, concerns were expressed that the appropriate use of the disabled parking bays may not be enforced. Officers stated that there would be a 24-hour presence on the site and therefore the use of the bays would be monitored.
- Because of the open-plan nature of the design, concerns were expressed regarding possible noise levels and the impact that this may have on those with autism. It was suggested that the acoustic specialist employed by the developer should be requested to consult with disabled people regarding this matter.
- It was important that appropriate consideration was given to the interior of the building, including the impact of colour and soft furnishings on behaviour. Meditation rooms should also be available.
- The Valuing People Partnership had been working on “Your Journey to Hospital” and would be pleased to assist the council in preparing similar accessible information on “Your Journey to York Council Headquarters”.
- The Group was informed that rationalisation from sixteen administrative offices to four would achieve significant long-term savings and fund the cost of the new headquarters. The Group stated that it was important that employees and members of the community were aware of this, as the project was taking place at a time when jobs were being cut at the council and some members of the community were losing valued services. It was important to make clear that the project was about delivering excellent services to the community as well as providing appropriate facilites for staff.

Details were given of the next stages in the process. The developers would be holding a pre-planning event at the Mansion House on Friday 5 March 2010 and Saturday 6 March 2010 to seek views on their latest design proposals. Invitations would be circulated to SIWG members, along with

details of how to access further information on the website[1].

SIWG would continue to be consulted on developments regarding the council's new headquarters.

Action Required
1. Circulate details of consultation event and website link JC

35. Community Cohesion - Approach and Plans

The Group received a report about the council's approach and plans for community cohesion. Officers explained that community cohesion was about respect, fairness and inclusion for everyone who lives York. The council's Fairness and Inclusion Strategy made a commitment to develop a Community Cohesion Strategy/Action Plan by July 2010. A government-funded postholder would be working with the council until the end of May to support the work that was being carried out.

Work had started to explore some objectives and to find out what activities were already taking place that promoted cohesion. Inclusive York had been consulted about the work that was taking place and had emphasised the need to involve all partners. It was noted that many groups already had action plans in place, for example most schools had implemented community action plans.

Members of SIWG stated that YREN had considerable expertise in this issue and it was important to involve them in the work that was taking place. Officers explained that it was the intention to involve community groups but that the current focus was an audit of council activities. It was noted that if community groups were to be involved this had resource implications for them. It was therefore important that the work was appropriately resourced. YREN had previously carried out a considerable amount of work as the lead body of a Local Area Agreement (LAA) partnership bid, and whilst the application had been unsuccessful, the content and work should be acknowledged.

Members of the group stressed the importance of ensuring that that the community cohesion strategy also took into account the need to have in place effective hate incident reporting arrangements.

Resolved: That a progress report on the Community Cohesion Strategy be presented at the next meeting[1].

Reason: To help officers put in place a fair and inclusive community cohesion plan and to give SIWG the opportunity to influence the plan.

Action Required
1. Include as agenda item for next meeting EC

36. Progress with More for York Equality Impact Assessments and Next Steps

A report was received that outlined progress with More for York Equality Impact Assessments (EIAs) in 2009/10. It was noted that, as part of the More for York Initiative, a staff suggestion scheme was being set up.

The Group was updated on some of the ways in which the suggestions that they had put forward had been actioned:

- Parking arrangements at St Leonard's were being reviewed
- Consideration was being given to voice recognition software
- The council had signed up to the Plain English Standard and a Style Guide was in place[1]
- Suggestions regarding debt collection had been incorporated into the policy
- New recycling containers would have holes in the bottom to prevent water from collecting. The Chair informed the Group that he had also requested that the possibility of supplying tactile containers be explored.

Attention was drawn to the work streams in the report that had been considered by the staff equalities group.

The Group was informed of forthcoming EIAs on which their views would be sought. These included:

- The teams forming part of the Chief Executive's Office
- Fleet management (including minibuses for home to school transport)
- Taxi services/pool cars

- Property management and facility management
- Housing
- Children's social care
- Policy review for recruitment and selection
- City Strategy – planning
- Mobile working

Community representatives suggested that the council should consider whether it would be appropriate to reimburse community groups for the time and expertise that they gave to the council when considering EIAs. It was agreed that this should be discussed further at the Development Day[2].

Resolved: That the report be noted.

Reason: To inform SIWG on progress with More for York EIAs and to present next steps as the programme progresses.

Action Required

1. At request of Group, circulate copies of Council's Style Guide to SIWG members — JC
2. Include as issue to be considered at Development Day — EC

37. SIWG Development Day

Copies of a report on the purpose and content of the next group Development Day had been circulated. SIWG members were encouraged to attend the event.

Resolved: That the report be noted.

Reason: To help the Group finalise the improvement work it started in 2009/10 and put in place a work programme for 2010-11.

38. Any Other Business - Hate Incidents

The Group was informed that YREN had been successful in its tender to help the Police Independent Advisory Group for York and Selby better understand Hate Crime. The work would enable the Police to improve its service to the victims of Hate Crime and the community. Copies of the proposed questionnaire were circulated. SIWG's support was sought in preparing an easy-read version of the questionnaire.

Resolved: That arrangements be made for an easy-read version of the questionnaire to be prepared[1].

Reason: To support the process in ensuring that all members of the SIWG had the opportunity to be involved in the consultation.

Action Required

1. Prepare easy-read version of questionnaire JC

Annex A – Council Workforce Strategy Presentation
Annex B – Council Headquarters: Response to Feedback from SIWG

Councillor N Ayre, Chair
[The meeting started at 6.30 pm and finished at 9.00 pm].

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Executive **30th March 2010**

Report of the Director of City Strategy

YORK NORTHWEST AREA ACTION PLAN

Update on Planning Progress and York Central Review

Summary

1. In January this year Members of the LDF Working Group agreed a project programme setting out the key areas of collaborative work between the council and the York Central Consortium following the suspension of the developer procurement process for York Central. This report outlines the joint work carried out and the headline findings of the review and issues arising from this work. A number of objectives for the York Central site arising from this work are set out for Member's consideration. Members are asked agree that further work is carried out to explore other models of regeneration partnerships and funding opportunities.

2. The report also provides a short update on progress with the York Northwest Urban Eco Settlement (UES) and Members are asked to agree that policies for York Northwest are included within the Core Strategy which seek to achieve Eco Town standards.

3. To take account of the emerging work on both the York Central and the British Sugar sites a number of measures are suggested to address the arising issues. This includes preparation of a more responsive planning framework which will allow for the development timescales on each site to be disengaged whilst retaining the overriding designation of the area within the Core Strategy. Members are asked to agree that York Northwest is taken forward in a revised policy approach within the Core Strategy and Supplementary Planning Documents are prepared for each site, together with a framework for development which would be used to guide the approach taken for York Central. Work on the AAP will be transferred into these documents.

Background

4. A progress report on the York Northwest Area Action Plan was brought to a meeting of the LDF Working Group on 4 January 2010. The report outlined the

position with York Northwest and provided a summary of progress to produce the Preferred Options for the YNW Area Action Plan (AAP).

5. The report also outlined work to develop a proposal to deliver a first phase 60 unit demonstration exemplar Urban Eco Settlement (UES) at the former British Sugar site. Members were advised that an expression of interest for funding to support the development of the UES proposals from a £10m Eco Development Fund had been submitted to the government by the Leeds City Region.

6. Members of the LDF Working Group were also advised of the joint work being carried out by the council and the York Central Consortium following the suspension of the developer selection process for York Central. A joint programme of collaborative work had been agreed to review issues arising from the process and to explore the way forward including the possibility of alternative delivery approaches.

Urban Eco Settlement Progress

7. Sustainable development is a key overarching strategic objective for York Northwest. The UES programme is Leeds City Region's response to the national Eco Town Programme. A central feature of this is a commitment to take the PPS eco-town standards through the submission document of the Core Strategy with detail in the supporting documents. Formal Member commitment to this, is, therefore, being sought.

8. The option of including policies in the Core Strategy (publication draft) which would included to refer to the UES and PPS eco town standards is outlined in paragraph 38. It will be challenging to meet PPS standards on these brownfield sites whilst ensuring that viable schemes are developed and ensure deliverability criteria for the Core Strategy is met.

9. A bid for revenue funding from the Eco Development Fund to support the development of PPS eco-town standards within the Core Strategy for the four areas within the City Region UES programme was formally submitted by Leeds City Region (LCR) on 26 February 2010. CYC element of this bid included funding to carry out eco feasibility work and to support the masterplanning/ community engagement process. In addition a bid was submitted for capital funding to help deliver an eco show-home facility which will act as a centre for local residents and school children to learn about 'green living' and a base for eco- construction training.

10. On 9 March 2010, Leeds City Region were advised by the Department for Communities and Local Government that they had successfully secured £1.2m funding to support the development of the UES programme and eco exemplar demonstrator projects. A key criteria of the funding award is the ability to deliver early development within an agreed timeframe.

11. The first phase 60 unit demonstration exemplar project at the former British Sugar site has also been incorporated in the draft City Region Investment Plan 2010-2014. This document will form the basis of discussions between LCR and the Homes and Communities Agency (HCA) for further potential funding to support delivery of the UES.

York Central Review

12. A high level review of the development appraisals and the council's emerging planning policy has been carried out. Meetings with key stakeholders and other parties have been held and five joint workshops between the council and the York Central Consortium have taken place to look at issues arising from this and to review the lessons learned from market testing. In addition, the council have re-examined the comprehensive approach to developing the area and explored whether there may be alternative ways of delivering the project to achieve the objectives of all parties.

Headline Findings

13. The headline messages arising from the work carried out are outlined in paragraphs 14 to 19 below and a suggested way forward to address these is set out for consideration by Members.

14. Feedback from parties directly involved in the developer procurement process, indicated that further clarity on retail, transport and open space provision would promote greater confidence for developers when the project is taken to the market in the future. Retail has been identified as a key land use essential for the deliverability of York Central. York Central has also been identified in the emerging Core Strategy as the sequentially preferable site to meet future identified capacity in the city.

15. Given the market circumstances and the current suspension of the developer procurement process it is now unlikely that it will be possible to align the masterplanning process for York Central with the AAP planning policy process. There is, therefore, an issue with meeting the timescales set out in the Local Development Scheme.

16. Analysis and appraisal work identified that some areas of the site had very high abnormal costs associated with their development. These were essentially either rail related or related to key items of infrastructure provision. It will be important to examine opportunities to reduce these costs.

17. The indications are that public sector funding from various sources will be necessary to bring York Central forward for development. This is not unusual for a scheme of this scale and complexity. Once secured, it will be important to direct public funding to items of key transport infrastructure to facilitate development and act as a catalyst for development which will build confidence in the market.

18. Feedback from the review also highlighted that increased clarity of the council's objectives for the development of the area would also be helpful.

19. Due to changing market conditions, more flexible delivery mechanisms which incorporate public/private partnerships are now being used to bring forward major development sites for regeneration. There is an opportunity for alternative delivery mechanisms to be investigated to see if they would add value to the process for York Central.

Way Forward

20. The suggested approach outlined below will make a significant contribution to addressing key issues identified in paragraphs 14 to 19 above. A number of areas have been identified for future work.

Redefining the Planning Framework

Planning Approach

21. Given the recent issues regarding delivery of the York Central site it is clear that the policy context for York Northwest could not be brought forward to include input by developers within the Area Action Plan timeframes. Further it is likely that the 'early deliverable' proposal for the former British Sugar site will need the planning context and masterplanning in place as soon as possible. In these circumstances it is suggested that AAP approach to produce a planning framework for York Northwest is reconsidered.

22. Changes to PPS12 now mean that it is possible to identify strategic sites in the Core Strategy which then become part of the statutory development plan when the Core Strategy is adopted. Site specific detail can now be included in Supplementary Planning Documents (SPD's) which sit alongside an adopted Core Strategy. Whilst the SPD approach would not have the same statutory weight as an adopted AAP, it would be backed up by clear allocation as a 'strategic site' in the Core Strategy.

23. Subject to Member's agreement it is proposed that the York Northwest area is identified within the Core Strategy as a 'zone of change', with detailed policy to be provided within Supplementary Planning Documents (SPD's) which will be supported by a development framework. These would be prepared for the strategic sites within this area, including both the York Central and the former British Sugar site. This would also allow the option of preparing SPD's for any further sites coming forward for development within this zone. Subject to Member's agreement to undertaking this approach, consequential amendments will be made to the Local Development Scheme and reported to a future meeting of the LDF Working Group and Executive.

24. A key benefit of the approach outlined above is that it would allow greater responsiveness to timescales and deliverability for both strategic sites whilst allowing the regional significance of York Northwest to be retained within a Development Plan Document (DPD). This approach would also allow the overarching issues relevant to the wider York Northwest area, including transport and open space provision, to be brought forward as part of the Core Strategy. Informal discussions have been held with the Government Office who are supportive of this approach.

Evidence Base

25. Evidence base and Preferred Options work which has been produced for the Area Action Plan would be used to provide evidence base to the Core Strategy and to inform the preparation of the SPD's. The intention is to bring a report to a meeting of the LDF Working Group later this spring outlining the key findings on work undertaken to date on the AAP Preferred Options, including transport and

open space. This will set out the issues relevant to each theme area together with suggested key principles to take forward in drafting policies for the SPD's. It will also provide early clarity on the approach being undertaken which can then be used to inform the masterplanning process for each site.

Retail

26. Given the constrained nature of the historic city centre, York Central provides an opportunity for the city to maintain and enhance its retail offer in a central location. A substantial level of background retail work has been prepared by consultants GVA Grimley which will form part of the evidence base to the Core Strategy. As part of this work the consultants reviewed a number of indicative retail development scenarios. Recently the Government has published revised Planning Policy Guidance on retailing/economic issues (PPS 4) which will also be used to inform the strategic approach to retail issues within the city.

27. In April/May it is anticipated that a report will be taken to Members of the LDF Working Group setting out the options for the future allocation of retailing as part of the submission document for the Core Strategy. This will clarify the future approach to retailing in the city and provide clear policy guidance to potential developers. A key issue is the need to establish a quantum of retail, which does not adversely impact on the historic core.

Development Framework

28. Work to re-examining the comprehensive approach has demonstrated that there would be benefits in making a clear distinction in the phasing of the development which will allow the issues arising from the identified abnormal costs to be addressed. This would concentrate early delivery of the areas around the station which would achieve the council's objectives for increasing employment opportunities and promoting leisure and tourism associated with the National Railway Museum. This approach would establish a climate of greater certainty and confidence for later phases to be brought forward in the longer term. It is likely that the phases for development will be identified and defined within the SPD.

29. For York Central, a Development Framework with high level masterplanning would be progressed to inform the preparation of the SPD. Appraisal and analysis work carried out as part of this review will provide a robust basis to inform masterplanning work. It is intended that this will be carried out by the newly appointed Urban Renaissance Team within City Strategy. This team is being funded by Yorkshire Forward who have also allocated a budget to support the work of the team. It is anticipated that this work could be carried out over a period of 12 months following the appointment of the team this summer. Guidance on design quality and criteria/principles could be provided as part of this work.

30. A programme identifying the main work areas to be progressed with timescales is attached in Appendix 1. A diagram showing an indicative process and timescales to produce the SPD's and development framework for York Central and masterplan for the British Sugar site is attached at Appendix 2.

Reviewing York Central Objectives

31. The wider strategic objectives for York Northwest, as previously agreed by Members, would be outlined in the Core Strategy. Suggested site specific objectives for York Central could be outlined in LDF documents subject to Members views on these and are listed below.

i) Creation of a sustainable new community of outstanding quality and design.
ii) Provision of a new employment area for high quality new offices which will contribute to the overall economic prosperity of the city.
iii) Enhancement of the cultural area around the NRM within high quality public realm and improved connectivity of this to the city centre.
iv) Provision of new housing to assist in meeting the housing needs of York.
v) Creation of a new urban quarter for York with new retail provision which helps to meet identified future capacity in the city.

Funding and Delivery

32. There is a clear opportunity for the public sector to take a stronger role in helping to attract public funding and increase confidence to potential investors. A proactive approach to securing external funding and attracting inward investment is suggested to be taken forward by the council. Possible sources of funding could be from the Homes and Communities Agency (HCA), regional transport funds and the regional development agency.

33. Preliminary advice on opportunities for public sector involvement in regeneration partnerships and alternative finance models has been given by consultant's ARUP. ARUP recently prepared a research paper "Promoting Innovative Public – Private Partnerships in Regeneration" (January 2010) on behalf of The Northern Way. The Arup's work highlights the critical role of the public sector in taking a key role on lobbying for and accessing funding and being a key partner in any future delivery mechanism. It is suggested that further work is undertaken to examine alternative partnership arrangements.

Options

34. There are two main options to provide a planning framework for the York Northwest area:

35. Option 1: To continue to produce an Area Action Plan for York Northwest.

This approach will not allow potential York Central developers to input into the AAP. It will also delay delivery of the demonstration exemplar as part of the UES at the former British Sugar site.

36. Option 2: To identify York Northwest as a 'zone of change' within the Core Strategy with York Central and British Sugar allocated as 'strategic sites'. SPD's would be prepared for each site to cover detailed planning issues, supported by a development framework with work to progress this outlined in the indicative programme of work and process at Appendix 1 and 2. (Preferred approach).

