

## Notice of a public meeting of

### Executive

**To:** Councillors Douglas (Chair), Kilbane (Vice-Chair), Kent, Lomas, Pavlovic, Ravilious, Steels-Walshaw and Webb

**Date:** Tuesday, 12 May 2026

**Time:** 4.30 pm

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

### A G E N D A

#### **Notice to Members – Post Decision Calling In:**

Members are reminded that, should they wish to call-in any decisions made on items\* on this agenda, notice must be given to Democratic Services by **4.00 pm on Tuesday, 19 May 2026**.

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

#### **1. Apologies for Absence**

To receive any apologies for absence.

#### **2. Declarations of Interest**

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on

this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

(1) *Members must consider their interests, and act according to the following:*

<b>Type of Interest</b>	<b>You must</b>
<i>Disclosable Pecuniary Interests</i>	<i>Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Directly Related)</i> <b>OR</b> <i>Non-Registrable Interests (Directly Related)</i>	<i>Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Affects)</i> <b>OR</b> <i>Non-Registrable Interests (Affects)</i>	<i>Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being:  (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and  (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.  In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate</i>

	<i>in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i>
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- (2) *Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (3) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*

### **3. Public Participation**

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

**Please note that our registration deadlines are set as two working days before the meeting, in order to facilitate the management of public participation at our meetings.**

The deadline for registering at this meeting is **5.00pm on Friday, 8 May 2026.**

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

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

**4. Minutes** (Pages 7 - 20)

To approve and sign the minutes of the Executive meeting held on 14 April 2026.

**5. Forward Plan** (Pages 21 - 26)

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

**6. York Christmas Market Operating Hours and Economic Impact** (Pages 27 - 78)

To receive a report from the Director of City Development setting out a strategic approach to events and accessibility of the city centre. It follows further discussions with North Yorkshire Police and Counter Terrorism Security Advisors since the April Executive meeting. The options and recommendations have been reviewed and refined.

**7. Urgent Business**

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

**Contact details:**

Guy Close, Democratic Services Manager

Mobile – (07922) 517103

E-mail – [guy.close@york.gov.uk](mailto:guy.close@york.gov.uk)

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

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

Contact details are set out above.

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

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City of York Council

Committee Minutes

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Meeting	Executive
Date	14 April 2026
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Kent, Lomas, Pavlovic, Ravilious, Steels-Walshaw and Webb
In attendance	Councillor Ayre (Opposition Group Leader)

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**215. Chair's Opening Remarks**

The Chair welcomed Richard Webb, Chief Executive, to his first Executive meeting.

**216. Apologies for Absence**

There were no apologies for absence.

**217. Declarations of Interest**

Councillor Douglas declared a pecuniary interest in relation to agenda item 7, York Christmas Market Operating Hours and Economic Impact, in her capacity as a Director of Make it York Limited. She left the meeting during the consideration of this item and did not vote.

**218. Reordering of Agenda Items**

The Chair advised that there was to be a change to the agenda running order. Agenda item 7, York Christmas Market Operating Hours and Economic Impact, was to be considered before agenda item 6, York Carers Strategy 2026-2032.

**219. Public Participation**

The Leader of the Council reported that nine written representations had been submitted in advance of the meeting. The representations were all in relation to agenda item 7, York Christmas Market Operating Hours and Economic Impact. These had been taken into account and published on the Council's website.

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

Flick Williams spoke remotely in relation to agenda item 7, York Christmas Market Operating Hours and Economic Impact. Flick welcomed the proposal to close the Christmas Market for one day a week. That it was essential to give blue badge holders access to banks and building societies during the six-week period to avoid them having to drive significant distances to other towns and cities to obtain in-person financial services. It would also mitigate pernicious social isolation, the effects of which were exacerbated during the festive season. It was felt that the clamour of business interests ready to oppose this initiative was unedifying. It showed a disregard for disabled and older people and was indicative of the many barriers faced in being regarded as customers of equal value.

Rob Collins spoke in relation to agenda item 7, York Christmas Market Operating Hours and Economic Impact. Rob was a local business owner and had a cafe on Parliament Street. He reported that he was very supportive of the Christmas Market and so were his customers that he spoke to. That the proposal to lose a day would be disastrous. Whilst he acknowledged the council's good intentions and the need to be inclusive there was some concern that no-one was asking the important questions for fear of being falsely branded as non-inclusive. That in 2025 the Christmas Market opened later at 10.30am to allow blue badge holders extra time to travel around the city. And the effect of that was massive. That proposed measures with far-reaching consequences must be supported with compelling data.

Louise Harris-Collins spoke in relation to agenda item 7, York Christmas Market Operating Hours and Economic Impact. Louise was part of the food and drink traders at the Christmas Market. It was reported that Make it York had worked hard to ensure that the majority of traders were York-based, local independent traders that employed local people and reinvested back into the city. That the impact of closing for a day went beyond the financial impact on traders. It would have a profound effect on staffing. Although it was a five-week Christmas Market, it was an all-year-round business for many traders. That the far-reaching impact of losing one of those seven days per week was not simply an inconvenience. It was truly terrifying. York was voted the best Christmas Market in the UK and remained a huge asset to the city. The Council needed to get behind and

support it. That the suggested change would dramatically affect the reputation of the market and the city.

Simon Long spoke in relation to agenda item 7, York Christmas Market Operating Hours and Economic Impact. Simon was the owner of Shambles Kitchen, a proud York resident and one of the longest serving traders on the Christmas market. He was representing not just himself, but 30 permanent staff who relied on him for their income. He stated that he could not afford to lose a day's trade knowing the impact on payroll for event staff long after the market had closed. That the Christmas Market had changed a lot over the years. Closing time used to be 9.00pm at the weekend. It had been reduced to 7.00pm in 2024 and very few people were aware of this. Visitors had driven miles to spend the night at the Christmas Market in York, only to find out it was closed. There was concern how people across the country were to be pre-warned not to come to York on specific days if they wanted to visit the Christmas Market.

Nick Miller spoke in relation to agenda item 7, York Christmas Market Operating Hours and Economic Impact. Nick was a food store operator and was on-site every day at the Christmas Market. He reported that last year his business received a record number of applicants wanting to work for them. He was proud to support new team members, giving them the opportunity to work and contribute at the Christmas Market. To close one day a week would stop the whole production and have a massive impact on the business and the amount of people that they could afford to employ on the shop floor and behind the scenes.

## 220. Minutes

**Resolved:** That the minutes of the Executive meeting held on 3 March 2026 be approved and then signed by the Chair as a correct record.

## 221. Forward Plan

It was noted that at the time of agenda publication there were no items scheduled on the Forward Plan for the Executive Meetings in May and June 2026.

**222. York Christmas Market Operating Hours and Economic Impact**

Councillor Douglas left the meeting during the consideration of this item. Councillor Kilbane took the Chair. (Minute no. 217 refers)

The Director of City Development submitted a report which presented a strategic approach to events and accessibility of the city centre.

A copy of the Human Rights Equity Assessment (HREAT) was attached as an annex to the report.

The following officers were in attendance for this item:

- Garry Taylor, Director of City Development
- Ben Murphy, Head of City Development
- Bryn Roberts, Director of Governance and Monitoring Officer (remote attendance).

The Deputy Leader of the Council reported that late information had been submitted on the day of the meeting by North Yorkshire Police. The Monitoring Officer was invited to provide an update and advise on how best to proceed. The Monitoring Officer advised that the information set out a different interpretation of the advice that had previously been provided by counter terrorism policing. The information had an impact on the options presented in the report, particularly in relation to additional liability and risks. It was therefore recommended that the item be deferred to a future Executive meeting to enable proper consideration of the information that had been submitted.

**Resolved (unanimously):** That the item be deferred to enable the proper consideration of further information and advice received from North Yorkshire Police on 14 April 2026.

**223. York Carers Strategy 2026-2032**

The Corporate Director of Adult Social Care and Integration submitted a report which sought Executive approval of the York Carers Strategy 2026–2032.

The following annexes were attached to the report:

- Annex A: York Carers Strategy 2026–2032
- Annex B: York Unpaid Carers Consultation Report
- Annex C: Human Rights and Equity Analysis Tool (HREAT).

The following officers were in attendance for this item:

- Michael Melvin, Director of Safeguarding Adults
- Harriet Smith, Integrated Commissioning Lead.

The Executive Member thanked all those involved in developing this piece of work. The consultation focussed on ensuring that unpaid carers had their voices heard and received the help and support they needed. That by taking part in the consultation, carers had directly influenced the support that was to be offered to those who provided care in York. Carers had explained the impact on their own health, their finances, their work and their ability to live their own lives. The aim was to make things as effective and supportive as possible.

It was reported that the consultation was open not only to carers, but also for the people they cared for, volunteers who supported carers, employers of carers and former carers. Their insight formed the basis of how to change, improve, and maintain the support that mattered most. Partners across the system were already beginning to formulate the new strategy that identified what support carers needed and how to strengthen and expand what existed.

**Resolved (unanimously):** That Executive approves the York Carers Strategy 2026-2032.

**Reason:** To provide a clear, co-produced framework for improving support to carers, aligned with statutory duties, corporate priorities and the Council's improvement work following the CQC assessment.

#### **224. Plan-making activity and Local Plan Review**

The Director of City Development submitted a report which presented a revised and accelerated approach to refreshing York's Local Plan.