This approach will retain the strategic regional importance of York Northwest whilst providing flexibility to bring forward strategic sites with varying delivery timescales.

37. There are two options relating to the York Northwest UES:

38. Option 3: To include specific reference to the UES and Eco Town standards within the publication draft of the Core Strategy. (Preferred approach)

This approach will ensure that the UES is considered for possible designation as an Eco Town by the government and would ensure eligibility for future funding.

39. Option 4: No specific reference is made to the UES and Eco Town standards within the publication draft of the Core Strategy.

It is unlikely that the York Northwest could be considered as an Eco Town and the recent funding award from the Eco Development fund could be reallocated elsewhere within the City Region.

40. There are four further options relating specifically to the York Central Project.

41. Option 5: To agree the objectives set out in paragraph 29 above. (Preferred approach).

This approach will ensure that council objectives for increasing employment opportunities and leisure and tourism associated with the NRM are used as guiding principles for the area.

42. Option 6: To request officers to develop alternative objectives for York Central.

Any revised approach would need to take account of deliverability issues for the area.

43. Option 7: To agree a proactive approach to public funding is undertaken with further work carried out to look at other development delivery models. (Preferred approach)

The council will be in a better position to access a wider range of public funding streams and assess whether there would be benefits in the council being included in any future partnership arrangements.

44. Option 8: Public funding streams and other development delivery mechanisms are not investigated.

Public funding has been identified as necessary to the delivery of the York Central site.

Corporate Priorities

45. The York Northwest area provides large brownfield development opportunities adjacent to the city centre. Development of this area will help to protect and enhance York's existing built and green environment and provides an opportunity for a flagship sustainable development. The regeneration of this area will support the following corporate priorities:

- Increase the use of public and other environmentally friendly modes of transport
- Improve the quality and availability of decent affordable homes in the City
- Improve the contribution that Science City York makes to economic prosperity

Implications

46. Implications are as listed below:

- **Financial** None.
- **Human Resources (HR)** None
- **Equalities** None
- **Legal** None
- **Crime and Disorder** None
- **Information Technology** (IT) None
- **Property** None
- **Other** None

Risk Management

47. There is a risk attached to Option 4 (UES) in that the funding for eco feasibility work , support for masterplanning/community engagement and construction of the eco show-home facility would be withdrawn if the council do not intend to include commitment to the UES in the Core Strategy.

48. In compliance with the Council's risk management strategy a risk management assessment has been undertaken for York Northwest. The delivery risks identified for York Central are intended to be addressed by taking a proactive approach to seeking external funding and investigating alternative delivery mechanisms.

Recommendations

49. Members are asked to:

1) Note the progress with York Northwest and agree the programme of work and indicative SPD process outlined in Appendix 1 and Appendix 2.

   Reason: To ensure that work being undertaken for York Northwest is progressed.

2) Agree the planning framework for York Northwest is provided within the Core Strategy, with York Northwest identified as a zone of change and York Central and the former British Sugar sites identified as strategic sites.

Reason: To ensure the regeneration of both major development sites is delivered within an overarching framework and within anticipated timeframes.

3) Agree the preparation of supporting Supplementary Planning Documents for York Central and the former British Sugar site and the preparation of a development framework for York Central..

   Reason: To ensure the regeneration of both major development sites is delivered within an overarching framework and within anticipated timeframes.

4) Agree that policies are included within the Core Strategy seeking to achieve PPS1 standards for Eco Towns for the York Northwest area

   Reason: To meet the requirements for Eco Towns and possible designation as part of the national programme of Eco Towns.

5) Agree objectives for the York Central site as outlined in paragraph 31 and reaffirm the council's commitment to bringing forward the site for redevelopment.

   Reason: To ensure continuing commitment to moving the project forward.

6) To agree that the council take a proactive approach to public funding for the York Central site and investigate alternative delivery mechanisms in collaboration with the YC partners.

   Reason: To enable delivery issues to be addressed.

Contact Details

Author:	**Chief Officer Responsible for the report:**
Sue Houghton Tel: (01904 551375)	Bill Woolley
York Northwest Project Manager	Director of City Strategy
Ann Ward Tel: (01904 552409)	Richard Wood
York Northwest Project Officer	Assistant Director of City Development and Transport
	Report Approved √ **Date** 12.3.10

Specialist Implications Officer(s): None

All ☐

Wards Affected: Holgate, Micklegate, Acomb and Rural West York

For further information please contact the author of the report

Report to LDF Working Group 4th January 2010
Report to Executive 21st July 2009

Annexes

Annex 1 York Northwest Programme
Annex 2 Indicative SPD/Development Framework Process

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Annex 1

York Northwest Programme (Indicative)

Milestone	Date
Report to Executive	March 2010
Submit revised Local Development Scheme to Government office	Spring 2010
YNW Evidence Base/Core Strategy Evidence	Spring/Summer 2010
Publication of Core Strategy	Summer 2010
Prepare York Central Development Framework	Summer 2010 – Summer 2011
Prepare draft Supplementary Planning Document for the former British Sugar site	Summer/Autumn2010
Initial Consultation/Community Engagement on Masterplan for former British Sugar site	To be confirmed
Eco-Feasibility Studies	Summer/Autumn 2010
Consultation on draft Supplementary Planning Document for former British Sugar site	Autumn 2010
Prepare draft Supplementary Planning Document for the York Central site	Spring/Summer 2011
Examination on the Core Strategy	Spring 2011
Adopt Core Strategy	Summer 2011
Consultation on draft York Central SPD	Autumn 2011
Adopt British Sugar SPD	Autumn 2011
Adopt York Central SPD	Spring 2012

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ANNEX 2

York Northwest

9 March 2010

Indicative SPD/Development Framework Process

YORK CENTRAL DEVELOPMENT

CYC/YC Consortium

Review development approach and identify delivery and procurement strategy

(Summer 2010 - Ongoing)

Design and Planning Application

- Prepare Environmental Impact Assessment
- Prepare Planning Applications including pre app consultation

Submit Planning Application

PLANNING FRAMEWORK (CYC)

Report to LDF WG and Executive
Agree Strategic Site/SPD approach
(March 2010)

YNW Evidence Base
Publication of Core Strategy
(Spring/Summer 2010)

Prepare YC Development Framework

Renaissance Team prepare Development Framework and Design Principles
(Summer 2010- Summer 2011)
(Appointment of team expected May-August 2010)

Initial Consultation/Community Engagement
(to be confirmed)

Prepare draft YC SPD
(Spring/Summer 2011)

Report to LDF WG/Executive
(Summer 2011)

Consultation on draft YC SPD
(Autumn 2011)

Adopt YC SPD
(Spring 2012)

Prepare British Sugar draft SPD
(Summer/Autumn 2010)

Report to LDF WG/Executive
(Autumn 2010)

Eco Feasibility Studies
(Summer/Autumt 2010)

Consultation on Draft SPD
(Autumn 2010)

Core Strategy Examination
(Spring 2011)

Adopt Core Strategy
(Summer 2011)

Adopt British Sugar SPD
(Autumn 2011)

BRITISH SUGAR DEVELOPMENT
(Associated British Foods)

Site Investigations
(Complete April 2010)

Masterplanning
(April/Sept 2010)

Initial Consultation/Community Engagement on Masterplan
June/July 2010

Design and Prepare Planning Application
(Sept 2010/April 2011)

- Detailed Design Phase 1 Project
- Prepare Environmental Impact Assessment
- Prepare Planning Applications including pre app consultation

Submit Planning Application

Construction Phase 1 Development

Note: Progress on the development process is subject to developer timescales

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CITY OF YORK COUNCIL

Executive **30 March 2010**

Report of the Director of City Strategy

Traffic Arrangements at York Railway Station.

Summary

1 This report updates Members on the progress made to date in reviewing the traffic arrangements at York Railway Station and in particular the concerns raised by Members in a motion to Full Council on 2 April 2009. The report identifies key issues arising from initial investigations and sets out possible improvement options for further consideration. It recommends further work takes place with East Coast and Network Rail to investigate possible short, medium and long term improvements and that this be co-ordinated with the Capacity Study being undertaken for East Coast.

Background

2 The scheme to improve facilities at York Rail Station Frontage was outlined to Members of the City Centre Planning and Transport Sub Committee on 10 October 2002. It advised that an outline scheme had been developed to better integrate and manage the many activities that occur in front of the station, and enhance the visual integrity of the area. Members approved that a formal consultation be undertaken with residents, rail station users and affected parties regarding the remodelling of the Railway Station Frontage.

3 At the Planning and Transport (City Centre Area) Sub-Committee held on 6 March 2003, Members considered a report which sought approval to amend the location of the appointed public taxi rank outside York Railway Station and subject to the outcome of the legal process, enter into a licence agreement with Network Rail for works in Tea Room Square and the former Red Star Parcel Office. The report further advised that within the rail industry there was a formal procedure known as “Station Change Procedure” to be undertaken to ensure that all companies involved in the station, as well as the national rail bodies were informed of the proposals and were able to comment.

4 On 3 April 2003 Members of the City Centre Planning and Transport Sub-Committee received a report on the outcome of the formal consultation on the moving of the station taxi rank, and sought approval to award and commence the proposed improvements to the Interchange Facilities at York Railway Station.

5 On 26 January 2004 the Disabled Persons Advisory Group were briefed on the proposals for changes to the frontage of the Railway Station, comments were made and these were reflected in the design of the scheme.

6 The main change to the proposals from those that Members had previously seen was the retention of the traffic flow through the Portico in its existing direction. In earlier proposals it had been intended to reverse the traffic flow through the Portico, at the request of GNER, so as to remove heavy good vehicles and traffic to the Railway Station Short Stay Car Park from having to pass through the Portico. That layout ultimately did not satisfy the taxi and bus operators who foresaw problems following their detailed analysis of the layout.

7 On 3 November 2004, following a lengthy investigation and consultation period, the Executive Member for Planning and Transport and Advisory Panel received an "Update report on Improvements to the Facilities at York Rail Station, and approved the layout shown as Option 1 in Annex A. The purpose of that report was to advise Members of the changes made to the layout of the scheme following concerns raised by various operators and to seek approval; to proceed with Option 1, make changes to the taxi arrangements in front of the station, complete agreements with Network Rail and GNER, and make provision to award the civil engineering contract.

8 The detail design was completed and works were constructed during 2005/6, with the scheme coming into full operation in spring 2006.

9 At Full Council on 2 April 2009 it was moved by Cllr Wiseman and seconded by Cllr Brooks that :

"Council believes that the traffic layout, signposting and related infrastructure at York Railway Station concerning the entrance/exit to the short-stay, the gyratory known as Tea Room Square, and the entrance/exit onto Station Road are congested and therefore cause difficulties for all road-users attempting to negotiate this area. The Council moves to request the Executive to investigate in detail the issues related to this area, with a view to improving the access and traffic flow in and out of this part of the station."

Consultation

10 To explore the concerns reported in the motion about the problem at the station a number of meetings were convened and inspections made.

11 Contact was initially made with Cllrs Wiseman and Gillies who advised on the information they had received about the length of time taxis were experiencing travelling round Tea Room Square, resulting in a £5.00 tariff being on their meter before they entered the highway, at peak times. Part of the problem seem to be the single arch into the station's short stay car park which cannot accommodate two way traffic. This causes tail backs in either direction. Also that the headlights on the FTR could be difficult to see past at night for drivers looking right as they exit Tea Room Square. Various possible options for improvements were explored such as:

- Exchanging the Station's Executive Parking with the Short Stay Car Park at the back of Tea Room Square, as this would reduce the volume of traffic in Tea Room Square.

- Review the use of the parking spaces in the centre of Tea Room Square, currently used by the Police, to create more space.

- Review the crossing points for the pedestrians from the Hotel corner to the Portico.

- Review the pedestrian movements around Tea Room Square or consider them entering the Station via the arch at the back of Tea Room Square.

- Consider revising the entry arrangement to the current Long Stay Car Park, via Queen Street, past the Railway Institute building, and make modifications to the barrier system in the car park entrance.

12 These suggestions were carried forward to a meeting with a number of representative from Network Rail and East Coast. It was acknowledge that there are congestion problems at the Rail Station in peak times and on days with special events. East Coast have recognised this and have tried to reduce the affect with a Parking Warden, but this did not prove satisfactory. They have now commissioned a Capacity Study, to be carried this spring, on all the stations on the East Coast mainline and the car parking arrangements at York will be reviewed as part of that study. Issues, relevant to this report, to be considered in that study are:

- Location for Premier Parking.

- Possible expansion of long stay parking by providing an extra deck.

- Taxi provision and location.

- Flow of traffic in Tea Room Square.

- Traffic control at entrance/exit to Tea Room Square.

- Management of Race Day and special event traffic.

- HGV parking regime and lay-by damage.

- Pedestrian flow.

13 Comment was also made about the parking of the FTR and on occasions the difficulty in viewing to the right when exiting Tea Room Square because of its presence.

14 Council staff have visited the site during peak times to view the operation of Tea Room Square and the Long and Short stay Car Parks. A camera was also installed to view traffic flows in Tea Room Square and take photographs at regular intervals. This was complemented by recordings of the highway

network from the CCTV cameras on the road junctions at Blossom Street / Queen Street and Station Road / Station Rise.

15 At peak times there is significant traffic flow on the highway network in this area of the City. The Urban Traffic Control (UTC), which manages the traffic signals around the City, is managed by officers within the Council's Network Management Section. They have fined tune this system to keep traffic flowing as efficiently as possible, however some minor intervention is possible to deal with particular incidents by rephrasing the timing for the traffic signals if necessary.

16 From these visits and observations, a number of peak time issues have been identified:

- The pedestrian crossing in front of the Hotel carries a high flow of pedestrians walking to the station and regularly interrupts the flow of traffic on Station Road, causing long queues back towards Blossom Street. This has a detrimental affect on traffic leaving Tea Room Square as it prevents left turning traffic from exiting. However, it was noted that the yellow box on Station Road was generally respected, so right turning vehicles can exit Tea Room Square.

- High pedestrian flow across the pedestrian crossings between the Hotel and Station Portico, interrupts the traffic flow round Tea Room Square and causes queues to form in Tea Room Square.

17 The entrance to the short stay car park at the rear of Tea Room Square is via a single vehicle width arch, but has to accommodate two way traffic. This causes major problems when traffic is entering/exiting at busy times causing tailbacks in both directions. This is further compounded by passengers being dropped off just though the arch and blocking it. Travellers looking for a space in the short stay car park at peak times, either wait causing a tailback or leave straight away, to park elsewhere, adding to the volume of traffic in Tea Room Square .

18 In order to get a view from the Taxi Operators a meeting was held with their representatives, Cllrs Wiseman and Gillies and the report author. There main concern was the length of time to travel round Tea Room Square, which apparently puts a significant fare on the meter before they get onto Station Road. This frustrates the passengers and does not give a good impression to visitors. They too also commented on; the high flow of pedestrians across the two pedestrian crossings, FTR Headlights, problems turning left and right out of Tea Room Square, the problem of car passengers being dropped off in the short stay car park causing tail backs, all mentioned earlier. They report a significant problem with race day buses, special event buses and rail replacement buses, as they indiscriminately park at bus stops displacing the regular services, which further contributes to the traffic congestion in the area.

19 They suggested a number of improvements to consider:

- Ask bus operator to turn off the FTR headlight whilst parked at the Station, to ease the situation for drivers exiting Tea Room Square. This request

has recently been past on to First and instructions have been given to the drivers.

- Increase the splay on the left side of the exit to Tea Room Square so as to create a space to allow more vehicles to turn left .
- Give Taxis priority to exit the Portico.
- Provide a new lane into Tea Room Square, with the left lane dedicated to the entrance of the short stay car park.
- Try reversal of traffic flow through the Portico.
- Have a direct exit from the Portico onto Station Road.
- Create box junction and put signal controls on the arch entrance to short stay car park.
- Reassign the bus stops from under the Hotel and at the end of the Portico so the exit from Tea Room Square can be widened.

20 A review of the accidents which have occurred in the area has been undertaken. At the southern end of the portico, for a short period after the works had been completed, there were a few accidents which occurred between cyclists and vehicles entering the Railway Station. This led to minor amendments to the road markings and since then there has only been one more accident which was attributed to the driver failing to look properly. There have been a number of accidents at the northern end, between the Portico and Hotel's vehicle entrance, but there seems to be no common theme and are typical of what could happen elsewhere in the City. However, there are two issues which may need addressing which are discussed in the options section below at paragraphs 23 and 24.

Options

21 There are a number of options and actions which could be initiated following these investigations and these are detailed below for Members to consider.

22 Discussions about improvements to the traffic flows around Tea Room Square have taken place with East Coast and Network Rail, and they are keen to engage with the Council to see what can be done to achieve this. One fundamental issue to creating any significant changes, will be the outcome of the Capacity Study to be undertaken by East Coast. It is suggested that a working group made up of East Coast, Network Rail and Council officers is set up to review short, medium and long term initiatives. These discussions would include those points discussed in paragraphs 11 to 20 and would take account of any elderly and disabled access needs.

23 It appears that a number of pedestrians leave the station through the middle of the Portico frontage intending to use the bus stops on the opposite side of Station Road. Instead of using the pedestrian crossings at either end of the Portico, they cross the wide road leaving themselves vulnerable to traffic. It is proposed that discussions with East Coast take place to improve the signage inside the station in order to direct pedestrians to the two pedestrian crossings at either end of the Portico.

24 The other issue is to review the docking position of the FTR and the lane markings alongside it, so as to improve the view for drivers exiting Tea Room Square.

Analysis

25 The investigations to date have raised numerous issues about traffic congestion in Tea Room Square and the route of the problem seems to be the high volume of traffic using the short stay car park at the rear of Tea Room Square. This causes tailbacks out into Tea Room Square and occasionally all the way out onto Station Road, as well as within the short stay car park, due to the high demand for dropping off or parking. Fundamental to making any medium to long term improvements will be the outcome from the East Coast Capacity Study.

26 The land responsibilities in the area falls under the control of both the rail industry, through Network Rail and East Coast, and the Council as highway authority. Annex B indicates the respective areas. In drawing up any recommendations for change in the area this would have to be done with full consultation and agreement of the rail industry. To this end discussion have already taken place with both rail organisations about the Members concerns. Should any future recommendations be made to change any of the infrastructure in the area which resulted in a change to the land owned and occupied by Network Rail /East Coast then the existing agreement would have to be revisited and amended to suite. This is a complex issue and can take a considerable time to complete. It would require the engagement of the Council's Legal Services department.

27 The original proposals took a long time to develop and wrestled with the conflicting interests/demands of the many user groups who have interests in the area. If any changes are proposed to the present layout, these should only be done following full consultation with all user groups and interested parties.

Corporate Priorities

28 Any improvements to the area would contribute to the Council's priority in promoting a Thriving City by reducing the traffic congestion and improving the attraction of the City to Tourists. The reduction in congestion would make the City more sustainable by the reduction in vehicle emissions. The City would be

a safer place by reducing the conflict and tension between drivers and pedestrians in the area of Tea Room Square.

Implications

29 This report has the following implications:

- **Financial –** No impact
- **Human Resources (HR) -** No impact
- **Equalities –** As this is an information report there will be no impact on equalities, however if any future works are promoted then this issue will be considered at that time.
- **Legal -** As this is an information report there will be no impact on legal issues, however if any future works are promoted then the agreements with Network Rail and East Coast, as successors to GNER, will need to be revised.
- **Crime and Disorder -** No impact
- **Information Technology (IT) -** No impact
- **Property -** No impact
- **Other -**

Risk Management

30 There is a risk to the Council's reputation if it does not engage in further discussions to try and identify improvements to the traffic congestion in the area of Tea Room Square.

Recommendations

30 Following the investigation into the traffic congestion issues in Tea Room Square it is recommended that Members authorise officers to:

(i) Engage in discussions with East Coast and Network Rail to see what short term measures can be introduced to improve the traffic situation in the area of the Railway Station Frontage.

(ii) Following the outcome of East Coast Capacity Study continue discussions with East Coast and Network Rail to see what medium and long term traffic improvements can be identified and take a report to an Executive Member for City Strategy Decision Session, with those finding.

(iii) Explore what options are available and could be implemented to improve the visibility to the right, when exiting Tea Room Square.

Reason: To overcome the concerns raised about traffic congestion in the Tea Room Square area of York Railway Station.

Contact Details

Author:	**Chief Officer Responsible for the report:**
Ray Chaplin Head of Engineering Consultancy	**Richard Wood** Assistant Director - City Development & Transport
	Report approved | √ 18 March 2010
Tel No. 01904 551600	

Specialist Implications Officer/s
None

Wards Affected: Micklegate

For further information please contact the author of the report

Background Papers:
City Centre Planning and Transport Sub-Committee. - 10 October 2002
"Improvements to Interchange Facilities at York Railway Station."

Planning and Transport (City Centre Area) Sub-Committee. - 6 March 2003
"Improvements to Interchange Facilities at York Railway Station."

City Centre Planning and Transport Sub-Committee. - 3 April 2003
"Improvements to Interchange Facilities at York Railway Station."

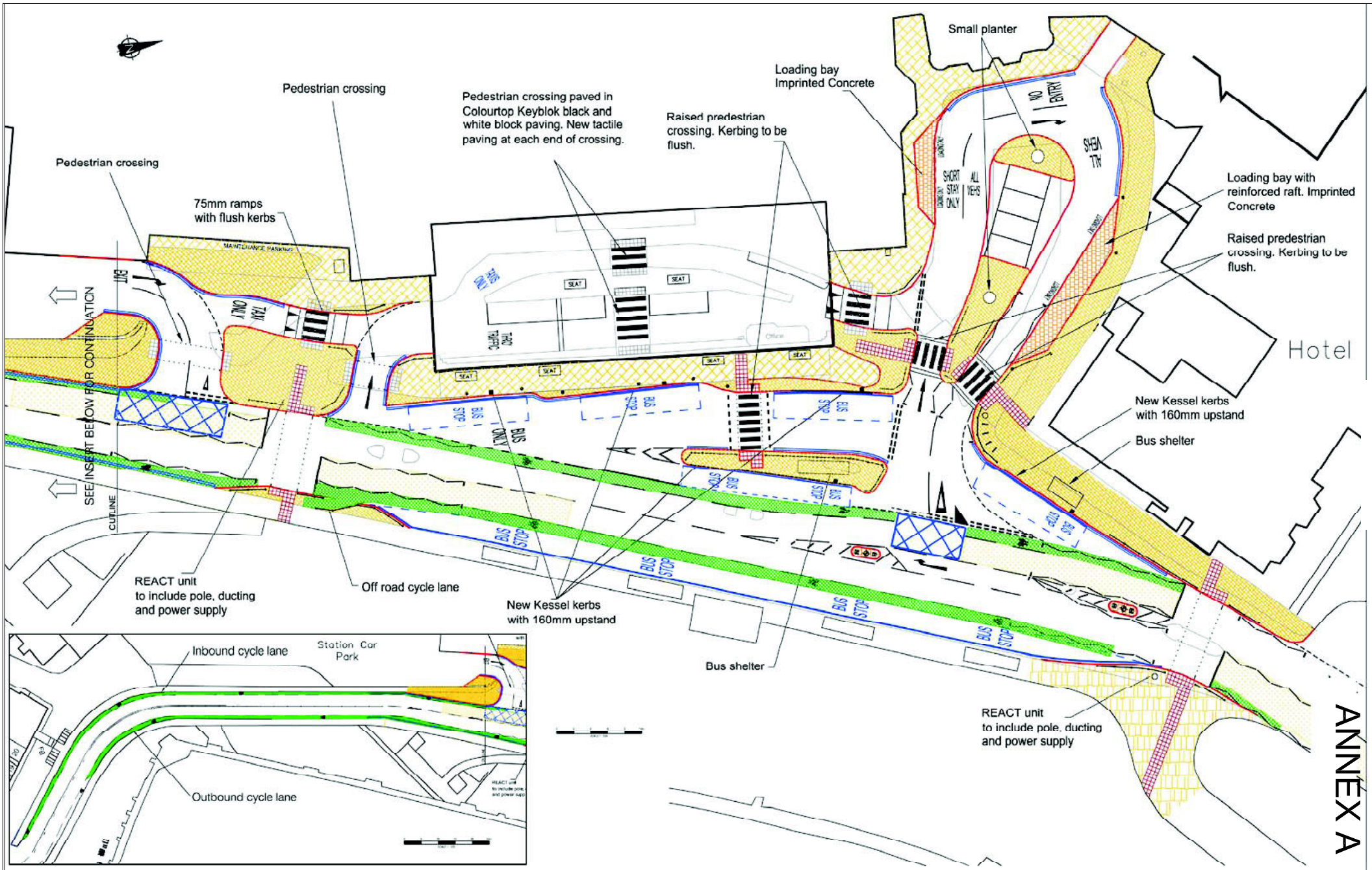
Disabled Persons Advisory Group - 26 January 2004
"York Railway Station Frontage Environmental Improvements."

Executive member for Planning and Transport and Advisory Panel - 3 November 2004 " Update report on Improvements to the Interchange Facilities at York Rail Station."

Annexes

Annex A – York Station Environmental Improvements, General Arrangements – Option 1.

Annex B – Plan showing Land ownership in the area of York Railway Station.



	INITIAL	DATE	REV	AMENDMENTS	DATE
DRAWN BY	AGS	09/04	A	KERBLINE IN TEA ROOM SQUARE AND LONG STAY CAR PARK TRAFFIC ISLAND AMENDED	21/09/04
CHECKED BY	AGS	09/04	B	CENTRAL ISLAND KERBLINE AMENDED	24/09/04
SCALE		1:200			
DATE		September 2004			

YORK STATION ENVIRONMENTAL IMPROVEMENTS
GENERAL ARRANGEMENT - OPTION 1

OPTION 1

ANNEX A

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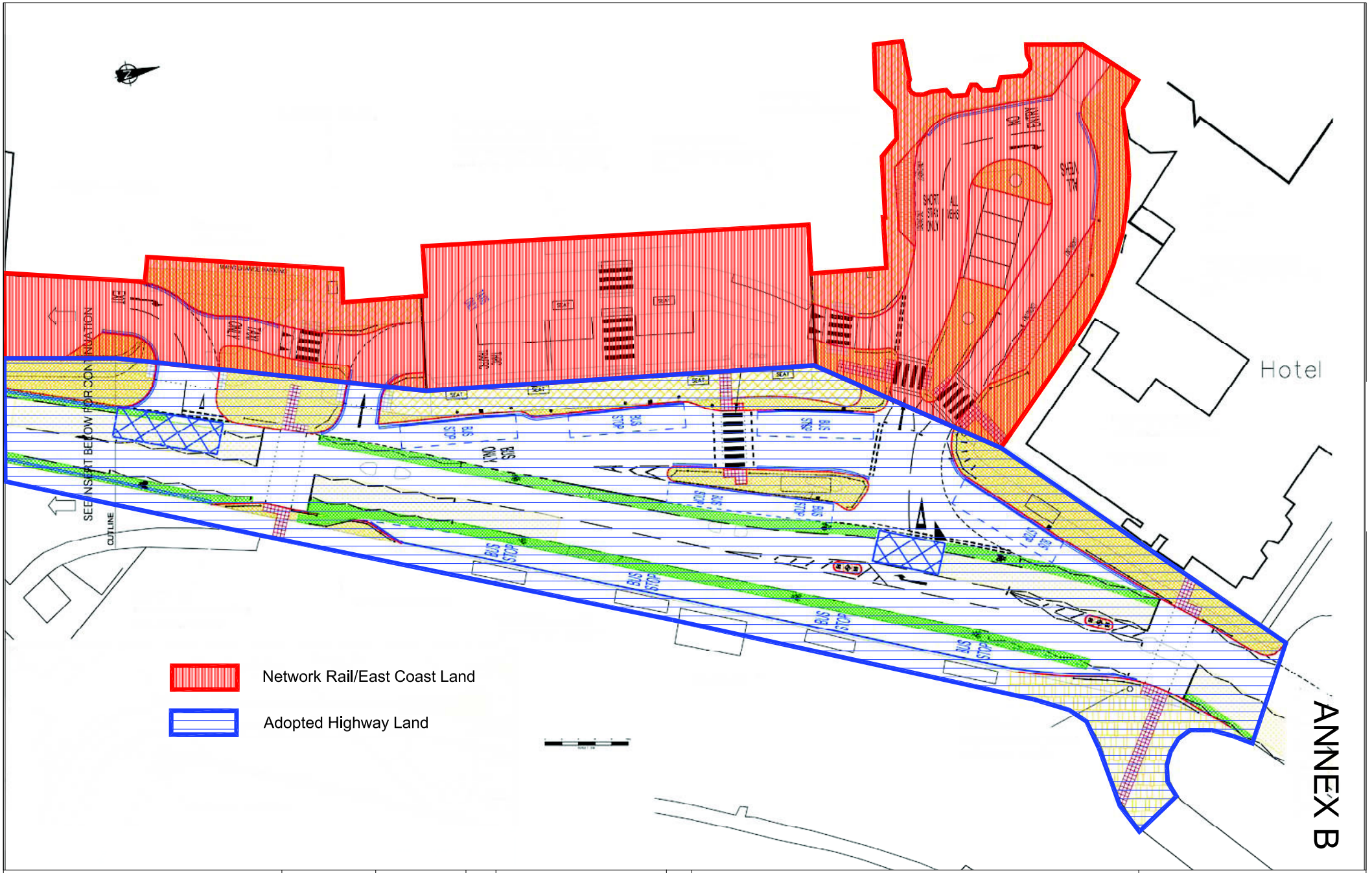

ANNEX B

York Consultancy
Consultants of first choice

CITY OF YORK COUNCIL

	INITIAL	REV	AMENDMENTS	DATE
DRAWN BY	DR			
CHECKED BY	RC			
SCALE	NTS			
DATE	17th March 2010			

Land ownership in area of York Railway Station

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Annex B

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Executive **30 March 2010**

Report of the Director of City Strategy

Camera Enforcement Project Summary Report.

Summary

1. This paper provides a summary of the study, undertaken by the Road Safety Partnership 95 Alive, on the feasibility of Camera Enforcement. The full report is available as a background paper.

2. It gives an overview of the work that has been carried out to assess the possibility of using Safety Cameras in reducing casualties, across York and North Yorkshire and explains how collaborative work, between North Yorkshire County Council (NYCC) City of York Council (CYC), North Yorkshire Police (NYP), under the 95 Alive banner, has lead to these conclusions and recommendations.

3. It is important to note that the project brief was to explore the use of Safety Cameras to reduce casualties.

4. Two options are set out in the paper, firstly to "agree in principle" to camera enforcement as a casualty reduction measure. This agreement is required to proceed to a full business case and trial pilot, of one camera van. Or secondly, to continue to reduce casualties using the established mix of education, engineering and enforcement and thus not to "agree in principle" to safety cameras.

Background

5. In 2000 the government published its 10 year Road Safety Strategy "Tomorrows Roads – Safer for Everyone". This strategy set out challenging casualty reduction targets to be achieved by the end of 2010. This included the introduction of a "cost recovery" programme for speed and red light camera enforcement which was subsequently re-titled the National Safety Camera Programme.

6. The National Safety Camera Programme was a scheme whereby fixed penalty receipts from offences detected by speed and red light cameras were used to cover the costs of camera installation and operation at identified collision sites. Thus the offending motorists directly paid for the cost of enforcement of speed limits at these camera sites. The pilot scheme of eight

local authority areas commenced in 2000. Following enabling legislation in April 2001, the programme was expanded and was eventually adopted by all but three Local Highway Authorities (LHA) these being County Durham, North Yorkshire and the City of York and by every police force with the exceptions of Durham Constabulary and North Yorkshire Police.

7. The National Safety Camera Programme required that each area partnership between police, LHA, Courts Service and other stakeholders comply with the rules, guidance and criteria for safety camera installation and operation as laid down by the Department for Transport (DfT). This was to ensure a consistent approach across the country. Each partnership was required to produce an annual business case, for DfT, in which proposed enforcement sites were assessed under the approved criteria. DfT required this as a pre-requisite to the release of funding from the penalty fines.

8. In 2003, an investigation into the feasibility of using safety camera enforcement under this national programme was undertaken by City of York Council (CYC), North Yorkshire County Council (NYCC) and North Yorkshire Police (NYP). The decision was taken not to participate at that time.

9. In November 2004, the 95 Alive York and North Yorkshire Road Safety Partnership was established. The partner authorities and agencies agreed to cooperate and work together towards a shared aim of saving an additional 95 lives, over and above those to be saved by achieving the governments 2010 targets.

10. In 2007 the National Safety Camera Programme was brought to an end in favour of a new funding arrangement which broke the direct connection between funding of camera enforcement and the fines paid by offenders. The new arrangement was for a new Road Safety Grant paid direct to every LHA by the DfT, whether or not they operated safety cameras. At the same time the rules and guidance for safety camera operations were relaxed, insofar as each partnership was permitted to adjust the site selection criteria to suit local conditions and requirements. Some partnerships did make changes at this point and others did not.

11. This new Grant was designated for use in casualty reduction work undertaken on a partnership basis. It could be used to fund camera enforcement operations, road safety education, training and publicity programmes, engineering works, other enforcement operations and any combination of these with the aim of reducing casualties. It was to be used specifically through the various agencies working together in partnership. The amount of the Grant to each LHA was calculated by looking at casualty data from the years 1994 – 98 and setting targets for reduction to be achieved by 2010.

12. The current funding arrangements from the DfT, the Road Safety Grant, paid direct to Local Authorities is due to finish in March 2011. As yet no directive has been given, as to if there will be any direct funding of Road Safety from the DfT after March 2011. Fig 1 below, gives a breakdown of the Grant allocated to CYC.

Fig.1 Specific Road Safety Grant Allocation for City of York Council.

£s	2007/08	2008/09	2009/10	2010/11
Capital	44868	43830	43166	42493
Revenue	201654	196990	194008	190981
Total	246522	240820	237174	233474

13. The next DfT Road Safety strategy, "A Safer Way", sets the policy on casualty reduction from 2011 onwards for the next 10 or even 20 years. "A Safer Way", was sent out for consultation in the summer of 2009 and the final version is due for release, sometime in 2010.