The following annexes were attached to the report:

- Annex A: Plan-making Activity Schedule
- Annex B: Overview of Legislative changes
- Annex C: Statement of Community Involvement (SCI)
- Annex D: Statement of Community Involvement Consultation Statement.
- Annex E: Equalities Impact Assessment (EIA).
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The following officers were in attendance for this item:

- Garry Taylor, Director of City Development
- Alison Cooke, Head of Strategic Planning Policy.

The Executive Member highlighted the important development of the Local Plan. That it was a substantial piece of work which identified spatial growth and avoided speculative development. The review also ensured compliance with any changes in legislation and planning policy.

**Resolved (unanimously):**

That Executive

- i) Approves and publishes the Plan-Making Activity Schedule, inclusive of the Local Plan Timetable (Annex A of the report);
- ii) Approves formal notification of plan-making by June 2026 with delegated authority to the Director of City Development to issue the notification;
- iii) Approves the Statement of Community Involvement (Annex C of the report);

**Reason:** To enable the Council to benefit from government funding for local planning authorities that commit to start their local plans by 30 June 2026 and complete Gateway 1 by 31 October 2026 in accordance with the requirements of the Town and Country Planning (Local Planning) Regulations 2026 and legislative framework.

- iv) Delegates authority to the Director of City Development, in consultation with the Member for Housing, Planning and Safer Communities:
  - a) To approve and update, when necessary, a Local Plan Consultation and Engagement Strategy;

- b) To approve updates to the Local Plan timetable, when necessary;
- c) To approve and publish the statutory 'scoping stage' consultation;
- d) To approve, publish and submit the required documents and statements for statutory Gateways 1, 2 and 3;
- e) To approve all evidence documents, reports and supporting data and analysis for publication;
- f) To formally submit the proposed City of York Local Plan for Independent Examination once Gateway 3 is successfully completed.

**Reason:** To ensure the efficient delivery of the local plan programme and timely decision-making during the 30 months preparation period and its submission following completion of the formal stages of preparation.

- v) Authorises Officers to prepare a work programme for discussing Local Plan preparation at Planning Policy Advisory Group.
- vi) Instructs Officers to report to Executive for approval on the proposed Local Plan content and evidence for statutory consultations during the 30-month preparation period.

**Reason:** To ensure detailed political oversight and consideration at key stages of the local plan programme.

- vii) Delegates approval of consultation strategies for non-statutory guidance to the Director of City Development.

**Reason:** To continue effective implementation of the adopted Local Plan (2025)

## 225. **Housing Delivery Programme Delivery Strategy**

The Director of Housing and Communities and Director of City Development submitted a joint report which sought approval for a new long-term Delivery Strategy.

The following annexes were attached to the report:

- Annex A: Homes England Healthy Homes Standard
- Annex B: Human Rights and Equity Analysis

- Annex C: Data Protection Impact Assessment (DPIA) Screening Checklist.

The following officers were in attendance for this item:

- Garry Taylor, Director of City Development
- Pauline Stuchfield, Director of Housing and Communities
- Zoe Dunn, Head of Housing Delivery.

The Opposition Group Leader expressed concern that there had not been an opportunity for scrutiny to consider the approach set out in the report. It was suggested that the item be referred to scrutiny to enable a full analysis of how housing was delivered on council sites, focussed on lessons learned from sites already delivered, best and worst practice from elsewhere, and a full and detailed options analysis.

The Executive Member reported that a previous procurement exercise had been unsuccessful. That there was a need to consider alternative strategies, which had resulted in the procurement of a strategic partner. The proposed approach involved the biggest council housing programme that had been seen in a generation. It provided 100% affordable housing to meet the needs of a hard pressed and growing population.

**Resolved (unanimously):**

That Executive

- a) Approves the Delivery Strategy for the HDP, including an initial phase of five sites (Ordnance Lane, Castle Mills, Willow House, Lowfield Plot A and Manor School), via the appointment of a long-term Strategic Delivery Partner and client-side multidisciplinary professional team.
- b) Agrees that the Delivery Strategy, subject to future Executive approvals, may be used to support the delivery of additional sites in the HDP, as well as strategic sites that may come forward through the Council's wider asset programmes and One Public Estate partnership work, including major public-sector land opportunities and significant brownfield regeneration schemes.
- c) Approves that prior to entering into any major construction contract in the HDP, a business case will be brought back to Executive for approval.

- d) Agrees to delegate authority to the Director of Housing and Communities and/or the Director of City Development (as appropriate based on the site) (in consultation with the Director of Finance and the Director of Governance) to take such steps that are necessary to procure and appoint the Strategic Delivery Partner, multidisciplinary professional team, and demolition of buildings at Willow House, and to determine the provisions of and enter into the resulting contracts (including any and all partnership agreements, pre-construction services agreements and early / minor / enabling / demolition works contracts) and any other necessary legal documentation (including any and all planning agreements and/or highways/land agreements as required; however, for the sake of clarity this delegation is not for any requirements of either the Local Planning and/or Highways Authority), and the provisions of any subsequent modifications and/or extensions thereto, in accordance with the Council's Financial Regulations set out in Appendices 10 and 10a of the Constitution (the "Finance Regs"), the Contract Procedure Rules set out in Appendix 11 of the Constitution (the "CPRs") and (where applicable) the Procurement Act 2023 (the "Procurement Act") and the Public Contract Regulations 2015 (the "PCRs"), within approved budgets and subject to the availability of funding.
- e) Agrees to delegate authority to the Director of Housing and Communities and/or the Director of City Development (as appropriate based on the site) (in consultation with the Directors of Governance and Finance) to agree and enter into any land assembly, access, highways, easement, wayleave, title regularisation, or minor freehold/leasehold disposal necessary to deliver individual schemes (and the provisions of any subsequent modifications and/or extensions thereto), where consistent with an Executive-approved business case and statutory requirements.
- f) Agrees to delegate authority to the Director of Housing and Communities and/or the Director of City Development (as appropriate based on the site) to negotiate and enter into any Section 106, Section 278, Section 38, utilities, adoption, estate management, collaboration or development agreements required to implement schemes (and the provisions of any subsequent modifications

and/or extensions thereto), following Executive approval of the relevant business case.

- g) Agrees to delegate authority to the Director of Housing and Communities and/or the Director of City Development (as appropriate based on the site) (in consultation with the Director of Finance and the Director of Governance) to undertake feasibility and due diligence work on additional sites in the pipeline, and to bring forward scheme-specific business cases to Executive for decision on inclusion in the Partnership.
- h) Agrees to delegate authority to the Director of Housing and Communities and/or the Director of City Development (as appropriate based on the site) (in consultation with the Director of Finance and the Director of Governance) to determine the provisions of and enter into any resulting grant funding agreements and/or Memorandums of Understanding with any external funders, and the provisions of any subsequent modifications and/or extensions thereto, to ensure compliance with the Subsidy Control Act 2022, the Finance Regs and the CPRs.
- i) Approved the change from the Passivhaus-certification requirement for new homes to the adoption of the core requirements within the Homes England Healthy Homes Standard, and Future Homes Standard, as well as consideration of enhancements.
- j) Notes the availability of Compulsory Purchase Order (CPO) powers, and to receive further reports (should they be required) in respect of any potential CPOs which may be required to facilitate the delivery of the schemes.

**Reasons:**

- To ensure any works and/or services are procured in compliance with the Finance Regs, the CPRs, and (where applicable) our statutory duties under the Procurement Act 2023 and the Public Contract Regulations 2015.
- To ensure that any grant funding arrangements are entered into in compliance with the Subsidy Control Act 2022, the Finance Regs and the CPRs.
- To approve the Delivery Strategy and associated appointments, providing a single, programme-based route to secure capacity, continuity and best value through a Strategic Delivery Partner and client-side multidisciplinary team.

- To confirm the inclusion of the first phase of sites within the Partnership, ensuring a clear and sequenced pipeline that can be managed efficiently on a programme basis.
- To enable early feasibility work on wider strategic development opportunities, including sites emerging through One Public Estate and major brownfield regeneration schemes, and to ensure that any proposal to include such sites in the Partnership is supported by a business case brought to Executive for decision.
- To endorse site-by-site contract awards and programme phasing, preserving CYC control and flexibility to respond to market conditions and affordability while maintaining delivery pace.
- To require updated scheme-specific business cases for Executive approval prior to entering major construction contracts in the HDP, strengthening governance, affordability and risk management at each gateway.
- To enable the Council to assemble and manage land, infrastructure and property interests necessary for scheme delivery, ensuring legal, planning and operational readiness.
- To allow the Council to enter into grant funding, infrastructure, highways, utilities and development agreements needed to implement individual schemes efficiently and in accordance with statutory requirements.
- To support timely and coordinated delivery of the HDP by providing appropriate delegations to progress activity.
- To ensure that schemes can be delivered in line with Executive approved business cases, the Council Plan, and the wider objectives for affordable housing, regeneration, social value, economic inclusion and climate action.
- To adopt the Homes England Healthy Homes Standard and Future Homes Standard to maintain high-quality, low carbon design while ensuring schemes remain deliverable and financially sustainable.

## **226. 2026/27 Ward Funding Allocation**

The Director of Housing and Communities submitted a report which asked Executive to approve the method of allocating ward funding.

The following annexes were attached to the report:

- Annex A: Ward Funding Model Options A-E
- Annex B: Detailed Ward Funding Allocation Models
- Annex C: Differing % for deprivation analyses on Model A
- Annex D: Differing %'s for deprivation analyses on Model D.

Pauline Stuchfield, Director of Housing and Communities, was in attendance for this item.

The Executive Member highlighted the importance of ward funding, which enabled local organisations to undertake positive work across the city. That it was right to prioritise funding based on levels of deprivation to provide greater levels of support to those who needed it most.

**Resolved (unanimously):**

That Executive approves

- a) Model D (7) for implementation for the next financial year.
- b) Enhancement of the ward funding arrangements as outlined in paragraph 30 of the report:
  - Structured ward funding bid programmes held on a quarterly basis followed by City Wide Funding releases.
  - Flexibility to carry forward projects and funding at year end:
    - 1) To continue to allow approved projects not yet started to be carried forward into the new financial year (this has been in place since 2024/25); and
    - 2) To allow 20% of the year's budget to be carried over at the end of the financial year so if there is insufficient funding for an application at year end, it can be topped up from the following year.
    - 3) Publication of all ward funding decisions on ward web pages to demonstrate to residents how the money had been spent each year.

**Reason:** To ensure that ward allocations meet Council Plan priorities and methodologies around allocations and delivery are transparent to residents and stakeholders.

**227. Urgent Business**

There were no urgent items of business to consider.

Councillor Douglas, Chair

(The meeting started at 4.30pm and finished at 5.55pm).

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**Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 2 June 2026**

<b>Title and Description</b>	<b>Author</b>	<b>Portfolio Holder</b>
<p><b>EV Back Office Contract Replacement</b></p> <p><b>Purpose of report:</b> Replacement of contract to allow continued operation of the public EV charging network for a further 5+3 years.</p> <p>Executive will be asked to approve the procurement of a new back office and maintenance contract to replace the existing, defaulted contract, offering an extended term totalling 8 years from commencement of the contract.</p>	<p>Director of Environmental and Regulatory Service</p>	<p>Executive Member for Transport</p>
<p><b>Make It York Limited – Service Contract Renewal Options</b></p> <p><b>Purpose of report:</b> The report sets out the service contract renewal options for Make It York Limited (Council Teckal company), as the current contract expires in September 2026. It also sets out a future service level agreement.</p> <p>Executive will be asked to approve the recommendations that include the term of a new contract for Make It York.</p>	<p>Director of City Development</p>	<p>Deputy Leader of the Council and Executive Member for Economy and Culture</p>

<p><b>Commissioning of additional drug and alcohol support service</b></p> <p><b>Purpose of report:</b> Through the consolidated public health grant awarded to York for 2026/27, a ringfenced resource must be used to fund drugs and alcohol services in order to meet the government’s target of a world-class treatment, prevention and recovery system.</p> <p>Executive will be asked to approve the variance to the current contract the council holds with Change Grow Live (CGL) Services, which commenced in July 2024 following a competitive tender process. This will enable resource received by the council to be passed on to CGL in order to meet strategic objectives around drug and alcohol harm.</p>	<p>Director of Public Health</p>	<p>Executive Member for Health, Wellbeing and Adult Social Care</p>
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**Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 7 July 2026**

<b>Title and Description</b>	<b>Author</b>	<b>Portfolio Holder</b>
<p><b>Finance and Performance Outturn</b></p> <p><b>Purpose of report:</b> To provide Executive with the year year-end position on both finance and performance.</p> <p>Executive will be asked to note the contents of the report.</p>	Director of Finance	Executive Member for Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion
<p><b>Capital Programme Outturn</b></p> <p><b>Purpose of report:</b> To provide Executive with the outturn position on the capital programme.</p> <p>Executive will be asked to note the contents of the report and recommend to Full Council any changes as appropriate.</p>	Director of Finance	Executive Member for Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion

<p><b>Treasury Management 2025/26 Outturn</b></p> <p><b>Purpose of report:</b> The strategy will be approved by Safer York Partnership (Statutory Community Safety Partnership) and this report will recommend the endorsement of the Strategy.</p> <p>Executive will be asked to note the contents of the report.</p>	<p>Director of Finance</p>	<p>Executive Member for Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion</p>
<p><b>Safer York Partnership Community Safety Strategy 2026-29</b></p> <p><b>Purpose of report:</b> To provide Executive with an update on the Treasury Management position.</p> <p>Executive will be asked to note the contents of the Strategy and to commit to ensuring that City of York Council will continue to support its delivery through the work of services contributing to each of the Strategic Priorities outlined within the Strategy.</p>	<p>Director of Housing and Communities</p>	<p>Executive Member for Housing, Planning and Safer Communities</p>

<p><b>Annual Housing Report 2025/26</b></p> <p><b>Purpose of report:</b> To provide Executive with an overview of the housing landlord service over the previous 12 months and set priorities for the coming year. The report will cover the recent judgement for the Regulator of Social Housing against statutory Consumer Standards, and related plans for the coming 12 months plus approval of the local Allocations Policy.</p> <p>Executive will be asked to:</p> <ul style="list-style-type: none"> <li>• Note the review of performance over the previous 12 months</li> <li>• Note the judgement by the Housing Regulator, ongoing priority work and action plans</li> <li>• Approve the revised Allocations Policy.</li> </ul>	<p>Director of Housing and Communities</p>	<p>Executive Member for Housing, Planning and Safer Communities</p>
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<b>Meeting:</b>	Executive
<b>Meeting date:</b>	12 May 2026
<b>Report of:</b>	Garry Taylor, Director of City Development
<b>Portfolio of:</b>	Councillor Claire Douglas, Leader of the Council

## York Christmas Market Operating Hours and Economic Impact

### Subject of Report

1. At the March 2026 Executive, Members considered a report on City centre events and a Permanent **Anti-Terrorism Traffic Regulation Order** (“ATTRO”). The report set out a strategic approach to events and accessibility of the city centre.
2. As well as agreeing the report’s recommendations, Members asked ‘that further work be undertaken to establish the viability of ensuring greater access, rest days and times during the Christmas Market’. The desire is to explore opportunities for residents, visitors and disabled people to have additional time over the Christmas period to enjoy the city centre and access shops and facilities over this time, and for this to be explored specifically through the running of the Market on 6 days of the week as opposed to 7 days as currently.
3. With underlying seasonal increases in footfall experienced across the city at this time of year, the Christmas Market is the busiest of the city centre’s events by some way. Creating time during this busy period for residents and visitors to quietly enjoy the city centre, and access essential services will bring key benefits.
4. The March Executive report articulated at a high level the impacts of amending the hours of the Market. These included: improved accessibility of the city centre; changes to footfall, overnight stays and spend; impacts on servicing and deliveries for city centre businesses; and loss of income to the Council and **Make it York** (“MIY”) (with potential for implications for service delivery). A subsequent report to the April Executive meeting further

considered options around changes in Christmas Market hours, and their associated effect, including more detailed analysis of the economic impact for the city. Unfortunately, however, due to ongoing discussions with **North Yorkshire Police** (“NYP”) and **Counter Terrorism Security Advisors** (“CTSA”), it was agreed that further due diligence would need to be undertaken by senior council officers including the new Chief Executive, and that the proposals would be considered further at a future Executive meeting.

5. Following further discussions with NYP and CTSA, the options and recommendations have been reviewed and refined. These are presented in the context, set out previously, of a need to improve the accessibility of the city centre (including for disabled residents) in line with corporate policy, whilst reflecting its critical importance as a key hub for social, cultural, knowledge exchange, and commercial activity, and balancing this with the need to ensure public safety.

## Background

6. In March 2026, Executive agreed to the principle of maintaining a wide range of City Centre events and managing their impacts over the short, medium, and long term through improvements to how they are accessed, managed and operated, and how city centre infrastructure operates.
7. A short-term package of measures to improve accessibility was approved by Members as part of an ongoing process to improve access. Options for reduced or amended hours of operation were previously considered as part of the 2025 event planning as summarised in the [November 2024](#) and [October 2025](#) Executive Papers. These resulted in the approach ultimately adopted of delaying commencement of the Market from its usual 10am to 7pm operating hours to instead commence at 10.30am (aligning with the start of foot street hours under the permanent **Traffic Regulation Order** (“TRO”) for the area) and maintaining the 7pm closure.

## Benefits and Challenges

8. City Centre events drive significant footfall and activity in York, sustaining and underpinning its retail, food & beverage and social offer, bringing people together and driving vibrancy and

attractiveness. The Christmas Market event in particular is very successful, and generates significant footfall in its central location, with visitors also spending time and money in the broader city centre across retail, food and beverage, and many visitors to the market staying overnight. Travel to the city centre at this time supports bus and rail services and generates parking revenue that supports investment in highway and transport infrastructure.