14. In June 2008, as part of a wider partnership approach to Speed Management, the 95 Alive Partnership Steering Group decided to reassess the potential benefits of adopting camera enforcement as a casualty reduction measure. An initial review indicated that there were a number of sites and routes where additional reductions in crashes and casualties could be achieved. The partnership commissioned a project team, comprised of one officer from of the following organisations, NYCC, CYC & NYP.

15. They were to investigate, what the accident criteria might be, and if there were any locations within the region that may benefit from safety cameras to reduce casualties. The feasibility of such operations and the potential costs entailed and casualty reduction benefits they might offer. In March 2009 a Project Manager was assigned to support the Project team.

Safety Camera Feasibility Study.

16. The first priority of the team was to asses best practice, by investigating other Safety Camera Partnerships. It was clear from the assessment undertaken that many had "evolved" into working partnerships. This gave the opportunity to learn from others mistakes. The benchmarking highlighted that a starting point was required, in terms of criteria, from which an agreed set of principles could be built, to give a robust framework for casualty reduction. This framework can then be used to provide a flexible approach to camera enforcement, whilst ensuring that cameras are used principally to reduce casualties at locations where speed is a cause of accidents.

Identifying Core sites

17. After reviewing a number of options for criteria, it was decided to adhere closely to the DfT guidance for site selection for use of Camera Enforcement. The most up to date accident data available was used, which related to the years 2006 – 2008. The 2 causation factors that link directly to speed were used for core site identification (shown below in **fig 2**). This ensures that, as a priority, camera enforcement would be at locations where, as a direct consequence of speed, serious accidents are being caused.

Fig.2

Causation Factors Used	
306	Exceeding speed limit
307	Travelling too fast for conditions

18. The results from this work identified that there were currently no sites in York or North Yorkshire that warranted fixed or red light safety cameras. However a total of 28 sites did meet the criteria for use of mobile safety cameras, 3 within the City of York boundary. These 28 sites are potentially where camera enforcement, could reduce speed related casualties. All 28 sites are subject to further investigation before final confirmation. The full report estimates that this could potentially equate to the saving of 31 killed or seriously injured, over a 4 year period, should camera enforcement be chosen as the way forward.

19. These 28 locations would provide the core sites where camera enforcement would, initially be targeted. However, if camera enforcement is adopted, part of the operation would be an annual review of the latest data to identify any newly emerging places and problems. More sites may develop and emerge and some of these could be more effectively addressed by the use of fixed, permanent cameras or by red light cameras. The adoption of a wider set of contributory factors might also increase the number of places where camera enforcement might then be considered. This would be a matter of policy for consideration and agreement between the partners. A monitoring methodology would be required to assess the effectiveness of camera operations. A discontinuation policy would also be required to enable camera operations to be reduced or discontinued if they were no longer needed.
The detailed criteria is documented in **Annex A.**

Identifying Exceptional Sites

20. DfT guidance allows, under certain circumstances, for safety cameras to be used at locations other than at identified core sites. These are called exceptional sites, and are defined by the DfT as:-

> *"Sites that have not been approved as core sites but where partnerships are undertaking speed camera enforcement for reasons that may include:*
>
> *Community concern – where the local community requests the partnership to enforce at a particular site because traffic speeds there are causing concern for road safety*
>
> *Collision frequency – where a site has a high incidence of personal injury collisions (PIC), but insufficient killed or seriously injured (KSI) collisions to meet the criteria, but where there is well founded concern that a failure to reduce speeds or red light running at this site will result in future increases in KSI collisions, including fatalities*
>
> *Engineering factors – where collisions are occurring and an engineering solution has been identified, but cannot be implemented in the short term.*
>
> *It is most unlikely that there will be exceptional sites on roads with 70mph speed limits unless there is a clear and compelling road safety reason, based on a casualty or collision history."*

21. This definition has been adapted to reflect the local needs for York and North Yorkshire. All community concerns/complaints will need an evaluation to determine the most appropriate course of action priority. In York, this will be managed through the Speed Review Process.

22. Camera enforcement will only be used at community concern sites, where there is clear evidence that speeds are significantly above the speed limit, as agreed with North Yorkshire Police, and where every other cost effective measure has been considered and are unsuitable

23. Exceptional sites will also include locations where North Yorkshire Police request their use for special operations, this will be through an approval process, defined in the full business case. (Yet to be undertaken). A flow chart of exceptional site selection is shown in **Annex B**.

24. DfT also recommend that;-

> *"To maintain the focus on casualty reduction at core sites, enforcement time at exceptional sites must not exceed 15% of the total number of live camera hours at core sites. The 15% of time is a maximum limit and should not be seen as a target to meet and a clear audit trail will be undertaken to evidence time spent at core sites and time spent at exceptional sites."*

25. The DfT criteria was agreed on, by the project team, as a compromise to reach agreement between the Partner Organisations who all had differing views on exceptional sites. More work on how exceptional sites will be managed between the Partner Organisations will be undertaken, if it is agreed to move onto full business case, however it is possible that any exceptional sites in York, where camera enforcement takes place would need to be funded by CYC in addition to the pro-rata core site enforcement.

26. Although there are only 3 core sites that fall within the boundary of York, the fact that most residents, commuters and visitors, do drive around the region and the uncertainty caused by having exceptional sites does mean that having safety cameras should act as a general deterrent to speeding.

The Cost of a Safety Camera Partnership

27. Based on the 28 identified mobile enforcement sites, a two vehicle enforcement unit has been assessed as being required to provide an appropriate and efficient level of enforcement.

28. The anticipated costs for setting up and annual running costs of a two vehicle camera enforcement unit and associated evidence and fixed penalty notice processing, investigation and prosecution costs have been estimated and are shown below in **Fig 3**.

Fig. 3 - Estimated set up and annual running costs for a two vehicle unit and associated process costs.

	Using Police Officers £k	Using civilian staff £k
Set up	890	810
Annual Operating Cost	677	581
Total set up plus first three years running costs	2,921	2,553
Total set up plus first 4 year running costs	3,598	3,134
Cost to CYC estimated at 10%	360	310

29. This is an outline estimate but does not include all costs as some would need to be quantified in the production of a full business case e.g. accommodation, software licences, road signage where and if required. These would need to be calculated in detail within a full business case. Other items may cost less once procurement processes and tenders were undertaken.

30. A decision on whether the Safety Camera Operators / Technicians should be police officers or civilian staff will form part of the business case. Below is an outline of some the factors for consideration.

- Civilian and/or police officers – as Camera operators/ technicians
- Employee costs, police vs. civilian
- Chief Constables delegated powers/additional operation capability
- Potential abstractions police vs. civilian (for mandatory training, to other duties, in emergencies)
- Public perception / public reassurance, police vs. civilian

31. If all 28 sites are enforced using mobile cameras, the estimated saving over 4 years would be 31 killed or seriously injured (KSI). Although it is far from ideal to count this human suffering in financial terms, DfT do provide standard tables for calculating possible financial benefits of reducing casualties. If KSI's were reduced by 31, this could represent a financial saving of £10.35m. This represents a four year rate of return of 288%.

32. It is anticipated that costs of set up and running of a Safety Camera Partnership will be met by the two Local Authorities, within the partnership, NYCC and CYC, on a pro rata basis. How these costs are to be split has not yet been determined, or agreed. As the focus is on casualty reduction, officers have, however, had discussions on the split being built around the ratio of core sites. As approximately 10% fall within CYC, officers have estimated the costs to CYC at 10% for an initial indication of costs.

33. Thus total set up, and running costs of between £3.1 – £3.6 million pounds, could require a possible, CYC input (estimated at 10%) between £310 – £360k over the 4 years to set up and run the Camera Partnership.

Funding a Safety Camera Partnership

34. Decisions would need to be made as to how safety cameras would be funded in the future. For the year 2010/11 Road Safety Grant funding, currently received by NYCC & CYC could be used. (see **Fig.1**)

35. From April 2011, no clear indication has been given by DfT as to what, if anything is to replace the Road Safety Grant. For a camera partnership to go ahead would almost certainly require the cessation or reduction of some of the road safety education, training and publicity(ETP), currently being undertaken. It is highly unlikely that funds will be available for safety cameras and the level of ETP that has occurred over the last 3 years with the use of the road safety grant.

36. It is difficult to calculate a figure or value for the injuries and fatalities prevented by these mostly medium to long term ETP programmes. The DfT emphasises the importance and effectiveness of education and publicity programmes in influencing and changing the behaviour of road users to reduce collisions and consequent injuries. Hence the provision of an education, training and publicity service has been a statutory duty for LHA's since The Road Traffic Act of 1998 and is expected to form a major part of the governments imminent "A Safer Way" Road Strategy.

37. Although there is the potential benefit, from camera enforcement to protect an additional 31 people from being killed or seriously injured over four years with an estimated financial value of £10.35m it is not clear how this would be offset by any cessation of ETP work. This is because it is difficult to evidence any direct link between reduction in casualties and ETP work. So many other factors would need to be considered, such as level of enforcement, engineering, car design and even the state of the economy and weather can play a part. However, DfT do make it clear that ETP work is considered to be an important factor in the reduction of casualties.

Speed Awareness Courses

38. The Speed Awareness Course is a nationally delivered educational programme that can be offered to first time, low end, speeding offenders.

39. The course is demanding and requires each driver/rider to discover the effects and implications of breaking the speed limit in a robust but constructive way. It offers an intelligent approach to those who have been caught exceeding the speed limit.

40. The course provides an alternative to prosecution. The driver will be offered the option of accepting an endorsable fixed penalty notice for the offence or they may opt to pay for, and undertake a speed awareness course.

41. This option of an educational course for some, first time offenders, would form part of any camera enforcement programme offered through the Partnership. A percentage of income, from speed awareness courses, could be used by the Partnership to fund its initiatives, but this would need further exploration through the business case and pilot.

Business Case

42. If it is decided by all organisations in the partnership to agree "in principle" to the use of safety cameras then the first action would be to build a business case. This would take approx 6 month and cost an estimated £116.2k a cost which would need to be shared proportionately between NYCC and CYC. (this is included in the total costing shown earlier in **fig 3**.) At a possible 10 percent, CYC contribution could be £11.6k input into the business case in the financial year 2010/11. This costing is inclusive of dedicated staff, who would be recruited by the lead partner (NYCC) for this purpose, but would be overseen by the 95 Alive Partnership.

Evaluated Pilot

43. In view of the potential cost of a camera unit, the current financial situation and uncertainty of future funding, it would be appropriate to undertake an evaluated pilot operation. This should be a smaller scale, single vehicle with a single crew seconded from NYP. This should be line managed and supported by the Roads Policing Unit with operational oversight through the 95 Alive Partnership. A lower limit of 5% of time allocated to exceptional sites is proposed, to sites identified and assessed through the pilot Speed Management area in York. This pilot operation would be funded from the Road Safety Grants of both CYC and NYCC on a pro rata basis. An evaluation of these operations would be undertaken and reported through the Partnership after 12 months. This pilot would provide evidence of the effectiveness of camera operations in York and North Yorkshire prior to full financial commitment. The cost of this 12 month pilot is estimated to be approximately £250k, an estimated 10% input from CYC would be £25k.

44. No date has been set for the start of this pilot, as funds will not be released until an "agreement in principle" is achieved from elected Members, representing both CYC and NYCC, but should agreement in principle be reached by both LHA's then it is anticipated the pilot will happen in 2010/11.

45. The cost, to CYC of the business case and pilot scheme together, estimated at 10% of the total cost would be a minimum of £36.6k in the financial year 2010/11.

46. This could be met from the Road Safety Grant allocation for 2010/11. But as no DfT decision has been taken past March 2011 alternative arrangements for funding for set up and running costs, after that date, would need to be identified.

Cost Benefit Analysis

47. As explained above, if safety camera enforcement were to be agreed on, and take place at the identified 28 locations the cost, over 4 years is estimated to

be £3.1 - £3.6m. The saving, of a possible 31 killed or serious accidents ,by the use of cameras to reduce casualties equates to a saving of £10.35m. This represents a four year rate of return of 288%

48. However it should be noted that current practices means the 95 Alive Partnership is well placed to achieve and to exceed both the government set 2010 casualty reduction targets and its additional self imposed stretched targets of an extra 95 lives saved by 2010 without the use of this type of safety camera.

49. This is being achieved through a combination of coordinated enforcement, publicity, education, training and engineering work. This has demonstrated real added value and is clearly more effective than earlier uncoordinated efforts by individual agencies.

50. The full feasibility report suggests that over a four year period from 2007, if 95 KIS's are prevented (the target set out by the Regional Partnership 95 Alive) then the investment of £9.265m could have significantly contributed to a possible casualty saving of *£160m *(*given as a value of prevention using figures provided from DfT Road Casualties Great Britain 2008).*

51. In York, DfT targets for reduction in "slight" accidents are well on track. Over recent years our KSI, and child KSI figures have fluctuated, this is in part, due to the small figures involved, but the trend is down. A summary of York's figures is given below, in **fig 4**. with an unconfirmed estimation for 2009 as they are still subject to validation by North Yorkshire Police.

Fig.4 Actual Casualty figures, as reported via Police Stats 19, for CYC.

Actual Casualties			
	KSIs	Slights	Child KSIs
Baseline 1994 -98	**137**	**697**	**14**
Year	Actual	Actual	Actual
1994 -98	137	697	14
2001	119	773	12
2002	120	715	16
2003	100	729	7
2004	114	719	16
2005	101	651	7
2006	161	590	12
2007	93	584	4
2008	95	505	7
2009(estimated figs)	60 (provisional)	554 (provisional)	10 (provisional)
2010			
Targets 2010	**75**	**627**	**7**

Governance

52. The existing 95 Alive Partnership is insufficient to enable the full management of a camera enforcement unit. This is because it has been a simple agreement of mutual support and partnership work, but does not have the constitution required for a Safety Camera Partnership. It would need to be renegotiated and a more detailed agreement drawn up between the partners. This work has already started, as the current 95 Alive Partnership was designed to run to the end of the Road Safety Strategy " Tomorrow's Roads – Safer for Everyone" which is coming to an end in 2010. Should an agreement in principle be reached in favour of safety camera's more work would be done on this, to get the partnership governance, fit for purpose, through the business case.

53. A number of governance and management models were considered, these included contracting out and other forms of single agency or shared management. The recommended model is for the Partnership Steering Group, which includes a CYC representative, to provide strategic governance with regular operational and financial oversight being the responsibility of identified partners from within the 95 Alive, Officer Working Group, which includes a CYC representative. Day to day management would be conducted by a Project Manager who should be independently appointed by the Partnership. This governance should also include Service Level Agreements or similar to ensure the expected and agreed commitment offered by each partner agency and an exit strategy should one or more partner agency decide to withdraw from the partnership or in the event of its cessation for whatever reasons.

Conclusions of the feasibility study

54. That the adoption of the recommended level of camera enforcement operations as part of a structured partnership approach to casualty reduction is expected to prevent the death or serious injury of an extra 31 people over four years at camera enforcement sites, across York and North Yorkshire.

55. That the establishment of a camera enforcement unit under the recommended site selection criteria and proposed governance model would be an efficient and cost effective additional casualty reduction measure.

Consultation

56. To understand the view of residents of York, questions about Safety Cameras are to be asked in a Talkabout questionnaire, the results of which are due back in April 2010.

57. Similar questions have already been asked by NYCC and the results showed 70% of residents in the NYCC area supported Safety Cameras.

58. Other Partner Organisations, NYCC and NYP also have their respective political processes to go through to reach "agreement in principle". The feasibility study has already highlighted that these Organisations often have differing views on various aspects of the study. This could have an outside

impact on whether or not an “agreement in principle” is reached. NYCC have already started their political process, but will not reach a final decision on “agreement in principle” until May 2010.

59. Should NYCC make the decision, NOT “to agree in principle” to safety camera’s then this would seriously alter any further work done towards a Camera Partnership and Unit.

Options

Option 1

60. To agree, in principle to camera enforcement as a casualty reduction measure, with further evidence being provided through the business case and pilot study.

Option 2

61. To continue to reduce casualties using the established mix of education, enforcement and engineering. And thus not to agree in principle to camera enforcement as a casualty reduction measure, at this time.

Analysis

Option 1,

62. To agree in principle to safety cameras and to begin a business case and pilot scheme, to lead to a newly formed Safety Camera Enforcement Unit, governed by collaboration of key partners.

63. The cost of set up and running of a Camera Partnership for 4 years would be a total of £3.1 – 3.6m.

64. The partnership would be funded on a pro-rata basis, as part of an overall agreement on speed management. This would require a new Governance and a revised Memorandum of Understanding be adopted to enable camera enforcement operations to be undertaken by and on behalf of the Partnership.

65. Currently there are potentially 28 sites across York and North Yorkshire that have been identified as meeting the criteria for mobile speed enforcement to reduce speed related casualties. Of these 3 are within the York boundary. All 28 sites are subject to further investigation before final confirmation.

66. Before a Camera Partnership can be set up a business case and pilot would be required, at an estimated cost of £366k. If York’s estimated input to the business case and pilot is assumed to be 10% of the total cost (No final partnership agreement on funding split has yet been agreed), then £36k would be required. Funding is available, through the DfT specific road safety grant for the year 2010/11 to fund the £36k required for a business case and trial pilot.