9. With the market having been held for many years, and its length having extended over time, it is difficult to disaggregate the footfall and trade generated by the market itself from that of the broader city centre at this busy time of year, to allow assessment of the market's economic impact. Looking at overall footfall figures an uplift over the time period is clearly discernible, although the degree to which this is driven by seasonal shopping patterns or the market itself is less clear:

Table 1: BT Active footfall data

	<b>Average daily footfall 2025</b>	<b>Average Daily Market Footfall 2025</b>	<b>Increase on Market Days</b>
<b>City Centre</b>	101,032	117,383	16%

10. With **Hostile Vehicle Measures** (“HVM”) protecting an area covering much of the city centre, and the statutory need to consider and protect events from terrorist attack including **Vehicle as Weapon** (“VAW”) attack, many city centre users are unable to access essential services and activities in the centre when events are operating; even outside of events, due to the configuration of the city centre, accessibility is reduced. Previous reports have principally considered the needs around mobility access such as Blue Badge holders, but a broader spectrum of our community is impacted, with the events having the potential to marginalise those with a wide range of physical and non-physical conditions.
11. As well as those with protected characteristics summarised above and set out in the Annex 1 **Human Rights Equity Assessment** (HREAT), the Christmas Market also impacts wider residents and visitors to the city, with disruption and increased footfall putting some off from visiting the centre. Reducing the hours or days of operation would also bring benefits to these residents and visitors – a day closure option could see the city centre being used as a

rest day, with opportunities to come together, access shops and services and quietly enjoy the city centre.

12. Should the 'rest day' option be preferred, proactive and effective communication of any changes to the hours or days of operation will be essential to avoid reputational damage to the city from people still visiting when the market is not operating.

## **Policy Basis for Decision**

13. The 10-year Council Strategies sets a vision that everyone can benefit from and take pride in the city, with the Council Plan setting a priority that the Council will set the conditions for a healthier, fairer, more affordable, more sustainable, and more accessible place where everyone can feel valued.
14. This vision sets a clear policy that "an accessible place" is a priority for the Executive. The Executive has set out Four Core objectives in the Council Plan to support the delivery of their vision. One of which is: "Equalities and Human Rights – Equality of Opportunity – We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities."
15. The Council's Local Transport Strategy establishes a vision by 2030 of an 'accessible, affordable and resilient transport network', and a city that is accessible to everyone. The Council's 10-year Economic Vision seeks to promote a vibrant and resilient city centre economy, supporting the city's strong independent businesses, and promoting inclusive growth. The My City Centre 10-year vision defines objectives including creating a welcoming and accessible city centre for all, ensuring the city centre meets the needs of residents and supporting economic vibrancy. These strategies recognise the importance of events within the city centre economy, and their role in supporting businesses and the visitor economy.
16. The Council has statutory responsibilities around community safety, security, and counter terrorism which shape how and what we deliver, and how we work with partners to ensure that objectives are met. City centre security infrastructure is seen as gold standard by partners, and robust working approaches and

practices have been established over a number of years to facilitate multi-agency coordination and delivery.

## Recommendation and Reasons

17. Executive are recommended to note the work to date and additional analysis presented in the report, and:
- i) to decide whether, on a trial basis for 2026, to progress a 6-day Christmas Market, with 10.30am to 7pm market operation on the operational days, and on the basis of the evidence presented, to select Tuesday as the rest day, and as part of this, on the rest day, to restrict Blue Badge access to the Goodramgate access loop only, with additional temporary Hostile Vehicle Measures to protect Church Street, Low Petergate and King's Square from vehicles;
  - ii) to seek a further report early in 2027 containing detailed analysis of the impacts and outcome of this trial;
  - iii) to establish an interface group between the Council and other necessary parties to ensure effective joint planning, risk assessment and mitigation, such group to include the Council's Chief Executive, Director of Governance, Director of City Development and other officers as appropriate in order that such group will undertake an ongoing process of dynamic risk assessment to prepare for, and assess, any serious risks which may emerge, and which could impact on the proposed arrangements for any of the days; and
  - iv) That the additional costs of temporary HVM set out at i) above be met from existing budgets.

**Reason:** To allow the trialling of an approach to providing improvements for residents, visitors and disabled people in accessing the City Centre through reduced operating hours, and in a way which is deliverable operationally, considers the safety and security of the city centre area, and minimises economic impacts to the city.

## Options Analysis and Evidential Basis

18. The principal considerations in the development of options relate to: operational matters (ability to service the city centre in terms of

deliveries, waste etc, and manage vehicles inside the area during controlled hours); security (potential risk of VAW, or **Improvised Explosive Device** (“IED”) terrorism attack); accessibility impacts (improvements to the ability of residents, visitors and disabled people to access city centre services); and economic impact (for the city as a whole).

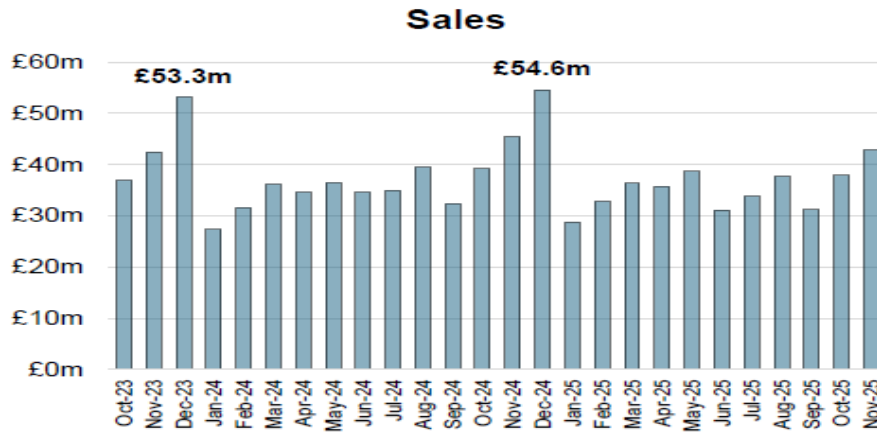
19. Additional operating hours scenarios have also been considered as part of the development of this report. The default operating model for the Market is for 7 days per week, between 10.30am and 7pm – this is the baseline operating model against which alternative scenarios should be considered. In addition to the 6-day option set out in the recommendations section above, the following scenarios have been considered and discounted:
  - 7-day operation with commencement further delayed (11am-7pm)
  - 7-day operation with reduced daytime hours and extended evenings (1pm-9pm)
20. Delaying commencement over 7 days to 11am would introduce a misalignment with the underlying TRO, which normally commences at 10.30am. It would also be unlikely to significantly impact volumes of market footfall, with the relatively small scale of change leading to significant volumes of people in the City Centre ahead of market opening, and an event still taking place in the day. The advice of security partners is that the city centre access restrictions would be very likely to be required at this time, nullifying any access benefits.
21. Delaying commencement over 7 days to 1pm and extending the evening hours to 9pm would also still result in an event taking place on the day, albeit with a later start. The views of security advisor partners would likely be that a closure to vehicular traffic would still be required in these circumstances, negating any accessibility benefits. Extending operating hours beyond 7pm would impact other businesses operations (including Shambles Market traders, who would be prevented from leaving the area under normal operations).
22. Reducing the Christmas Market to a 6-day operation could deliver improved accessibility to city centre users if the decision was taken by the Council to stand down the ATTRO measures on rest days. In this regard, and as in previous years, advice in relation to the

option presented has been sought from both CTSA and from NYP. In common with their previous advice, both CTSA and NYP consider that 7-day operation of the temporary ATTRO will provide the greatest security for the operation of the City Centre, notwithstanding the proposed introduction of a rest day for the Christmas Market.

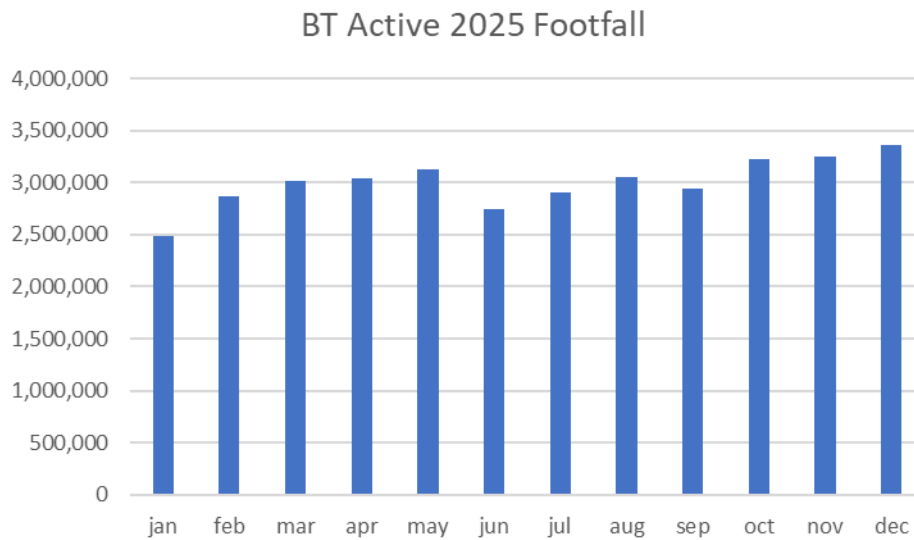
23. Counter Terrorism Security Advisors and NYP have been clear in their advice that the decision to reduce the operation of the temporary ATTRO to 6 days per week (excluding the proposed Christmas Market rest day) would be a decision for City of York Council to make based on the Council's threat, risk, and vulnerability assessment, and any associated risks will sit with City of York Council; their recommendation is that this issue should be recorded on the City of York Council corporate risk register.
24. As part of the 6-day option should it be progressed, in order to reduce risks associated with vehicular access, it is recommended that just the Blue Badge holders 'Goodramgate Loop' (between Deangate and King's Square, and Colliergate, but with Church Street not accessible) be operated, with the 'Lendal Loop' through Blake Street, St Helen's Square, Lendal stood down. This approach would reduce the number of interactions between vehicles and pedestrians by excluding the Lendal loop, and ensure that these take place in the location which has the lower risk profile and is operationally less complex to manage as a result of highways configuration.
25. As part of the use of the remaining Goodramgate loop, enhanced temporary HVM measures would be implemented to protect secondary streets off the Goodramgate access loop – these would comprise of three HVM rated lift arm barriers at the entrances to Low Petergate, Church Street, and Newgate/ Shambles, with a linear static barrier along the edge of the King's Square adjacent to Colliergate. This would result in increased costs to the administration of the Christmas Market, likely to be in the region of £50,000 for the hire and staffing of the temporary HVM. Such costs are currently unbudgeted, and would therefore need to be found from current budgets or contingencies. As part of the enhanced restrictions, and as agreed previously at Executive on [3<sup>rd</sup> March 2026](#) (decision b), provision of additional Blue Badge parking, including in locations associated with the Goodramgate access loop, is already being progressed.

26. It is, however, important to note that, irrespective of Members decision on the 'rest day', the Council, together with colleagues from both CTSA and NYP will continue to undertake a dynamic risk assessment process, in order to be able to respond to any evolving threats that may arise, and including factors such as the underlying national threat level. To that end, it is proposed that the Council establish a senior officer Group, comprising the Chief Executive, the Director of Governance, the Director of City Development, and such other senior officers as may be considered appropriate, together with relevant partners such as NYP, CTSA, MIY, and other affected parties, to consider information on a live basis, ensuring that identified threats are evaluated, and appropriate measures put in place to ensure the safety of the public. This process will continue throughout the operation of the Christmas Market, and measures may need to be put in place on 'rest days' in response to specific threats.
27. These mitigation measures, together with existing mitigations, will form part of the risk assessment for the temporary ATTRO operation in conjunction with the proposed 6-day operation.
28. The Christmas Market makes a significant contribution to York's economic performance, helping to contribute to the city's £2bn tourism and visitor economy, through driving footfall, overnight stays and high street spend. Anecdotal reports from MIY suggest a positive impact on the city economy in the region of £80m-£100m flowing from the Christmas Market.
29. The Council monitors spend through use of Beauclair data which captures debit card spend across retail tourism, entertainment, consumer services and transport. Spend is reported on a total monthly basis for the city centre area. The Council also monitors footfall in the centre through BT Active mobile data which is captured daily for the city centre area.
30. Beauclair spend data reveals seasonal spending patterns in common with the rest of the UK, with significant spikes in activity in the holiday periods, and most acutely spiking in November and December in the run up to Christmas. Figures for 2025 indicate monthly retail spend of £42.9m and £52.2m respectively for November and December. This is against year to date spend to November of £387m, with spend over these months accounting for around a quarter of the year's total. Not all spend is captured by

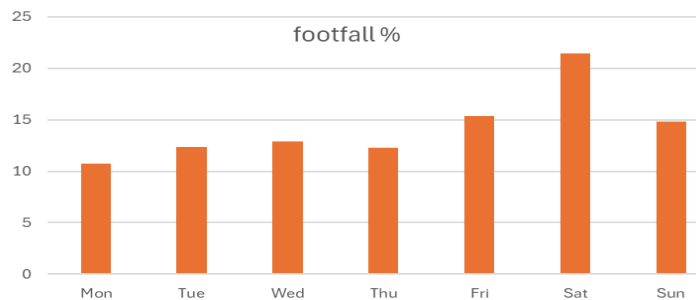
Beauclair, with cash sales, credit card and non-UK debit card transactions not captured.



- 31. BT Active footfall data shows broadly consistent patterns of footfall throughout the year, with December the busiest month, followed by November.



- 32. With daily data available from BT Active, heatmapping of footfall patterns throughout the days of the week is possible. This is shown below for the period over the 2025 Christmas Market period:



33. Dividing monthly Beauclair spend data against daily footfall data generates an estimate of how this total spend is profiled over the Christmas Market period. This suggests an average spend of £13.22 per person and £15.55 per person over November and December respectively. This data is high level, capturing all debit card spend (and footfall) in the city centre area, and it is important to note that:

- The footfall data captures all movement, including residents and workers, meaning that the average spend per person figure will be lower than the spend levels per person associated with leisure trips to the Christmas Market;
- Additional spend outside of the City Centre area will take place over this period;
- Spend per head will typically be higher over the weekend when greater leisure activity takes place, and therefore weekday spend may be overstated; and
- The Beauclair data does not capture remote payments made in advance including for overnight accommodation.

However, over the Christmas Market period as a whole for 2025 (13 November 2025 to 21 December 2025) this data generates a total City Centre spend figure of £66.24m.

34. Research by the British Retail Consortium indicates high street spend in the UK is typically comprised of around 67% debit card, 20% credit card and 12% cash payments. Applying these ratios would increase the total spend levels to £98.87m. BT active data also reveals around 3.63% of footfall in the city centre is international in nature; uprating spend for this figure generates a combined total uprated spend estimate of £102.46m (or £20.45 and £24.05 per person for November and December respectively).

35. Additional spend assessment has also been undertaken by MIY, drawing on survey responses to analyse spend, using:

PCP in person visitor survey data and MIY online visitor survey to derive daily spend per person – average £65.93;

- Christmas Market survey 2025 and Visitor Survey data to derive overnight accommodation spend per person – average £215.8 per person, with 44% of people staying overnight; and
- 2024 Christmas Market Visitor Survey to derive spend in wider city centre attractions – average spend of £38.71 per person.

36. The data overcomes some of the challenges of using Beauclair spend data as highlighted in paragraph 28, being specifically targeted to leisure visitors, and reflecting spend made in advance and outside of the city centre area. The data is drawn from small sample sizes though, and there is a high risk of duplication across the categories of spend, with the £65.93 average visitor spend very likely duplicating elements of that captured within the £38.71 spend in wider city centre attractions, and the overnight accommodation spend also incorporating elements of food and drink spend captured also in the wider visitor surveys. The data generates a total spend of £199.59 per person, against £20.45-£24.05 in the preceding analysis.
37. The two methodologies for assessing spend represent either end of a spectrum, with the Beauclair/BT Active data likely being understated (even when uprated), and the MIY data significantly overstated. Taking an average 'blended' rate across these two datasets as a most likely scenario is a proportionate way of assessing impact, this generates a spend of £106.99 per market visitor.
38. As stated previously in the report, it is difficult to disaggregate the degree to which footfall and spend is driven by the Christmas Market itself, or by the core city centre shops, services and attractions. To arrive at an estimate of this, the BT Active footfall levels over the first week of the 2025 Market (Thursday, 13 November to Wednesday, 19 November) have been compared to the levels for the week immediately prior to this (Thursday, 6 November to Wednesday, 12 November). This shows a 17.18% increase in footfall during the first week of the Christmas Market over the week before. Some of this increase will be a result of general uplift in city centre footfall in the pre-Christmas period with shopping activity increasing, and the popularity of the market as a factor will also likely increase in the run up to Christmas, but the rate is considered a reasonable estimate of the 'impact' of the Christmas Market on footfall in the absence of other data. Applied to the whole city centre footfall from BT Active over the market period, this rate would attribute 787,000 individuals to the Market's presence.
39. The table below presents the spend levels under the two appraisal methodologies (beauclair and visitor surveys), applied to this level of footfall, and generates the average blended rate across the two

methodologies, expressed over the whole Christmas Market period, which is explored further below.

<b>Footfall uplift</b>	<b>Spend (Beauclair)</b>	<b>Spend (Surveys)</b>	<b>Spend (blended)</b>
786,850	£17.61m	£157.05m	£84.18m

40. Profiling this blended spend throughout the week in line with 2025 City Centre footfall volume generates the following data over the full period of the Christmas Market's operation:

<b>Day of week</b>	<b>% Footfall</b>	<b>Resulting spend over Christmas Market period</b>	<b>Average spend per day</b>
Mondays	10.79	£9.05m	£1.62m
Tuesdays	12.4	£10.42m	£1.87m
Wednesdays	12.9	£10.85m	£1.95m
Thursdays	12.27	£10.35m	£1.86m
Fridays	15.33	£12.95m	£2.32m
Saturdays	21.47	£18.06m	£3.24m
Sundays	14.85	£12.5m	£2.24m
<b>TOTAL</b>	<b>100</b>	<b>£84.18m</b>	

41. These figures allow for a high-level understanding of how spend is spread over the week, to allow consideration of the impact of a rest day for the Market. On the basis of this data, Mondays are the quietest day of the week where economic impacts may be reasonably assumed to be smallest. However, Mondays have an important relationship with overnight stays, with many extending visits over the weekend and into a Monday, generating spend within the hospitality trade and supporting the sector. Mondays also see some closures or shortened operating hours amongst independent food and beverage outlets, cultural attractions, and banks, reducing the positive accessibility benefits that might flow from a rest day, in terms of ability to best use the city centre.
42. Tuesdays and Thursdays are the next quietest days of the week, with a similar estimated spend of £10.42m and £10.35m respectively. There is expected to be a degree of displacement of activity from the rest day to other days of the week when the market operates; if a Thursday were selected as the rest day, it might be expected that a significant proportion of this would displace to a Friday, adjacent to the weekend. This is an already busy weekday, when transport network congestion is heightened.