67. There is the possibility that the introduction by NYP of Speed Awareness Courses, could off set some costs of Road Safety Camera Partnership, however this needs to be more thoroughly explored via the business case and pilot project.

68. Although only 3 of the core sites are within York, exceptional sites can also be considered for enforcement, if they fit the criteria. North Yorkshire Police, will also be able to request camera use on special operations.

69. The 28 sites are the locations where it can be evidenced that serious accidents are happening, which can be directly attributed to speed. It is right and proper that these locations are priority if a Camera Enforcement Unit were to be established. It is estimated that 31 serious or fatal injuries could be saved, over the first 4 years. However, this would be a starting position for the Unit. It is anticipated that after establishment, regular assessment of criteria and sites would take place and that a wider set of contributory factors could be considered which may increase the number of places for camera enforcement. This would be a matter of policy for consideration and agreement between partners.

70. It is anticipated that education training and publicity work in road safety may need to be reduced or ceased, in order to fund a Safety Camera Partnership but it is unclear how this cessation of work may impact on casualty figures.

71. In order to fulfil our statutory duty, and deliver the next road safety strategy "A Safer Way" some level of education, training and publicity in road safety will also need to be maintained.

Option 2

72. Would mean the continuation of education, training, publicity, engineering and enforcement to help reduce casualties in York and North Yorkshire. Also to continue to strengthen the working partnership with 95 Alive which could help reduce casualties even further through regional initiatives.

73. Current practices means that the 95 Alive Partnership is well placed to achieve and exceed both the government set 2010 casualty reduction targets and it's additional self imposed stretched targets of an extra 95 lives saved by 2010 without the use of this type of safety camera. In York, targets can fluctuate, in part due to the small numbers, but the trend is down.

74. Road Safety Education, Training and Publicity (ETP) has been heavily subsidised by government grant since 2007. This grant is due to end in March 2011. Funding for ETP will need to be found after March 2011, if the 95 Alive Partnership and CYC wish to maintain current levels, afforded by the DfT grant. It is a statutory duty of the LHA to provide ETP and it is expected to form a major part in the governments new 10 year road safety strategy "A Safer Way".

75. With the DfT specific road safety grant due to end in March 2011. No funding for York's input of the £3.1 – 3.6 million required to set up and run the Camera Partnership has been identified after March 2011.

Corporate Priorities

76. The Council's Corporate Strategy aim is to increase the use of public and other environmentally friendly modes of transport is relevant to this report. Fears of being a casualty are a real deterrent to more people walking and in particular cycling. By implementing a robust programme of speed management measures to reduce excessive speeding, which targets the minority of drivers whose driving behaviour poses the greatest risk to others, overall safety can be improved and an increase in active transport use achieved. The recommendations therefore support the Safer City and Sustainable City priorities.

Implications

Financial

77. Whilst cost for a business case and pilot scheme for 1 year could be met, by the DfT, Specific Road Safety Grant, (approx. 10% in put from York of £36.6k) which is only available until March 2011, other set up and running costs, for at least the first 4 years, estimated at approx £310k – £360k would need to be identified.

Fig 5.

	Overall Cost	Possible estimated (at 10%) cost to CYC.
Business Case	£116.2k	£11.6k
Pilot Scheme	£250k	£25k
Total Set up and running costs for 4 years	£3.1m - £3.6m	£310k - £360k

78. Whilst funding can be identified for 2010/11 through the Road Safety Grant, there is no guaranteed funding available after this date. Members are aware that the Medium Term Financial Strategy shows significant budgetary pressures in future years and need to take account of these consequences when committing to a pilot.

Human Resources (HR)

79. Human Resources issues would be undertaken by the lead partner, NYCC

Equalities

80. There are no equality implications.

Legal

81. As speeding, and the enforcement through cameras is a legal act, and tickets will be served through the crown prosecution service, there is the possibility that the Partnership, and the members of the partnership will have legal challenges brought against them. If is for this reason that a robust Partnership Governance Frame work is recommended. That membership to Road Safety Support (RSS) has been included in the costing. All challenges will in the first instance be managed by the Safety Camera Enforcement Unit.

Crime and Disorder

82. Speeding is a criminal offence and the Council has a responsibility to deliver an effective Speed Management Strategy, which could include membership of a Safety Camera Partnership.

Information Technology (IT)

83. New technology is used in modern day camera enforcement, but the Partnership, and those employed with in it to run the Camera Partnership should be able to manage any IT issues. There could be issues with the sharing of sensitive data and information which is why is one of the reasons for having NYP take an active role in the delivery of the service on the ground.

Property

84. Property will be in the ownership of the Partnership and will be purchased via the lead authorities(NYCC) Procurement process

Other

85. There are no other implications.

Risk Management

86. In compliance with the Council's risk management strategy the risks arising from the recommendations have been assessed as scoring less than 16. This does require frequent monitoring, but this will happen through the business case and pilot, and through regular operational and financial oversight from the 95 Alive Officer Working Group.

87. There could be potential strategic issues, if we as a Council are unable to meet our required road safety casualty reduction targets. The recommendations of the report should contribute to the mitigated risks that could save lives and avoid serious injury.

88. Road accidents by their very nature are unpredictable and it is always possible that an injury accident will occur on a route that has been assessed where no action or enforcement was taken. The data led method of assessing locations ensures that routes with a casualty record are prioritised.

89. There are financial issues, as although funding can be identified from the Specific Road Safety Grant for the business case and pilot scheme, there is no identified income stream for the set up and running costs of a Safety Camera Unit. Although some costs could be offset by income generated by the Speed Awareness Courses, at this present time, it is unclear how much this might be.

90. There is also a risk to our Organisation, in that other organisations, NYCC and NYP join the partnership and we do not, or visa versa.

91. There is a certain amount of reputational risk associated with the use of safety camera's. In order to minimise this, total set up and running costs includes membership to Road Safety Support (RSS) which is a "not for profit" organisation, supported and affiliated to the Association of Chief Police

Officers (ACPO). The organisation provides comprehensive and specialist support services to road safety partnerships and is in effect an insurance policy in case of extended or unusual legal challenges.

Recommendations

The Executive is asked to:

92. To agree, in principle to camera enforcement as a casualty reduction measure.

93. To proceed to full business case to enable a camera enforcement unit to be established under the recommended site selection criteria and governance model.

94. To agree that a smaller scale pilot camera enforcement operation be established and operate for 12 months to evaluate its effectiveness and inform a final decision at the end of the trial period. As yet no date for the commencement of a trial can be given, as “agreement in principle” is required from both CYC and NYCC before funding can be released for the trial to commence.

95. Request officers to bring a further report, after the business case and pilot, for a final decision on continuation of, and implementation of a Safety Camera Partnership.

96. To note the pilot would be run using Police staff, seconded to the role and line managed through NYP with operational oversight through the 95 Alive partnership. For full management of a Safety Camera Partnership, new governance arrangements would be required.

Reason - This is because analysis of the data, across the whole of York and North Yorkshire, indicates there are locations where safety camera technology could reduce speed related, serious and fatal injury accidents. Further work is required to finalise the detail of how a partnership might work within North Yorkshire and York.

Authors:	Chief Officer Responsible for the report:			
Trish Hirst Road Safety Officer City Strategy 01904 551331 Ruth Stephenson Head of Transport Planning	Richard Wood Assistant Director (City Development and Transport)			
	Report Approved	√	**Date**	18/3/10
Specialist implications Officer(s)				
Financial Patrick Looker Finance Manager, City Strategy 01904 551633				
Wards affected			**All**	√
For further information please contact the author of the report				

Background Papers
Full Camera Enforcement Project Report, from 95 Alive.

Annexes

Annex A – Criteria used for assessing core sites.

Annex B - Criteria for establishing an exceptional sites.

Annex A

Based on the 2006 DfT criteria, they include two changes, as follows:
The inclusion of causation factors 306 & 307, this identifies directly speed related collisions only.
The removal of the 85Th percentile rule *. The above addition precludes the need to validate the data through the 85th percentile rule, which has therefore been removed.

[1] 85th percentile rule is the speed at or below which 85% of vehicles are travelling and speed surveys indicate that the speed is at or above ACPO enforcement threshold.

Criteria used for identification of potential safety camera enforcement locations for York and North Yorkshire.

<table>
<tr><th colspan="9">Criteria used</th></tr>
<tr><th colspan="2"></th><th>Fixed speed camera sites</th><th>Mobile speed camera sites</th><th>Routes</th><th>Red light or combined red light speed camera sites</th></tr>
<tr><td>1</td><td>Causation Factors</td><td colspan="4">306 - Exceeding the speed limit and/or
307 - Travelling too fast for conditions</td></tr>
<tr><td rowspan="2">2</td><td rowspan="2">Number of killed and serious collisions (KSI)</td><td>At least 3KSI collisions per km in the baseline period*</td><td>At least 1KSI collision per km (average) in the baseline period*</td><td>A minimum of 3 existing core sites within the length. (There are no further requirements)
or
Has at least 1KSI collision per km (average) in the baseline period* and meets the Personal Injury Collision (PIC) total points value below in (5) below</td><td>At least 1KSI collision within the junction in the baseline period*

Selection must be based upon a collision history of red light running</td></tr>
<tr><td colspan="4">* The baseline period is the most recent 36 month period available when proposal is submitted, where the end date is within 12 months of the date of submission</td></tr>
<tr><td>3</td><td>Site or route length requirements</td><td>Between 0.4km and 1.5km</td><td>Between 0.4km and 5km</td><td>Between 5km and 20km</td><td>From stop line to stop line in direction of travel</td></tr>
<tr><td>4</td><td colspan="5">New camera sites will be selected using an assessment that includes the level of fatal, serious and slight collisions. The combined level of collisions will be expressed as a numerical scale (see below) and assessed relative to the road classification for the site - whether it is either a "built up" or "non-built up" area and according to the type of site i.e. route, fixed, mobile or red light

Fatal or serious injury collision = 5 (e.g. 2 serious collisions = 10)
Slight injury collision = 1 (e.g. 5 slight collisions = 5)
'Built up area' is defined as a road with a sped limit of 40 mph or less
'Non-built up area' is defined as a road with a speed limit of 50 mph or more</td></tr>
<tr><td rowspan="2">5</td><td rowspan="2">Minimum Points Threshold</td><td>Built up 22 points per km</td><td>Non built up 18 points per km</td><td>Built up 11points per km</td><td>Non built up 9 points per km</td><td>Built up 8 points per km</td><td>Non built up 6 points per km</td><td>10 points</td></tr>
<tr><td colspan="4">For sites up to 1km the above value is required.
For sites longer that 1km the value is per km.</td><td colspan="3"></td></tr>
</table>

Subject to approval, stages 6 &7 below, will be undertaken through physical site assessments to ascertain final suitability of locations.

<table>
<tr><th colspan="2"></th><th>Fixed speed camera sites</th><th>Mobile speed camera sites</th><th>Routes</th><th>Red light or combined red light speed camera sites</th></tr>
<tr><td>6</td><td>Suitability of site for camera enforcement</td><td colspan="4">The physical site assessment/survey must be undertaken, demonstrating the following:
(a) The speed limit has been reviewed confirming that camera enforcement is the right solution;
(b) There is no other cost effective engineering solution that is more appropriate;
(c) That the Traffic Regulation Order (where applicable) and signing are lawful and correct.</td></tr>
<tr><td>7</td><td>Site conditions that are suitable for the type of enforcement proposed</td><td>Loading and unloading of camera can take place safely</td><td>Location for mobile enforcement is easily accessible and there is space for enforcement to take place in a visible legal and safe manner</td><td>The location of collisions in the baseline period will determine the length of route</td><td>Loading and unloading the camera can take place safely</td></tr>
</table>

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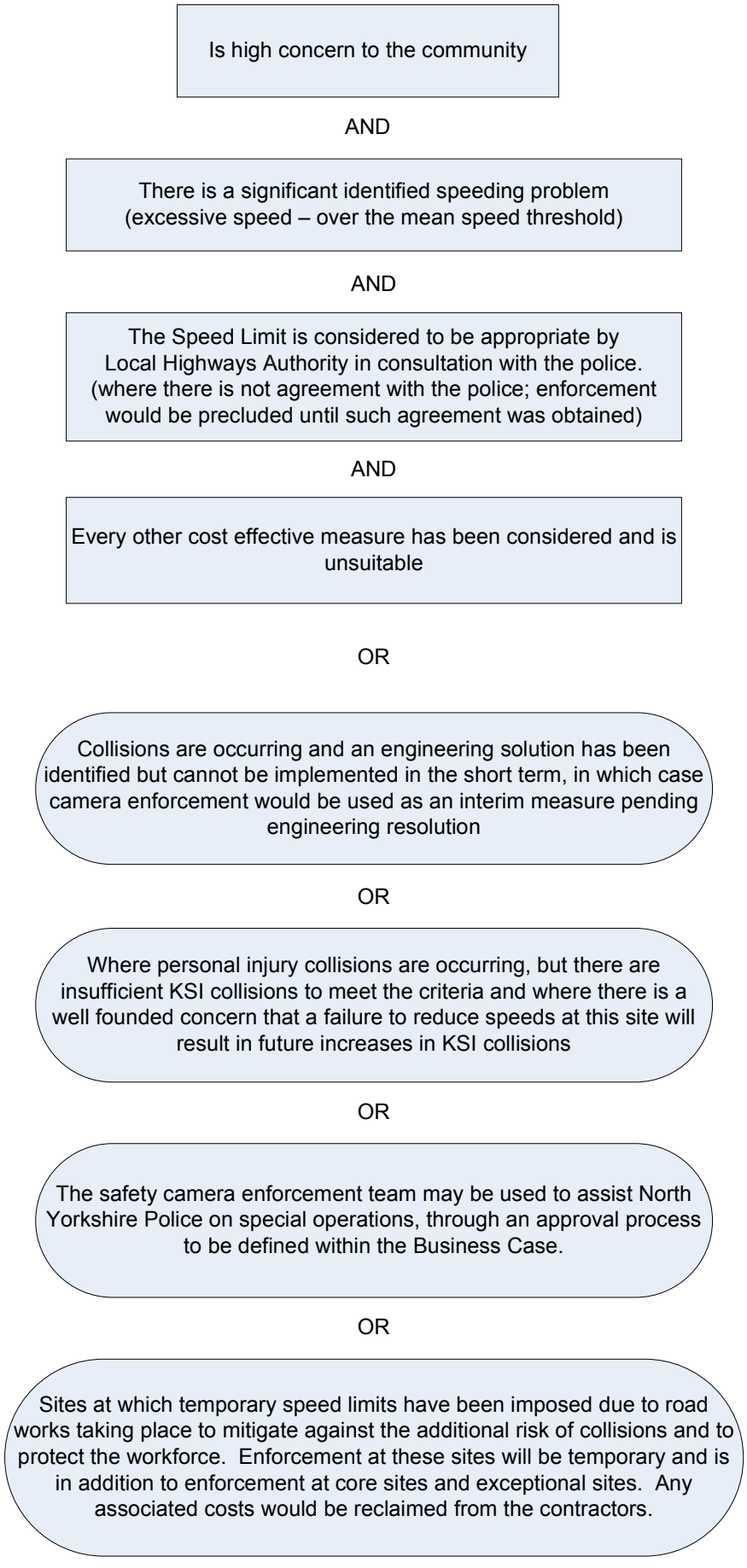
Annex B - Exceptional Site Selection



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Executive 30 March 2010

Report of the Assistant Director of Resources (Customer Service & Governance)

Information Governance Policy & Strategy

Summary

1. To present the proposed single strategic framework for improving Information Governance arrangements in the council, as laid down in the draft policy and strategy documents attached at Annex A and Annex B to this report.

2. All Directorate Management Teams and the Audit & Governance Committee have had the opportunity to comment on these proposals as part of a detailed consultation process. The draft framework has been amended to ensure the use of existing reporting and management structures, with integration into existing roles including required competencies with associated training provision.

3. The target is to reach Level 2 'Established' by the point that services move into the council's new Headquarters by the end of 2012.

4. The principal outcomes and benefits of a single Framework for the organisation will be:

   (a) Increased public confidence in the way the council and its partners manage and store personal and confidential records and data;

   (b) customer care will be enhanced by the efficient and controlled access and use of such information;

   (c) key decisions, strategies and plans will be based on the right information from accurate and robust sources;

   (d) compliance with national standards for data sharing and security such as Connecting for Health and Government Connect;

   (e) data security incidents will be recorded and investigated to ensure future risks are managed and minimised;

   (f) the consistent and efficient use of data and systems as an integral part of the MoreforYork efficiency programme.

Background

5. A comprehensive policy and strategy has been developed covering all aspects of Information Governance in the council (IG Framework). The draft IG Framework has been developed to incorporate the core measures identified in the Government's Data Handling review and the HMG Security Framework. Certain serious data loss incidents in the last two years have led the Cabinet Office and the Local Government Association to provide detailed advice on data security and information management arrangements. Government has also prepared its "Code of Connection" governing the exchange of data between public authorities, obliging the council to make particular improvements in respect of data handling.