On this basis, and their broadly equivalent modelled economic impact, a Tuesday rest day would be preferential to a Thursday. This option is explored in more detail below.

43. It is difficult to establish the degree to which that element of footfall and spend which is generated just by the Christmas Market on the rest day would simply 'switch' to an alternative day of the week on which the market is operating (and therefore spend would be retained overall in the city centre). Sensitivity analysis has been undertaken and is summarised below to illustrate a range of scenarios in this respect. In terms of the degree of 'switching' of this footfall and spend to alternative days of the week rates of 25%, 50% and 75% have been modelled.

		<b>Resulting loss of spend (financial and as % of total Christmas Market period estimated spend)</b>
<b>% market users displaced to alternative days from the rest day</b>	<b>25%</b>	£7.82m 5.62%
	<b>50%</b>	£5.21m 3.75%
	<b>75%</b>	£2.6m 1.87%

44. This analysis shows an impact in the worst modelled scenario (where only 25% of those who would usually visit on a Tuesday decide to visit the city on an alternative day of the week), £7.82m of spend would be lost in the city centre over the market period (or 5.62% of the total City Centre Spend). These figures also do not allow for any uplift in general spend by residents etc., in permanent establishments, that would be generated by increased patronage of the city centre on rest days, which may be significant.
45. In terms of broader economic factors, it is important to note as well that the impact of the rest day option is anticipated to include the displacement of some trips to alternative days of the week. These additional trips on other weekdays would result in increased traffic volumes, with an impact on network operations, and an economic cost of delay (though accepting that the network operates at or over capacity already for much of the Christmas Market period). It is not possible to assess and monetise this impact at this time, but

as part of the trial nature of the recommended rest day, this could be assessed over the operation of the 2026 event.

46. The assessed range of economic impact is not insignificant, in both percentage and monetary terms, and would be felt across the City Centre economy where pressures are already being felt by businesses as a result of macro-economic conditions, rises in labour and fixed costs through factors including inflation and National Insurance changes, and impacted consumer demand. These are important factors that should be weighed when making a decision, against the benefits to residents, visitors and those with accessibility needs that will flow from any change.
47. As well as purely economic considerations, there are a range of wider factors too that must be taken into account in making a decision. There is a need to ensure that any changes to the hours of operation are very well communicated to guard against potential reputational damage to the city from visitors being unaware of rest days and visiting the city with the expectation that the market is operating. Make it York has a communication budget which can be deployed to this activity, and close working with the Council's Communications team would be proposed to maximise reach and impact. With the City Centre reverting to a 'Business as Usual' mode during the rest days, there would be a slight increase in operational staffing requirements for HVMs etc., however these requirements are achievable and financial costs are noted in the financial strategy section. The change would have an impact on the direct income generated by the event, and MIY have indicated that whilst this is manageable, there may need to be some reduction in services such as Visitor Information on rest days to accommodate this pressure.

## **Financial Strategy Implications**

48. The presented options and scenarios to amend the operating hours or days of the Christmas Market would have limited direct financial impact on the Council. Parking income could be impacted in some of the options presented, though council operated car parks already operate at capacity at key times over the Christmas period, and as noted in the report, the direct impact that the Christmas Market plays in driving activity at an already busy time of year is not readily determinable.

49. The Christmas Market plays an important function in the overall commercial performance of the City Centre. Maintaining a vibrant trading environment in the city is critical to attracting and sustaining city-centre businesses. A failure to effectively support city centre events could lead to a decline in York's high street.
50. The 'rest day' option will increase the accessibility of the city centre, and there is a likelihood that displaced Market visitors will visit the market on days when it is open, increasing the footfall and spend on those days. There would be additional operational costs associated with enhanced temporary HVM to the Goodramgate loop, which would result in additional costs in the region of £50,000, which is presently unbudgeted. This will need to be identified through either reprioritisation of existing budgets or through use of the Council's contingency.

## **Consultation Analysis**

51. Previous public consultation on Blue Badge access to the city centre received over 3,000 responses. The findings of this consultation were re-presented at Annex C of the October 2025 Executive report on Christmas Market. Further engagement has been undertaken since this time, with two specific engagement meetings in January 2026 (involving both York Disability Rights Forum and York Access Forum) at which the options to explore operating hours of the market in more detail were raised. Additional ongoing dialogue and conversations with key stakeholders, organisations and individuals has taken place to inform this report.
52. The rest day approach has been shared with York Access Forum and York Disability Rights Forum, who both broadly support the proposal for the rest day, and support was expressed by a public speaker at the April Executive meeting. Formal consultation on the proposed permanent ATTRO is also currently being undertaken and will be reported to Executive in due course.
53. Engagement has also been undertaken with business representative organisations and would be continued as proposals are worked up in more detail. Concerns have been flagged by some of these groups around the economic impact of changes, and the need for effective communications to avoid abortive visits on rest days. Some of these concerns were voiced by public

speakers and through written representations at the April Executive meeting.

## **Organisational Impact and Implications**

54. These are set out below:

### **Financial**

As set out in the body of the report, the potential direct financial impact to the Council is limited to the Council's car park income, staffing costs associated with running the markets, which are recharged to event operators where possible, and costs for temporary HVM. A trial run of the preferred approach for 2026 will allow for an analysis of the impact on the Council ahead of the permanent decision.

### **Human Resources**

There are no HR Implications contained within this report.

### **Legal**

It is understood that the proposals align with footstreet hours under the permanent TRO for the area. In the event of any amendments to any existing TRO being required they would need to be put into effect in accordance with the Road Traffic Regulation Act 1984 and any other relevant statutory procedures.

Guidance has previously been given in relation to the **Public Sector Equality Duty** ("PSED"), in the report to Executive in November 2024, and more broadly in relation to balancing rights under the Human Rights Act 1998, and the powers utilised in making an ATTRO, in the report to Executive in October 2025. That guidance is reproduced at Annex B for Members' assistance.

Members will be aware from previous reports that, in considering the balance to be struck between the various rights established under Schedule 1 ("the Schedule") to the Human Rights Act 1998 ("the Act"), the Executive must consider the 'absolute' (at least insofar as the Council is concerned) right to life, set out in Article 2 of the Schedule, against the 'qualified' rights to respect for private and family life, set out in Article 8 of the Schedule, and the freedom from discrimination, set out in Article 14 of the Schedule;

whilst it is the case that, under the Act, no order of precedence is set between the various rights, it is also the case that the Council cannot lawfully interfere with Article 2 rights, but can interfere with Article 8 and 14 rights providing due legal process is followed.

It is also the case that the Council has public safety responsibilities under the Occupiers Liability Acts 1957 and 1984, the Highways Act 1980, the Civil Contingencies Act 2004, and under tort law, requiring that we provide a safe environment for those to whom we owe a duty of care; these duties are particularly relevant in relation to the Article 2 rights mentioned above. These responsibilities are ever-present, and the mitigations put in place by the Council serve to reduce the associated risks. In this context, the existence of the ATTRO provides a significant mitigation on those days when it is in operation; for 'rest days' the responsibilities remain similar, and the Council's dynamic risk assessment process will be crucial in ensuring that the associated risks are managed appropriately. Whilst the Council will not be liable for loss of earnings as a result of the operation of 'rest days', the Council may be liable to pay damages should an incident occur on a 'rest day' and it be subsequently established that the Council failed to suitably mitigate the identified risks.

### **Procurement**

Whilst there are no direct procurement implications relating to the report itself, procurement may be a tool used to deliver any priorities that arise. All works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Procurement Act 2023. Further advice regarding the procurement process and development of procurement strategies must be sought from the Commercial Procurement team. For any modifications to existing contracts, both Commercial Procurement and Legal Services must be consulted to follow the formal variation process set out within the contracts held.

### **Health and Wellbeing**

Public Health support the recommendations within the report. Noting that any large gathering (especially in winter months) where people are in close quarters warrants messaging about 'catch it, bin it, kill it' and to promote the provision of hand sanitiser by stall holders for the use of visitors to the Christmas Market.

## **Environment and Climate action**

No climate change impacts have been identified

## **Affordability**

Improved access to the city centre will allow access to banks and other facilities for support and information

## **Equalities and Human Rights**

The Council needs to take into account the PSED under Section 149 of the Equality Act 2010. This is a duty to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's function.

A **Human Rights & Equality Assessment** ("HREA") has been carried out and is annexed to this report at Annex A. The recommendation of the assessment is there be no major change to the proposal.

## **Data Protection and Privacy**

The **Data Protection Impact Assessment** ("DPIA") screening questions were completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being processed to set these out, there is no requirement to complete a DPIA at this time. However, this will be reviewed following the approved recommendations and options from this report and a DPIA completed if required.

## **Communications**

This is an issue of significant local community and media interest and any changes to the operation of the market will require coordinated communications activity. As set out in the report, additional funding to help us reach key audiences will support a clear message to the community about access times outside the operating hours of the market.

## **Economy**

The Christmas Market generates significant footfall and spend as summarised in this report, helping to sustain the city centre economy and key sectors. The impacts of changing the operating hours of the market are complex, and reduction in the days of operation will impact on footfall and spend, with a net reduction anticipated. The report seeks to quantify this across a variety of datasets, to establish a range of impact. The range identified is between £2.6m and £7.82m, this is a significant impact, particularly in the context of broader pressures on businesses operating in affected sectors. Spend levels over the period are significant though at over £100m, and it is expected that as well as Christmas Market users still visiting on non-rest days, a degree of compensatory uplift in the baseline resident spending in the city centre will take place on the rest days. The economic impacts and risks of the approach should be weighed against the benefits that will result from the proposals.

## **Risks and Mitigations**

<b>Risk</b>	<b>Mitigation</b>
Rest days to the Christmas Market could result in more significant revenue losses for traders than assessed.	Analysis has taken place to apportion visitor spend against visitor numbers during the market period. A day has been chosen that is deemed to have the least impact on trade in the city.
Visitors to the city may be unaware of the rest day, causing negative publicity for the Council.	A communications and marketing strategy, in partnership with MIY, is recommended ahead of time to ensure that visitors are aware of the changes.
Vehicle restriction measures may still be required to be in place, even during the rest day of the market.	Close dialogue with security advisors and protocols around management of risk and events to be maintained.
Risk of terrorism attack – whilst partners will provide advice on the approach to the Council, ultimately it is the Council who are the decision maker and have responsibility.	Close collaborative working relationship with partners, robust risk analysis and mitigation approach. This will be facilitated by the group to be established in accordance with paragraph 25 above.

## Wards Impacted

Whilst city centre events and the protected area are hosted within specific wards, they are used by residents of all wards.

## Contact details

For further information please contact the authors of this Decision Report.

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<b>Date:</b>	22 April 2026

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<b>Date:</b>	22 April 2026

## Annexes

- Annex A: Human Rights Equality Assessment (HREAT)
- Annex B: Previous Legal Advice.

## List of Abbreviations

ATTRO	Anti-Terrorism Traffic Regulation Order
CTSA	Counter Terrorism Security Advisors
DPIA	Data Protection Impact Assessment
HREA	Human Rights & Equality Assessment
HVM	Hostile Vehicle Measures
IED	Improvised Explosive Device
MIY	Make It York
NYP	North Yorkshire Police

TRO  
VAW

Traffic Regulation Order  
Vehicle as Weapon

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## City of York Council and Centre for Applied Human Rights Human Rights and Equity Analysis Tool (HREAT)

An Equity Analysis Tool is an evidence-based approach designed to help organisations ensure that any Policy, Criterion or Practice (PCP), is fair and does not create barriers to participation or disadvantage any protected groups from participation. This covers both strategic and operational activities.

City of York Council (CYC) combines this approach with York's commitment as a Human Rights City to produce a Human Rights and Equity Analysis Tool (HREAT).

This document enables CYC to evidence its legal duty to give 'due regard' to those with protected characteristics under the Equality Act and consider Human Rights at the same time.

Whether a HREAT is needed or not will depend on the likely impact that a PCP may have and relevance of the activity to Equity and Human Rights.

The HREAT should be started when the need for a new PCP is first identified, or when an existing one is reviewed. It is essential to continue to update the HREA during the life of the PCP, as and when new information is learned. It is not complete until the PCP is complete.

Non-discrimination is a minimum standard. The development of the HREAT should prompt critical discussion and highlight disproportionate impacts.

Balancing residents' rights and CYC duties can be very complex and sometimes there will be no 'win-win', so compromises or mitigations may need to be identified to ensure the best outcomes.

Finally, the value in a HREAT is in both the short and long term, by investing in this process CYC will create robust, meaningful, and empowering policies that are more likely to stand the test of time.

## Who is submitting the proposal?

<b>Directorate</b>	City Development		
<b>Service Area</b>	City Development		
<b>Name of proposal</b>	Executive Report – City Centre Events and Permanent Anti-Terrorism Traffic Regulation Order		
<b>Lead Officer</b>	Ben Murphy, Head of City Development		
<b>Date Assessment Started</b>	March 2026		
<b>Date Assessment Completed</b>	April 2026		
<b>Names of those who contributed to the assessment</b>			
<b>Name</b>	<b>Job Title</b>	<b>Organisation</b>	<b>Area of Expertise</b>
Ben Murphy	Head of City Development	City of York Council	City Development
Simon King	Programme Manager, Regeneration	City of York Council	Programme Management
David Smith	Access Officer	City of York Council	Access and Inclusion

## Step 1 – Aims and intended outcomes

1.1	<b>What is the purpose of the proposal</b>
	Please explain your proposal in plain English avoiding acronyms and jargon. Consider using Age 9 English.
	The report considers an approach of changing the operation of York Christmas market to run over a 6-day period as opposed to 7 days, between the hours of 10.30am and 7pm, in order to improve accessibility to the city centre during the market period for residents, visitors and disabled people. The report assesses this approach as a form of mitigation to the impacts that the Christmas market otherwise has.
	This approach is explored against a default position of the Market operating over a 7-day period between 10.30am-7pm with no Blue Badge holder access over these hours, as it did in 2025 and would otherwise continue. Other options around reduced hours of operation for the market, such as a later commencement have been ruled out on deliverability/ operability grounds.  The report sets out proposed options for market operational changes, considers the anticipated economic and other impacts to the city, and makes a recommendation to consider operating a 6-day week for the market, implementing a rest day on which the market will not operate. On the rest day, it is proposed that the Goodramgate access loop be open for Blue Badge holders, with the Lendal/ Blake Street route not operational in order to minimise risk.

1.2	<b>Are there any external considerations?</b>
	Legislation / government directive / codes of practice etc.

Relevant legislation includes:

- Equality Act 2010, which aims to protect people from discrimination in the workplace and in wider society. The Act includes a Public Sector Equality Duty, which requires public bodies to consider how their decisions and policies affect people with protected characteristics. The public body also should have evidence to show how it has done this. It also requires that public bodies have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The Equality Act 2010 covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- Human Rights Act –sets out the fundamental rights and freedoms that everyone is entitled to. In making a decision the council must consider carefully the balance to be struck between individual rights and the wider public interest and whilst it is acknowledged that there could be interference with a Convention right, the decision must be reasonably justified as it is a proportionate means of achieving a legitimate aim.
- Approved Document M Access to the use of Buildings Volume 2 Buildings other than dwellings
- [https://assets.publishing.service.gov.uk/media/66f6c5eec71e42688b65ee11/ADM\\_V2\\_with\\_2024\\_amendments.r](https://assets.publishing.service.gov.uk/media/66f6c5eec71e42688b65ee11/ADM_V2_with_2024_amendments.r)
- BS 8300-2:2018 Design of an accessible and inclusive built environment. Buildings - code of practice / Inclusive Mobility Guidance (Department for Transport 2005)
- Protect Duty consultation documents ([www.gov.uk/government/consultations/protect-duty](http://www.gov.uk/government/consultations/protect-duty))
- Hostile Vehicle Mitigation guidance ([www.gov.uk/government/publications/crowded-places-guidance/hostile-vehicle-mitigation-hvm#vehicle-as-a-weapon-vaw](http://www.gov.uk/government/publications/crowded-places-guidance/hostile-vehicle-mitigation-hvm#vehicle-as-a-weapon-vaw))
- The Blue Badge scheme: rights and responsibilities in England ([www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england](http://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england))
- Road Traffic Regulation Act 1984 and associated regulations relating to TROs, under which local traffic authorities in England and Wales (outside London) may make permanent orders for the following purposes:
  - To avoid danger to persons or other traffic using the road or any other road or to prevent the likelihood of any such danger arising;
  - To prevent damage to the road or to any building on or near the road;
  - To facilitate the passage on the road or any other road of any class of traffic (including pedestrians);
  - To prevent the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property;

- To preserve the character of the road in a case where it is specially suitable for use by persons (...) on foot;
- To preserve or improve the amenities of the area through which the road runs; or
- To preserve or improve local air quality.
- The Business and Planning Act which creates a de-regulated approach to pavement cafes.
  - The Terrorism (Protection of Premises) Bill (or Martyn's law), has also now achieved royal assent, and entered into a period prior to full implementation by April 2027.

**1.3 Who are the stakeholders and what are their interests?**

Consider both internal and external stakeholders.

Key stakeholders for the proposals include

- Disabled people including Blue Badge holders.
- Older people
- Young people including those of differing school ages and their parents or carers
- Other groups visiting the pedestrian area and accessing its shops and services,
- City centre businesses and service providers, including market operators.
- North Yorkshire Police and relevant anti-terrorism organisations

Their interests are wide ranging and include suitable access by a range of transport modes (private car, taxi / private hire, deliveries, cycling, walking), safety, and services and amenities available in the foot street area.