6. It is intended that, within the IG Framework, all the council's policies, protocols and guidance notes relating to IG can be developed in a way that is both comprehensive and complementary to each other. It will address the overall management and development of IG arrangements at a corporate, managerial and operational level across the council. The objective of the Framework will be to set out how the council will improve its information security by establishing:

   (a) core measures to protect personal data and other information across the council;

   (b) a culture that properly values, protects and uses information;

   (c) stronger accountability mechanisms within the council; and

   (d) stronger scrutiny of performance.

7. Information Governance can be categorised into four main strands as follows:

   (a) **Information Security**
   This considers the adequacy of the council's arrangements for protecting personal and sensitive data in accordance with the principles of the Data Protection Act 1998 and guidance issued by the Information Commissioner's Office (ICO).

   (b) **Compliance with Legislation**
   This considers the legal framework, "constitutional" arrangements and operational standards that need to be established to ensure that data and information management throughout the council is conducted within the relevant legislative parameters (e.g. Data Protection, FOI). Once the overall IG Framework has been approved, feedback will be obtained from baselining work, to be undertaken by Veritau auditors, to assess the degree to which the directorates, and their service areas, are complying with the principles detailed within the IG Framework.

(c) **Information Quality**
This set of requirements covers the need to ensure the quality, accuracy, currency and other characteristics of information, which is held, used or issued.

(d) **Records Management**
This is the process of creating, describing, using, storing, archiving and disposing of records according to a pre-defined set of standards.

Consultation

8. Consultation on these draft documents was wide-ranging and included key officers with a specialist interest in the subject areas covered by the Policy and Strategy, together with all Directorate Management Teams and the Audit & Governance Committee (15 February 2010). All feedback has been considered in revising the documents for review and approval by CMT and, now, the Executive.

Options

9. Members can choose to reject or amend the proposed draft policy and/or strategy.

Analysis

10. Not relevant for the purpose of the report.

Corporate Priorities

11. This report contributes to the overall effectiveness of the council's governance and assurance arrangements contributing to an 'Effective Organisation'.

Implications

12.

(a) **Financial** – See paragraph 13 below.

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

(c) **Equalities** - There are no implications.

(d) **Legal** – See paragraph 9 below.

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

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

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

Risk Management

13. The council risks failing to properly comply with legislative and best practice requirements to provide for the proper management of its information. There are new fines and audit powers available to the Information Commissioner which are intended to encourage organisations to focus on data protection law and to establish robust data management processes. The Information Commissioner's powers have previously been modest but, from April 2010, he will have the power to fine organisations up to a maximum of £500,000 for serious breaches of the Data Protection Act. This means that information security is now a financial and reputational risk.

14 The council is not fully compliant with certain other standards, leading to practical and reputational risks. These may be made worse in the move to the new HQ if records are not transferred correctly to the Documentum EDRMS . The full value of information to the council and its customers may not be realised if mandatory audits and registers are not completed.

Recommendations

15. Members are asked to approve the documents at Annex A and Annex B

    Reason
    To ensure future arrangements adequately manage the council's information governance risks.

Contact Details

Author:

Pauline Stuchfield
Assistant Director (Customer Service & Governance)
Telephone: 01904 551706

Chief Officer Responsible for the report:

Ian Floyd
Director of Resources
Telephone: 01904 551100

Report Approved √ **Date** 24 February 2010

Specialist Implications Officers

Wards Affected: Not applicable **All** ☐

For further information please contact the author of the report

Background Papers:

HMG Security Policy Framework (SPF) Security Policy No.2 Protective Marking and Asset Control Cabinet Office, undated
http://www.cabinetoffice.gov.uk/spf/sp2_pmac.aspx

Local Government data handling guidelines Local Government Association (LGA) November 2008 http://www.idea.gov.uk/idk/aio/9048091

Code Of Practice on The Management of Records by Public Authorities Ministry of Justice, revised 2009 (the "S46 code") http://www.justice.gov.uk/guidance/foi-guidance-codes-practice.htm

The Re-Use of Public Sector Information Regulations ("ROPSI") (*Statutory Instrument 2005 No. 1515)* Office of Public Sector Information, 2005
http://www.opsi.gov.uk/si/si2005/20051515

Public Sector Data Sharing: guidance on the law Dept for Constitutional Affairs November 2003 http://www.dca.gov.uk/foi/sharing/toolkit/lawguide.htm

Annexes

Annex A Draft Information Governance Policy
Annex B Draft Information Governance Strategy

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Annex A
For publication

DRAFT INFORMATION GOVERNANCE POLICY

Author: **Robert Beane (Veritau Ltd)**

Date: **March 2010**

Approval: **Executive**

Audience: **Council Officers**

Contents

Introduction 3
Statement of Management Intent 3
Policy Aims 3
Continuous improvement 3
Compliance 4
Policy Management 4
Policy Awareness 5

Introduction

1. Information is a resource, like money, equipment, or staff skills, and like them needs to be managed and protected. It must be kept secure, especially when it is of personal, commercial, or political sensitivity. Information storage costs money and must be efficient. And there is a series of legal and other obligations on the council, as a public authority, with which it must comply.

2. The Information Governance Strategy describes how this policy will be put into effect through applying information assurance and information risk management.

Statement of Management Intent

3. The governance arrangements set out in this policy are intended to ensure business efficiency, effective service delivery, and compliance with the individual and social obligations the council has in respect of all the information it holds.

Policy Aims

Continuous improvement

4. It is the policy of the council to use risk management and quality assurance as management tools to achieving good governance. The policy aims for continuous improvement in the following:

   - operational management and strategic planning
   - performance management
   - service delivery
   - customer care
   - efficient administration

5. It is proposed that Information Governance for the Council is separated into four key themes:

   - Compliance with legislation
   - Data security
   - Data quality
   - Records management

   The Information Assurance and Maturity Model as published by the Cabinet and CESG will be adapted for the council and will be used to assess the council's level of Information Governance maturity in securing the above themes.

Compliance

6. Compliance with the legal and other obligations in this area is to be seen not as a bureaucratic burden, but an opportunity to improve the council's relationships with citizens, clients and communities.

7. Compliance will be guided by providing more detailed policies and procedures covering special aspects of Information Governance. Where appropriate they will include corporate standards and may include their own implementation strategies. The principal policies will be:

    - Data protection
    - Freedom of Information
    - Data quality
    - Data security
    - Records management

8. These are likely to give rise to a further tier of policy in their turn.

Policy Management

9. Service managers are responsible for devising systems and practices for the delivery of their service that also comply with this and other information governance policies.

10. An understanding of this policy and its related policies is a basic competence for all managers. To support this, the Information Governance Officer will provide training and education, and ensure that the Intranet carries up-to-date versions of all relevant policy and advice.

11. The internal audit service (Veritau) will review compliance with information governance policies at both service level and corporate level in order to provide assurance on the objectives above. It will also review the achievement of the Information Governance Strategy associated with this policy.

12. Consultation on policy choices and the implementation of related strategies will be through the Corporate Information Governance Group (CIGG) representing internal stakeholders and chaired by the council's Senior Information Risk Owner (SIRO)[1].

13. This policy will be reviewed by the Information Governance Officer on an annual basis. Any proposed changes to the Policy will be considered by the council's SIRO. Any variations to the Policy will require the approval of the council's Corporate Management Team and the Audit and Governance Committee.

[1] See IG Strategy: probably the Director of Resources

14. As the council's internal audit, counter fraud and information governance service, Veritau Limited has responsibility for reviewing adherence to this policy and associated procedures.

Policy Awareness

15. Managers must familiarise themselves with this policy and all relevant Information Governance policies and procedures associated with their service area. They must also ensure that their staff are aware of the policy and appropriately trained in the relevant procedures.

16. All employees have an important part to play in the Information Governance policy. The council's disciplinary procedures may be applicable, subject to HR policy. This policy requires all employees to:

- take reasonable care of the information they access;
- familiarise themselves and comply with information governance procedures;
- act in accordance with any training they have received, or any verbal instructions issued to them;
- report any information security incident, either to their manager or via an applicable security incident reporting procedure .

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For publication

DRAFT INFORMATION GOVERNANCE STRATEGY

Author: Robert Beane (Veritau Ltd)

Date: March 2010

Approval: Executive

Audience: Council officers

Contents

Introduction 3
Strategy Objective 4
Information Assurance Assessment Framework 6
Using the Information Assurance Maturity Model and Information Assurance Assessment Framework 7
IG roles and responsibilities 7
First Steps 12
Appendix 1: Roles and responsibilities 13
Appendix 2: Policy Tree 14
Appendix 3 - Immediate Action Plan 15

Introduction

1. The objective of this strategy is to fulfil the objectives of the Information Governance Policy, including ensuring business efficiency, effective service delivery, and compliance with the individual and social obligations the council has in respect of all the information it holds. Information Assurance and Information Risk Management (IRM) are the means by which this will be done.

2. The council recognises the importance of reliable information to support the provision of good quality services. Information governance (IG) and assurance play a key part in ensuring the reliability of this information as service delivery relies on the right information being available to the right people at the right time, whilst maintaining individual privacy.

3. IG offers assurance to the council, its customers and other stakeholders that all information, including confidential and personal information, is dealt with in accordance with legislation and regulations, and its confidentiality, integrity and availability is appropriately protected.

4. This Information Governance Strategy provides a mechanism for ensuring that the council meets its responsibilities in the following areas:

   a) the growing need for it to share information means that it must apply the common standards mandated by the Code of Connection and Connecting for Health.

   b) The LGA's "Data Handling Guidelines" apply the government's Security Policy Framework to local authorities and set out standards to be applied by the council to ensure security of data, and be seen to do so.

   c) The mandatory Records Management Code of Practice.

   d) However, in addition to these standards there is a body of best practice measures, which if applied will assist the council in discharging its obligations to enact effective IRM.

5. The Data Protection Act and Human Rights Act provide the legal framework to safeguard privacy. The council is responsible for managing the personal information it controls, and also for responding to requests for information in accordance with the legislation.

6. Technical and managerial security measures must be taken to minimise the scope for error or malicious action. Technology and external threats both continue to change quickly whilst the use of information in the council is likely to increase as services are improved through MoreforYork. The council must embed risk management in the use of

information, both when planning business and operating it. Clear accountability is vital, particularly at senior levels, to ensure that risks to information are considered from the outset. Because no information handling system provides total protection, performance needs to be monitored and lessons learned on an ongoing basis.

7. The move to the new council Headquarters is not a strategic information governance objective – but it is certainly a test of the council's ability to manage its records under time pressure. It is actually a once-in-a-lifetime opportunity to put records management in good order and the principal tool to do so, the Documentum EDRMS, is already in place. With sound policy guidance the full benefits of that investment can be realised within the new building.

Strategy Objective

8. To assist the Senior Information Risk Owner (SIRO; see reference 1 for explanation) to put in place an effective change programme to improve IG and IRM, it is proposed that the Cabinet's Information Assurance Maturity Model (IAMM) will be adopted and adapted by the Information Governance Officer, Veritau (IGO). This Model will incorporate the requirements of the government's Security Policy Framework and its 2008 Data Handling Review and is aligned with the ISO27001 Standard and the broader outcomes sought by the National Information Assurance Strategy.

9. The Model is designed to help the SIRO establish a comprehensive programme of work to achieve progress through clearly identifiable milestones towards the achievement of three main information assurance goals:

(A) Embedding IRM Culture within the Organisation:

10. The need to assure information as a key business asset is embedded within the culture of the council, its delivery partners and its arm's length bodies

11. Procedures are in place so that CMT is able to understand and manage the information risk to which the council is exposed

12. The agreement of external stakeholders is reached on the treatment of information risks, particularly when they will impact on the delivery of Shared Services and Transformational Government objectives

(B) Implementing Best Practice Information Assurance Measures:

13. Through-life measures are implemented to assure all information within the council, its delivery partners and its arm's length bodies, so that changes can be made to processes and systems to match the tempo of the business without introducing undue vulnerabilities.

14. Systematic monitoring of networks, systems and boundary points is undertaken so that the council can effectively detect and respond to vulnerabilities, threats and incidents in a timely manner, thus reducing potential adverse impacts to its business to an acceptable level.

(C) Effective Compliance:

15. An effective compliance regime is implemented across the council, its delivery partners and its arm's length bodies, to ensure its compliance with legislation and the proper management of information risks in accordance with national policy & standards.

16. Internal and external review provides independent assurance to the SIRO that the compliance processes are working effectively.

17. Achieving maturity towards these goals assisted by the Model will enable the council to generate greater trust in its information systems and processes, both internally and between trusted partners. This will be particularly important in the context of shared services, and the issues surrounding shared versus individual risks to information; whether it belongs to the council or to the member of public.

18. Each level of the Model will aim to build on the achievement of the preceding levels; as such the measures are cumulative. The levels below summarise how the council will know when it has achieved compliance:

Level 1 – Initial. At this level CMT will be aware of the criticality of IG to the business and of its legal requirements. Consequently it will have initiated activity to address areas of immediate weakness and have policy in place to guide the improvement process. It also has applied this policy to all new information systems. The Government's Data Handling Report measures are built into Level 1 of the Model and hence putting in place measures to deliver this level of maturity will result in delivering Data Handling Report compliance.

Level 2 – Established. At this level IG processes will be institutionalised within the council, its delivery partners and its arm's length bodies. A programme of targeted IG education and training will have been initiated and work to inculcate an appropriate IRM culture started. Discovery work will have been undertaken and the IG status of the entire council's

information systems and related processes determined. A definitive list of business critical information systems will have been endorsed by the SIRO. Based on this list and the discovery work, a fundamental requirement at this level, is for the SIRO to have personally made the business case to CMT for a targeted programme of work to improve understanding and control of information risk, and gained approval for the programme. Within most organisations, progress to Level 2 will require extensive work to be undertaken.

Level 3 – Business Enabling. At level 3 IG awareness across the council has increased leading to a measured improvement in IRM behaviours at all levels within the organisation, its delivery partners and its arm's length bodies. Building on the framework of IG processes rolled out at Level 2, Level 3 will be achieved when all critical areas of the business are subject to a robust IG regime.

Level 4 – Quantitatively Managed. At level 4 there will be evidence to show that staff attitudes and behaviours towards assuring information are aligned to the needs of the business. The regime established at level 3 for critical areas of the business is extended to embrace the whole business. As a consequence the SIRO will have the IG metrics available to take an informed approach to managing the risk to the information used by the business.

Level 5 – Optimised. Level 5 is achieved when IG is fully integrated as an aspect of normal business and the culture of the business is such that at all levels of management, IG is judged to be a business enabler.

19. The council's Model will be a living document which will be updated in line with changes in the threat, changes in national standards, and as a result of lessons learned from applying them to the council.

20. The top level statements contained in each box of the Model are by necessity very brief. To gain a full understanding of what is required to satisfy a particular Level refer to the IA Assessment Framework.

Information Assurance Assessment Framework

21. The Framework provides specific details of the measures which are expected to be in place within the council and is seeking to meet the top level statements of maturity contained within the Maturity Model. This enables the Maturity Model and the Framework to be used as an integral part of an IG Review Process.

22. The contents of both the Model and Framework have been drawn from a variety of sources and are compliant with the requirements of the Information Security Management System (ISMS) embodied in ISO 27001.

Using the Information Assurance Maturity Model and Information Assurance Assessment Framework

23. Included within the main body of the Model is a range of internal reporting and compliance mechanisms, which are aimed at establishing and maintaining clear management responsibility and accountability for IRM within the council. These arrangements should facilitate the collection of the information required annually for potential inclusion in the Annual Governance Statement.

24. The council along with other local authorities is encouraged to adapt and use the Model and Framework to establish the programmes of work needed to achieve IG maturity and also to conduct self assessment reviews.

25. By adopting the Model, the council will have to address a number of action plans and to allocate the appropriate roles and responsibilities. **Appendix 1** provides a summary overview of the proposed different IG roles and responsibilities for the council. **Appendix 2** is a diagrammatic presentation of the "tree" of policies, strategies and tools which might feed into the council's overall IG framework; this picture will evolve to reflect new standards and legislation, and the outcomes of MoreforYork and the EDRMS Project.

26. Adopting and applying the Model to the council will be an extensive and long term exercise requiring resources to be identified for delivery and a considerable cultural change. An action plan for Level 1 compliance is in progress and will eventually form part of this Strategy. To assist the SIRO in establishing immediate priorities, an initial high level action plan is included at **Appendix 3**. Attainment of these key actions will ultimately assist in meeting the requirements of the more detailed Level 1 action plan to be developed.

IG roles and responsibilities

References are to the table at Appendix 1

27. The Chief Executive takes overall responsibility for the council's information governance performance and in particular is required to ensure that:
    a) decision-making is in line with council policy and procedures for information governance and any statutory provisions set out in legislation;
    b) that information risks are assessed and mitigated to an acceptable level;
    c) information governance performance is continually reviewed;
    d) suitable action plans for improving information governance are developed and implemented;

e) the council's management competency framework is used to measure the performance of senior managers against information governance targets and objectives.

28. To satisfy the above responsibilities, the Chief Executive will nominate a Senior Information Risk Owner (SIRO) who will be accountable for the council's overall information governance arrangements.

Ref 1 Senior Information Risk Owner

29. The Chief Executive must appoint a manager of an appropriate seniority as its SIRO. The Director of Resources is a member of CMT, and is already accountable to Audit & Governance Committee on information governance matters, and is therefore an appropriate SIRO.

30. Responsibilities of the SIRO include:

a) owning the information risk policy and risk assessment;
b) acting as an advocate for information governance and assurance at CMT and in internal discussions;
c) chairing the Corporate Information Governance Group (CIGG);
d) providing written advice to the Audit and Governance Committee relating to information risk;
e) managing delivery of information governance and assurance services.

Ref 2 Directors

31. Each Director is responsible for the information within their directorate and must therefore take overall responsibility for information governance matters. In particular Directors are required to:

a. ensure that adequate resources are available to successfully manage information governance within their directorate;
b. use competency frameworks to measure the performance of senior managers against information governance targets and objectives;
c. assign a senior manager as the Directorate's Information Governance Champion at Assistant Director Level;
d. ensure implementation of corporate information governance associated policies and procedures;
e. identify their information assets (in all formats);
f. categorise these information assets in a way that is meaningful to the directorate and identify for each information a responsible Service Manager;

32. Each Directorate is also responsible for:

a. managing its own information risks;
b. ensuring proper management of information risks;

c. meeting the mandatory corporate information governance requirements; and
d. meeting the requirements of the Information Policy.

33. Directorates must have and execute plans to lead and foster a culture that values, protects, uses information for service delivery, and monitors progress when conducting a service user (including employees) survey or equivalent. Directorates must also reflect performance in managing information risk into HR processes in particular making clear that failure to apply directorate and corporate procedure is a serious matter, and in some situations non compliance may amount to gross misconduct.

Ref 3 Directorate Information Governance Champions

34. Each Directorate's Information Governance Champion adopts a strategic role for Information Governance and will co-ordinate Information Governance across the directorate and will lead in Information Governance planning, reporting and review. The Champions are required to meet on a regular basis with their Corporate Directors and Service Managers to ensure that Information Governance plans and performance are continually reviewed.

Ref 4 Service Managers

35. These are senior officers involved in running the relevant business area within a Directorate. Their role is to understand what information is held, what is added and what is removed, how information is moved, and who has accessed it and why. All information should be categorised in accordance with the Document Security Marking Policy and stored in line with the council's eDRMS arrangements.

36. This will facilitate an understanding of the risks to the information and how those risks need to be managed to ensure compliance with legislation. Service Managers will be expected to support the audit process and produce an annual written judgement of their information asset to include the use and security of their asset.

37. Service Managers have the most work to do since they will be applying all the policies in table 2 to their services and all the information they use. They must identify and maintain a record of those members of staff, contractors and others with access to or involved in handling individual records containing personal data. Service Managers should:

a. ensure that information is used correctly and protected;
b. review each records series in the light of each of the above policies to ensure that (for instance) security marking, legal admissibility and access controls are all properly applied;
c. consider whether and how better use could be made of their information assets and to information held by other services.

eDRMS being a part of MoreforYork provides a mechanism for this, as does the new Intranet, COLIN.

Ref 5 Audit & Information Assurance Manager

38. The role of the Audit & Information Assurance Manager (Veritau) is to provide assurance that the council's Information Governance and Assurance Framework is operating according to its structure of policies, strategies and action plans. Based on an audit risk assessment, Veritau's Internal Audit Service will undertake a programme of compliance testing to ensure that the council is meeting its obligations. The Audit & Information Assurance Manager will be a member of the council's new Corporate Information Governance Group.

Ref 6 Information Governance Officer

39. The Information Governance Officer is responsible for the development and communication of information governance policy, strategy and action plans and for ensuring that the council adopts information governance best practice and standards. The Information Governance Officer is the first point of contact on information governance matters for all officers and elected members, members of the public and the Information Commissioner. The officer reports to the Audit and Information Assurance Manager and will also be a member of the Corporate Information Governance Group.

Ref 7 Information Governance Team

40. The Information Governance Team supports the Information Governance Officer by contributing to the development of information governance policy and strategy. The Team will also be the central co-ordination point for all responses to requests for information made under the Data Protection, Freedom of Information and Environmental Information legislation. The Team maintains a record of all such information requests received and responded to and ensures that statutory deadlines are met.

Ref 8 Corporate Information Governance Group (CIGG)

41. The terms of reference and membership of the council's current Information Governance Working Group will be revised to reflect the Framework. The new Group will be referred to as CIGG and will have the following roles and responsibilities:

    a) Approval of corporate policies and procedures which ensure:
        - compliance with legislation
        - data quality
        - information security (compliance with ISO 27000)
        - records management (compliance with ISO 15489).

b) Co-ordination and approval of corporate standards for the mitigation of risk.
c) Monitoring compliance with the Information Governance Assurance Framework
d) Establishing a policy for reporting, managing and recovering from information risk incidents, including losses of protected personal data and ICT incidents, defining responsibilities and making staff aware of the policy and reporting to councillors if appropriate.
e) Providing and maintaining mechanisms that command the confidence of individuals through which they may raise concerns about information risk to senior management or the Audit and Governance Committee, anonymously if necessary, and recording concerns expressed and action taken in response.

42. In addition, consideration will need to be given to how directorates manage and monitor their own information governance issues on an ongoing basis. For example, it may be appropriate for information governance to become a standing or regular agenda item at directorate management team meetings. This will give Directorate Information Governance Champions the opportunity to highlight issues or to report on progress made in managing the directorate's information assets. Any significant issues identified can then be reported to the Corporate Information Governance Group.

Ref 9 Internal Audit (Veritau)

43. Based on an audit risk assessment, Veritau's auditors will undertake a programme of compliance testing to ensure that the council is meeting its obligations.

Ref 10 Audit & Governance Committee

44. The SIRO will report to Audit & Governance Committee twice a year on information governance matters. The SIRO will highlight changes in framework and policy and detail the progress made in embedding the framework across the council. The results of compliance testing will also be reported where applicable.

Ref 11 eDRMS

45. The Electronic Document Records Management System (eDRMS) Project will have a significant positive impact on many areas of the council's operations as it will enable improved management of, and access to, the documents and records held within the organisation, as well as providing a secure, single data repository. The Information Governance Officer will work with the eDRMS Project Manager in delivering the benefits of the system in line with the Information Governance Policy .

Ref 12 Information Security

46. Information Security considers the provision of ICT services to the council in a secure environment in accordance with the ISO 27000 series of standards including:

    a. development and management of the council's information security policy;
    b. investigation of technical security incidents and breaches;
    c. periodic verification of compliance with policies via information security reviews;
    d. provision of awareness and compliance programmes for the council.

Ref 13 Data Quality

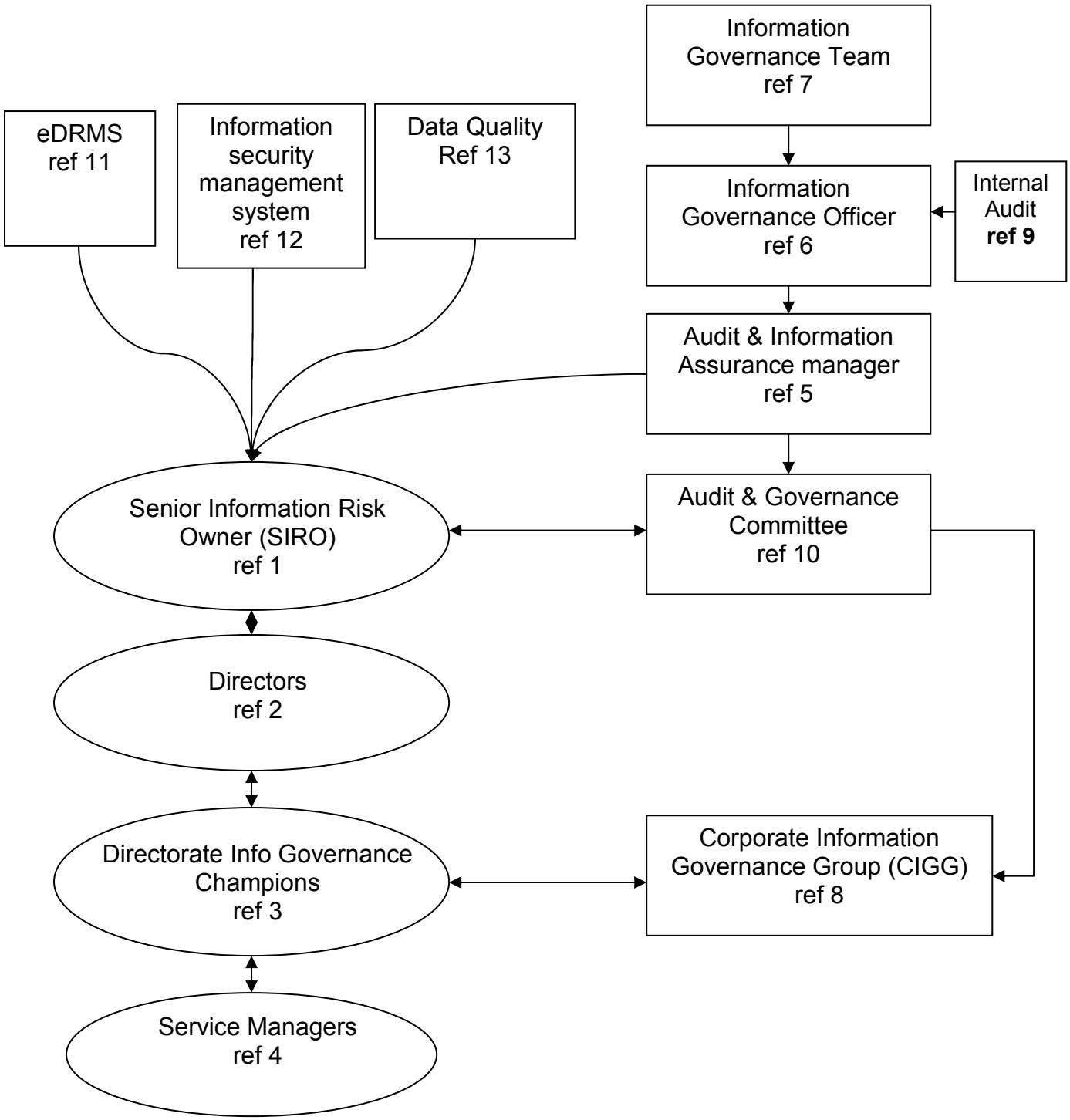
47. The council will put in place appropriate policies and procedures to secure the quality of data it records and uses. The approach will ensure:

    a. a formal data quality policy and associated operational procedures and guidance for staff are in place, covering data collection, recording, analysis and reporting;
    b. all data quality policies and procedures meet the requirements of any relevant national standards, rules, definitions and guidance, and define local practices and monitoring arrangements;
    c. periodic review of all data quality policies and procedures;
    d. data quality policies and procedures are appropriately accessible to staff;
    e. consistent application of data quality policies, procedures and guidance.

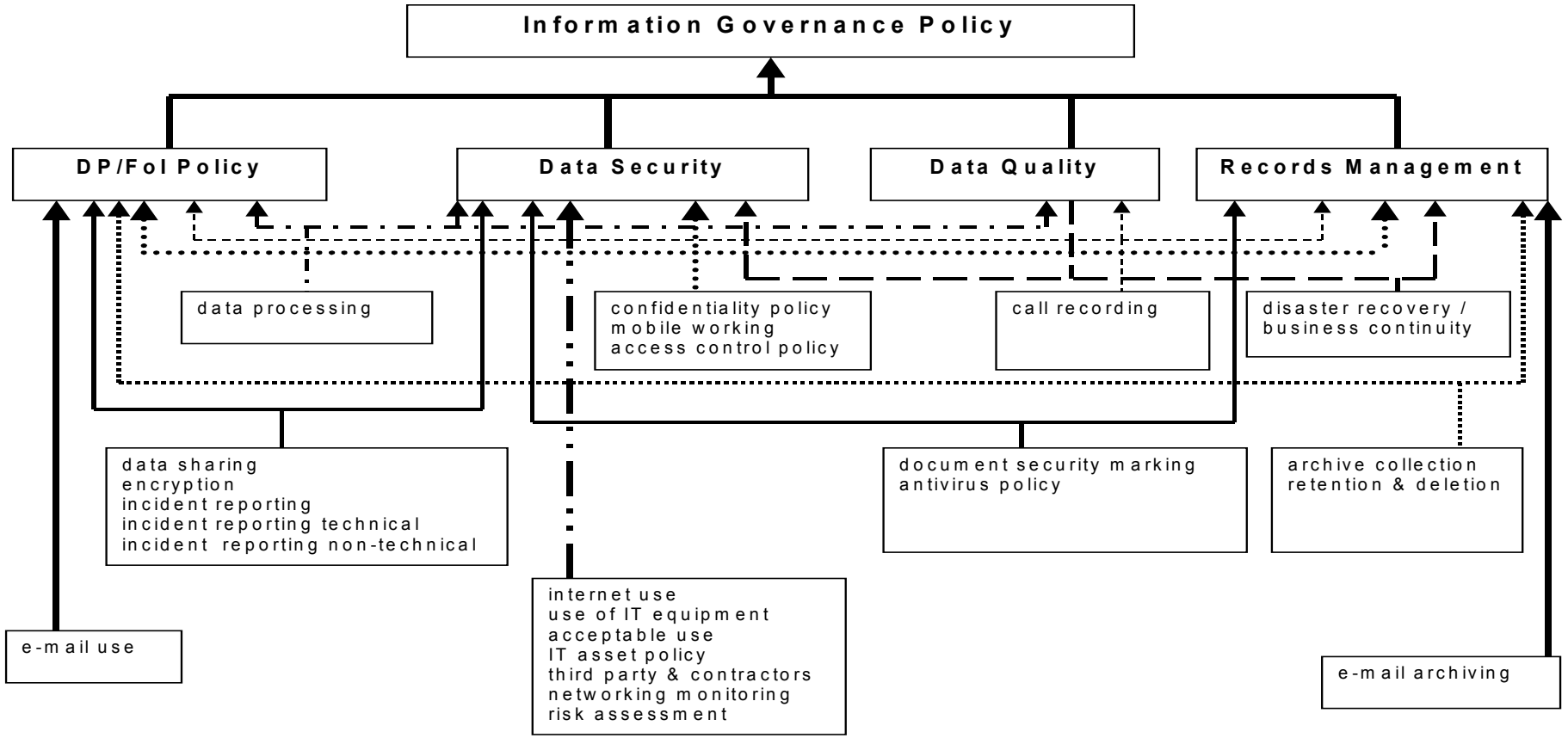
First Steps

48. In meeting the requirements of the Information Governance Policy the council will seek to undertake a number of key initial actions as part of delivering its Strategy. The council will have to set the foundations for creating the right culture and for ensuring that the correct policies and procedures are in place to provide accountability and scrutiny. Therefore, Appendix 3 represents the first steps that the council will have to take.

Appendix 1: Roles and responsibilities



Appendix 2: Policy Tree



Appendix 3 - Immediate Action Plan

Ref	*Requirement*	Current position	Actions required	Target Date	Action Taken
P1 People					
P1a	*Appoint a Senior Information Risk Owner (SIRO) to ensure there is accountability*	• SIRO not yet formally appointed • Currently Information Governance Working Group	• Recommend that SIRO should be Director of Resources. • Corporate Directors to nominate at least one Information Governance Champion (DIGC) within each of their directorates. • Create a new Corporate Information Governance Group comprising key representatives and clear ToR with SIRO as Chair.	April 2010 April – May 2010-01-11 April 2010	
P1b	*Each Information Asset should have a named Service Manager as Owner*	2004 records survey and eDRMS project plan have identified services and records series.	• Commence compilation of Register of Information Assets. • service managers and their information assets to be formally identified by Directorates with assistance from Information Governance Officer together with explanation of roles and responsibilities.	Summer 2010 Summer 2010	
P1c	*Identify Users and their access rights*	No clear evidence / consistent process for access controls for different types of data	• Consider how best to undertake an audit of access rights.	2010/11 Audit Plan	Nb - impact of eDRMS project

Ref	*Requirement*	Current position	Actions required	Target Date	Action Taken
			• Review any current procedures. Concentrate on confidential / sensitive information access control. • Develop Impact Labelling mechanism.	Summer 2010 June 2010	
P1d	*Foster a culture that properly values, protects and uses information*	Awareness of privacy and confidentiality is good Principal policies and guidelines exist although will have to be amended to be incorporated into the overall IG Framework.	• Assess training and promotion requirements across the council and significant partners • Establish appropriate and targeted training / awareness courses/briefings • Deliver training and collect evidence of completion as appropriate • Assess effectiveness of training • Establish review process / programme using appropriate methods of communication • Links to induction and appraisal procedures	May – June 2010 Summer 2010 Ongoing Ongoing Ongoing 2010/11	
P1e	*Maintain mechanisms for reporting and managing information risk incidents*	Information security incident reporting and management procedures need devising	• Devise procedures and raise awareness (can be part of the revised employees guide roll-out) • Assess benefits of joining a regional WARP (Warning,	May 2010 May 2010	

Ref	*Requirement*	Current position	Actions required	Target Date	Action Taken
			Advice and Reporting Point for information security threats and incidents) Review what is currently in place.		
P1f	*Maximising public benefit*	Information management review/audit is currently being considered.	Determine if an audit is appropriate if so agree the scope, objectives and timing of information audit to be undertaken by Veritau.	2010/11 Audit Plan	
P1g	*Publish an information charter*	An Information Charter has been drafted but will require CMT approval.	Approve draft corporate information charter.	April 2010	
P2 Places					
P2a	*Undertake regular risk assessments*	An Information Security Management programme is yet to be established.	Agree a corporate information security risk assessment approach / programme and compile a Corporate Information Risk Register.	May – June 2010	
P2b	*Ensure buildings and premises are secure*	Establish an Information Security Management programme	Conduct an audit of compliance with the following controls: • ID badges for staff. • Visitor management. • Clear desk / screen policy. • Security of personal paper -based information.	Audit Plan 2010/11	
P2c	*Wherever possible avoid the use of removable media*	IT has a programme for encryption and control of removable media	• Review current arrangements and implement additional controls of removable media where necessary. • Incorporate into encryption policy.	See IT devt plan	
P3 Processes					

Ref	Requirement	Current position	Actions required	Target Date	Action Taken
P3a	*Work towards a policy of least privilege*	No specific policy at present.	• Consider whether specific policy is required as may be covered under P1c and via Impact labelling arrangements. • If required - incorporate appropriate least privilege 'tests' into information security audit programme.	Summer 2010 Audit Plan 2010/11	
P3b	*Personal information should be kept within secure premises and systems*	Compliant for the most part with appropriate policies, procedures and guidelines in place.	• Raise awareness in conjunction with the release of the revised Employees Guide to Information Security. • Sign up to the Information Commissioner's Office 'Personal Information Promise'.	Summer 2010 April 2010	
P3c	*Wherever possible the bulk transfer of information should be carried out via a secure network*	Government Connect achieved Secure Email including encryption available now for external emails	Develop a strategy to limit the movement of confidential / sensitive information in favour of providing appropriately controlled access.	Summer 2010	
P3d	*Engage independent experts to carry out penetration testing*	Consult IT for current position	Establish a regular schedule of penetration testing.	Refer IT	
P3e	*Conduct Privacy Impact Assessments*		Develop PIA toolkit from ICO guidance.	April/May 2010	
P3f	*New ICT systems should be accredited to Government standards*	Consult IT for current position	Agree whether accreditation to Government standards will be pursued.	Refer IT	
P3g	*Ensure that suppliers and contractors adopt appropriate equivalent*		Liaise with Corporate Procurement to develop model contract clauses where necessary.	2010/11	

Ref	Requirement	Current position	Actions required	Target Date	Action Taken
	standards				
P4 Procedures					
P4a	*Produce a Corporate Information Risk Policy*	No formal document entitled 'Corporate Information Risk Policy' but IG policy specifies IRM as policy therefore separate document not required.	Ensure IRM incorporated into training & guidance.	April 2010	
P4b	*Complete Corporate Information Risk Plans (review and forward looking)*	No formal plans/risk register specific to IG in place.	Review Corporate Risk register on an annual basis.	Ongoing	
P4c	*Produce a Risk Recovery Policy*	No specific policy in place.	A separate policy is not required as the overall IG Policy will cover. Response to data security incidents will be detailed in the Data Security Incident Procedure to be drafted and approved by Summer 2010 – this will deal with recovery from incidents.	Summer 2010	
P4d	*Risk reporting mechanisms*	Corporate risk reporting currently in place.	Information Security Incident Procedure to be drafted and approved by CMT. This will detail how information security incidents both technical and non technical will be investigated and reported.	Summer 2010	
P4e	*Regularly test your policies and procedures*	Not possible until policies and procedures are formally implemented	Include in Audit Plan for 2010/11 onwards.	2010/11 onwards	

Executive 30 March 2010

Report of the Assistant Director of Resources (Customer Service & Governance)

Public reporting of enquiries and replies made under the Freedom of Information Act 2000

Summary

1. This report considers options for publishing requests for information made under the Freedom of Information Act, with related replies, on the council's public website. It also comments on the routine publication of information and the council's Publication Scheme.

2. The Leader of the Council, Cllr Waller, in reply to a member question at Council on 4 February 2010, responded:

"I agree that openness and transparency would be improved by the council publishing details of Freedom of Information requests and answers on the council website. I have asked officers to draw up a report to investigate how this can happen, and it is my hope that it will not only improve the operation of the Act but also save officer time in answering questions that have already been asked, and show to the public the nature of the questions that the council is answering on their behalf."

Background

3. The Freedom of Information Act (FOI) obliges the council, in response to a written request, to disclose any information it holds, unless it is exempt. The council must also provide a "Publication Scheme", a guide to information routinely published, the purpose of which is to deflect requests towards the published source and so save officer time.

4. The number of requests the council has received since the Act was introduced in January 2005 is provided at Table 1 below. The figures demonstrate that the number of FOI requests received by the council has increased significantly since the Act was introduced and there is no indication that this trend will not continue. Responding to FOI requests will therefore continue to absorb considerable officer time. Many different types of request are submitted and topics can vary between requests for information on council policy and procedure to financial statistics. Whilst the highest numbers of requests are made by members of the public, a significant number also come from

journalists. Whilst it is service managers who provide the information, enquiries are "tracked" within departments, and centrally by the Information Governance service (provided by Veritau Ltd), to ensure quality control of the application of the related Code of Practice[1] and to provide summary statistics.

Table 1 FOI enquiries by calendar year

2005	2006	2007	2008	2009
223	241	210	440	482

5. The Ministry of Justice has provided a template to enable comparable statistics to be prepared and published; those for the City of York Council will be available very shortly. Analysis of these statistics will be reported to the Audit & Governance Committee twice a year.

6. Options for the publication of requests and the answers to those requests are set out below, along with comments on the operation of the Publication Scheme.

Consultation

7. The council's Web Manager has offered advice about the practical implications and costs of the options set out below.

Options

There are four main options for members to consider:

8. Option 1. Maintain a web page for each request, to which is added any relevant correspondence and eventually the reply and the information requested. Most of this would be in PDF format, possibly prepared all at once when the enquiry is closed. PDF format is most suitable because much correspondence is by email and includes electronic attachments, and they are not easy to alter or manipulate.

9. Option 2. Publish only the questions, with an offer to provide the actual reply on request. A copy of all correspondence to be kept centrally so that any such requests can be answered without reference back to the service concerned.

10. Option 3. Carry out a trial of Option 1 to test how many duplicate enquiries can be deflected to the published pages, measure how much work is required to prepare them, and thus the likely costs and time saving that can be generated, and report back in three months' time. In addition identify more information to be published routinely, and test whether this is likely to reduce the number of FOI enquiries.

11. Option 4. Do nothing.

[1] The Code of Practice fulfils Section 45 of the FOI Act. The aim of the Code is to set out good administrative practice to be followed when handling requests, providing advice on how to respond or transferring a request, where appropriate, to another authority.

12. There may be a range of other options which sit between Option 1 and Option 2, and the timescales for Option 3 would allow time to explore other variations for efficiency and effectiveness.

Analysis

13. To prepare a web page to suitable publication standards (Option 1), it is estimated that it would take between one and two hours per enquiry although this may reduce as skill improves. The council currently receives on average just over 11 new enquiries per week. There would therefore be an estimated resource requirement beginning at an equivalent of about 0.5 of a full-time officer post at Grade 4 (see financial implications below in paragraph 19), and rising, to update and maintain the web pages for new requests. However there may be an offsetting saving in work elsewhere in the council if enough enquiries can be answered by reference to the new web pages, but these costs and benefits would be mutually exclusive.

14. Option 2 at paragraph 9 is the facility currently offered by many other councils, including North Yorkshire County Council. It is relatively inexpensive, requiring only the current weekly email lists sent to Executive members to be re-presented to publishing standards. North Yorkshire (with significantly more enquiries per month) currently receives about five such requests for information via this route per year, so this option would not require any additional staff resources to administer. It would also require the Information Governance service (Veritau Ltd) to be more closely involved with each enquiry, thereby offering additional quality-control benefits compared to the existing arrangements.

15. Option 3 offers the opportunity to test possible costs/benefits – in order to provide an evidence-based firm recommendation for the way forward and demonstrating an immediate commitment to greater openness. The publishing of a sample of enquiries published in this way for three months can be accommodated in existing resources, along with consideration of additional routine publication through the Publication Scheme (see below). “Hits” on those pages can be counted to help draw conclusions about what might be achievable within available resourcing limits and possible impact on total FOI enquiries.

Publication Scheme

16. A “model publication scheme” has been devised by the Information Commissioner and it was formally adopted by the council in December 2008. Officers are currently reviewing compliance with it, with the objective to increase the proportion of published information and maximise the number of requests that can be re-directed to that published information. It will also minimise the risk of intervention by the Commissioner who expects compliance with the model scheme.

17. A second objective will be to identify what information might be published as part of the Publication Scheme that is currently the subject of FOI enquiries, and if Option 3 above is chosen, to estimate the likely saving in work. The

more information that is routinely published, fewer specific enquiries are likely to be received.

Corporate Priorities

18. This report contributes to the overall effectiveness of the council's governance and assurance arrangements contributing to an 'Effective Organisation'.

Implications

19.

(a) **Financial** – The additional resource requirements which would arise from adopting Option 1 could not be met by reducing other aspects of work within the Information Governance service (Veritau Ltd) without impairing the quality of its other mainstream work, or the improvement plan described in the Information Governance Strategy (see report on this same agenda). This option would therefore require additional funding of approximately £10k to 12k per annum. However, the additional administrative work which would arise as a result of adopting Options 2 and 3 (as recommended) could be absorbed within existing staff resources. There would also be no other cost implications arising from the use of the council's public website for this purpose.

(b) **Human Resources (HR)** -. If Option 1 is chosen then a new post would need to be created, existing job descriptions reviewed and the vacancy advertised and filled.

(c) **Equalities** - There are no implications.

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

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

(f) **Information Technology (IT)** - There are no implications other than the need to maintain additional web pages on the council's website.

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

Risk Management

20. The options are intended to reduce the amount of officer time used in responding to FOI requests, and introduce no new risk. It is anticipated that the publication of FOI requests and the review of the Publication Scheme will ultimately result in the reduction of the number of requests that are made and reduce the risk of criticism or intervention from the Information Commissioner.

Recommendations

21. Members are asked to consider and comment on the various options (1 to 4) outlined in the report.

22. Members are asked to agree Option 3, in addition to maximising the use of the Publication Scheme.

23. If Option 3 is agreed, to agree a further report to Executive in July 2010 on the outcomes of the trial activity and final proposals for a permanent solution, which both maximises openness and transparency, and improves efficiency in relation to time taken to process FOI requests.

Reason

To ensure the council acts with maximum openness and transparency and provides as much information as possible within the resources available to it.

Contact Details

Author:	**Chief Officer Responsible for the report:**
Pauline Stuchfield Assistant Director (Customer Service & Governance) Telephone: 01904 551706	Ian Floyd Director of Resources Telephone: 01904 551100

Report Approved √ **Date** 19 March 2010

Specialist Implications Officers

Head of Legal, Civic & Democratic Services.

Wards Affected: **All** √

For further information please contact the author of the report

Background papers

Publication Scheme City of York Council 2008; see http://www.york.gov.uk/council/information/foi/scheme/

Annexes

None

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CITY OF YORK COUNCIL

Executive **30th March 2010**

Joint Report of the Director of Resources and the Director of City Strategy

Fibrecity York

Summary

1. This report seeks the approval of the Executive for the Council to enter into a Memorandum of Understanding ("MOU") to undertake a feasibility study for the establishment of a Fibrecity network in York with the objective of giving every business and home the option to have a direct to premise fibre connection with speeds of 100Mbps.

2. This report has a good strategic fit with the long term aspirations of the city in relation to all themes within the Sustainable Community Strategy, but particularly those in relation to Thriving City and Inclusive City.

Background

3. Pinacl solutions and their partner H2O Networks (an i3 group company) are currently building a fibre ring around the City of York for the Council to connect all its buildings with the provision of super fast bandwidth and the means to run voice, data and a proposed CCTV system. Following this initiative, further discussions have taken place between the Council with Fibrecity Holdings Limited to take forward a city-wide fibre optic network to which every premise (home and business) would be invited to opt in to have a direct 100Mbps connection. The multi-million investment to build this super fast network is to be made entirely by Fibrecity Holdings. The network is "open access" which means the i3 group has partnered with a number of service providers who will be offering their services over the Fibrecity network; Fibrecity is itself not a service provider. The current Government has outlined its proposed plans to ensure universal 2Mbps broadband to every household in the UK; clearly, a Fibrecity in York would ensure that the City substantially exceeds this target.

4. Under the proposal, all homes and businesses would be able to access telephone, TV and broadband via a "set top box" provided to the consumer by Fibrecity Holdings. This connection would also be capable of delivering local services from the Council and partner organisations direct to the home or business. There is therefore the potential for the Council and partners to use the network for a range of services direct to the customer, for example online learning, telecare, e-transactions, communication, consultation and engagement. There is already some interest from partners in connecting to the current development of the fibre ring. Fibrecity Holdings is currently developing these services in Bournemouth and Dundee; this raises the possibility for York to be the first Fibrecity in the North of England. The i3 Group has pioneered the use of ready-made ducts including the sewer system to lay fibre optic cable where feasible, this allows networks to be established up to 90% faster and 90% more cost efficiently than using traditional road digs, also resulting in considerably less traffic disruption to the local area while the network is being built. The next stage of feasibility work in developing the network will need to consider the potential for using the sewer system further in York so that disruption can be minimised. A productive working arrangement has

already been established with the Council`s highways engineers regarding the current development of the fibre ring.

5. To progress this initiative in York, Fibrecity are requesting that the City of York council sign a Memorandum of Understanding which at this stage commits both parties only to investigating the feasibility of building the Fibrecity York network; it has been requested that this is signed by the end of March. This does not commit either side at this stage to building the Fibrecity network and allows for either party to break the agreement without any financial implication. In essence, it will require the Council to work with Fibrecity Holdings to plan the network and support public relations activities to promote the positive impact this initiative will have for residents and businesses. It is estimated that the feasibility work will take approximately 6 months to complete; building the network across the City is likely to take a further 2 years.

Options

6. The Executive are requested to either endorse the proposal to enter into a Memorandum of Understanding with Fibrecity Holdings regarding the feasibility of developing a Fibrecity network, or not to do so. It is recommended that the first option is adopted.

Corporate Priorities

7. The recommendation set out in this report support several elements of the Sustainable Community Strategy and the Council`s Corporate Strategy. The option to connect all businesses to super fast broadband is of particular benefit in building competitive advantage to support local businesses in line with the Thriving City strategic objectives. The multi million pound investment will itself lead to significant job creation in developing the network, and a small number of jobs thereafter in promoting awareness and take-up of service provision. Similarly, the provision to all homes supports Inclusive City strategic objectives. The opportunity to provide services direct to homes and businesses will also be beneficial in relation to all other key strategic themes.

Implications

Financial

8. The direct costs of the Fibrecity network costs will be the responsibility of Fibrecity Holdings. There will be a requirement to devote existing staff time to assist in the planning of the network and promoting awareness of the positive impact this initiative will have for residents and businesses.

Human Resources (HR)

9. None directly from this report.

Equalities

10. This initiative will seek to address equalities issues, particularly through the option to connect all homes in the city, potentially addressing issues related to the “digital divide”.

Legal

11. The Memorandum of Understanding (MOU) at this stage commits the Council and Fibrecity / i3 only to investigating the feasibility of building the Fibrecity York network; it has been requested that this is signed by the end of March. This does not commit either side at this stage to building the Fibrecity network and allows for either party to terminate the MOU without any financial implication.

Crime and Disorder

12. This initiative could potentially to address crime and disorder issues through improved building security measures being available through service providers.

Information Technology (IT)

13. The proposal has a strong strategic fit with the Council`s fibre zone initiative and builds upon the working relationships established with H2O/Pinacl.

Property

14. There are no direct property implications, although the outcome from the work may enhance the Council`s commercial portfolio.

Risk management

15. At this stage there is limited risk as there is no direct Council funding required and the commitment being sought is to support the feasibility work to develop the Fibrecity network. If this goes ahead, there remains no direct financial commitment required from the Council. The initiative is one of partnership with the Council effectively being asked to give its endorsement to the development of the network. The risks therefore relate to any concerns about damage to the Council`s reputation for reasons such as a delay in delivery of the network or a lack of appropriate service providers taking advantage of this. Fibrecity is currently being developed in Bournemouth and Dundee; the lessons of this experience will mitigate against these risks.

Recommendations

16. That the Executive endorses the proposal set out in this report and agrees to enter into the Memorandum of Understanding with Fibrecity Holdings to examine the feasibility of establishing a Fibrecity network in York with the objective of giving every business and home the option to have a free fibre connection with speeds of 100Mbps.

Reason: To support the strategic objectives of the Sustainable Community Strategy and Corporate Strategy.

Contact Details
Authors:
Roy Grant,
Head of IT
01904 551966

Roger Ranson
Assistant Director, Economic Development and Partnerships
01904 551614

Chief Officer Responsible for the report:

Ian Floyd
Director of Resources

Bill Woolley
Director of City Strategy

Report Approved: √ **Date:** 19 March 2010

For further information please contact the author of the report

Wards affected – ALL

Specialist implications officer
Financial: Patrick Looker, Finance Manager, 551633