1.4	<b>What results / outcomes do we want to achieve and for whom?</b>	
	Explain what outcomes you want to achieve for stakeholders, staff and the wider community. Demonstrate how the proposal links to the Council Plan (2023- 2027) and other corporate strategies and plans. Highlight how the proposal meets the objectives of Equalities, Affordability, Climate and Health.	
	<p>The Council Plan contains four key commitments one of which is Equalities and Human Rights - Equality of opportunity and states:</p> <p>“We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities”</p> <p>The Council’s Local Transport Strategy establishes a vision by 2030 of an ‘accessible, affordable and resilient transport network’, and a city that is accessible to everyone. The Council’s 10-year Economic Vision seeks to promote a vibrant and resilient city centre economy, supporting the city’s strong independent businesses, and promoting inclusive growth. The My City Centre 10-year vision defines objectives including creating a welcoming and accessible city centre for all, ensuring the city centre meets the needs of residents and supporting economic vibrancy. These strategies recognise the importance of events within the city centre economy, and their role in supporting businesses and the visitor economy.</p>	

## Step 2 – Resources utilised

3.1	<b>What sources of data, evidence and consultation feedback have you used to help understand the impact of the proposal on equality rights and human rights?</b>	
	Please consider a range of sources, including consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	<b>Source of data / supporting evidence</b>	<b>Reason for using this source</b>

<p>Consultation and engagement</p>	<p>A wide range of consultation and engagement on city centre accessibility has already been undertaken, including through:</p> <ul style="list-style-type: none"> <li>• the My City Centre Engagement</li> <li>• City Centre Access Project</li> <li>• November 2021 Executive decisions.</li> </ul> <p>Further specific engagement has taken place to inform the preparation of this report and the preceding March 2025 Executive Report involving key stakeholders including members of both the York Disability Rights Forum and York Access Forum as well as wider groups and organisations including Make it York, the BID, security advisors and Tourism Advisory Board. Thje specific approach was discussed with YAF and YRDF members on the 24<sup>th</sup> March and received unanimous broad support.</p>
<p>Research reports</p>	<p>For the August 2019 Executive report, approving the permanent changes to the Traffic Regulation Order to deliver the Phase 1 Hostile Vehicle Mitigation proposals in the city centre:</p> <ul style="list-style-type: none"> <li>• an independent review of Blue Badge Parking Access was also commissioned from Parking Perspectives a consultancy specialising in parking.</li> <li>• In addition, Disabled Motoring UK, a charity and advocacy group for disabled people, were commissioned to produce an independent review of York’s disabled access offer</li> <li>• The November 2020 executive report commissioned a Strategic Review of City Centre Access in order to identify potential improvements to city centre access</li> <li>• Martin Higgitt Associates also produced an independent report</li> <li>• In 2024 a follow up accessible city consultation was carried out by MIMA Accessibility Consultants</li> </ul>

	Surveys	<p><b>City Centre Access project</b></p> <p>As part of this work, parking surveys were undertaken in the streets listed above in May 2019. This shows 86 parking events / day in the Goodramgate corridor, of which 80 vehicles displayed a Blue Badge. 86 parking events / day were also recorded on the Blake Street corridor, of which 49 vehicles displayed a Blue Badge.</p>

**Step 3 – Screening the impacts or effects.**

3.1	<p><b>Equality-related obligations derive from the Equality Act of 2010 and the Human Rights Act of 1998.</b></p>
	<p>Although the table below one looks complex, its purpose is to facilitate an initial screening of equalities and human rights impacts of your proposal. Many human rights and equalities will not be affected by the decision you are seeking Executive or Council approval for and so can be left blank. The aim here is to identify pressure points regarding human rights and equalities that require attention.</p> <p>Please see the Appendix for details of the protected characteristics and human rights to consider</p> <p>The rights listed below in the first column are the relevant ones from the Human Rights Act, and the York Human Rights City Network Indicator Report (non-discrimination, education, health and social care, housing, a decent standard of living). The human rights in the Indicator Report were selected by residents of York as their priority rights. In the first row the protected characteristics under the Equality Act are listed, to which ‘Everyone’ has been added to capture impacts that affect everyone without distinction.</p>

**Step 3.1 Table 1 – Screening the impacts or effects**

<b>Equalities Human Rights</b>	<b>Everyone</b>	<b>Age including financial, digital exclusion impacts</b>	<b>Disability Including financial, digital exclusion impacts</b>	<b>Gender</b>	<b>Gender reassign- ment Including Trans, Non- binary, Intersex</b>	<b>Marriage and civil partnership</b>	<b>Pregnancy and maternity</b>	<b>Race</b>	<b>Religion and belief</b>	<b>Sexual orientation</b>	<b>Carers inc financial, digital exclusion impacts</b>	<b>Low- income groups inc financial, digital exclusion impacts</b>	<b>Veteran, armed forces community</b>	<b>Those with experience of Care</b>
<b>Right to life*</b>		x	x				x				x			x
<b>Prohibition of torture*</b>														
<b>Prohibition of slavery and forced labour*</b>														
<b>Right to liberty, movement and security (including freedom of movement)***</b>		x	x				x				x			x
<b>Right to a fair trial*</b>														
<b>No punishment without law*</b>														
<b>Right to private and family life***</b>		x	x				x				x			x
<b>Freedom of thought, conscience, and belief***</b>														
<b>Freedom of expression***</b>		x	x				x				x			x
<b>Freedom of assembly***</b>		x	x				x				x			x

<b>Right to marry***</b>													
<b>Right to property***</b>		X	X				X				X		X
<b>Right to education***</b>													
<b>Right to free elections***</b>													
<b>Right to housing***</b>													

Developed by UNICEF

## Step 3.2 Table 2 – Assessing the impact of your proposal

Here you will need to record the details on all the impacts identified for both Human Rights and those with Protected Characteristics.

Where you have identified an impact on a protected characteristic / human right in the table above, please indicate whether this is positive or negative and give a description of this impact. If you run out of rows, please add as necessary.

### **Rights clashes and restrictions**

Where rights clash or are being restricted, you will need to explain how the decision has been taken, that the limitation on human rights is provided by law, for a legitimate purpose (justified), and proportionate (the minimum necessary restriction on rights).

First, think about what equalities or rights might be engaged by the proposal, and describe the likely impact of the proposal, and provide an evaluation.

Use the following questions to inform your responses if human rights or equalities are limited or qualified in any way:

- Why are a person's rights being restricted?
- What is the problem being addressed by the restriction on someone's rights?
- Will the restriction lead to a reduction in the problem?
- Does that restriction involve a blanket policy, or does it allow for different cases to be treated differently?
- Does a less restrictive alternative exist?
- Has sufficient regard been paid to the rights and interests of those affected?
- Do safeguards exist against error or abuse?

**Table 2**

Characteristic or Human Right affected	Positive or Negative impact	Impact Description	Evaluation or justification
Age including financial, digital exclusion impacts	Positive	Adopting a 6-day approach to the market could mitigate the adverse impact of its otherwise excluding older people (many of whom are also disabled people) from fully accessing the centre on the rest day, with a positive impact from the current status quo.	<p>Access through the Goodramgate Loop on the rest day would be an enhancement over the 2025 event (the 'do nothing' scenario). Please refer to the purpose of the proposal which is assessing mitigations, rather than the Christmas Market itself.</p> <p>City centre access more generally could be improved, a roadmap of short medium and long-term measures was approved by Executive in March to develop these improvements, and does not form part of this decision.</p>
Disability Including financial, digital exclusion impacts	Positive	Adopting a 6-day approach to the market would mitigate the adverse impact of its otherwise excluding disabled people from fully accessing the centre on the rest day, with a positive impact from the current status quo.	Access through the Goodramgate Loop on the rest day would be an enhancement over the 2025 event (the 'do nothing' scenario). Please refer to the purpose of the proposal which is assessing mitigations,

			<p>rather than the Christmas Market itself.</p> <p>City centre access more generally could be improved, a roadmap of short medium and long-term measures was approved by Executive in March to develop these improvements, and does not form part of this decision.</p>
Gender	Neutral	No impacts identified	
Gender Reassignment Including Trans, Non-binary, Intersex	Neutral	No impacts identified	
Marriage and civil partnership	Neutral	No impacts identified	
Pregnancy and maternity	Positive	Adopting a 6-day approach to the market would mitigate the adverse impact of its otherwise excluding this group from fully accessing the centre on the rest day, with a positive impact from the current status quo.	<p>Access through the Goodramgate Loop on the rest day would be an enhancement over the 2025 event (the 'do nothing' scenario). Please refer to the purpose of the proposal which is assessing mitigations, rather than the Christmas Market itself.</p> <p>City centre access more generally could be improved, a</p>

			roadmap of short medium and long-term measures was approved by Executive in March to develop these improvements, and does not form part of this decision.
Race	Neutral	No impacts identified	
Religion and belief	Neutral	No impacts identified	
Sexual orientation	Neutral	No impacts identified	
Carers including financial, digital exclusion impacts	Positive	Adopting a 6-day approach to the market would mitigate the adverse impact of its otherwise excluding carers (who often care for disabled people or the elderly) from fully accessing the centre on the rest day, with a positive impact from the current status quo.	<p>Access through the Goodramgate Loop on the rest day would be an enhancement over the 2025 event (the 'do nothing' scenario). Please refer to the purpose of the proposal which is assessing mitigations, rather than the Christmas Market itself.</p> <p>City centre access more generally could be improved, a roadmap of short medium and long-term measures was approved by Executive in March to develop these improvements, and does not form part of this decision.</p>

Low-income groups inc financial, digital exclusion impacts	Neutral	No impacts identified	
Veteran, armed forces community	Neutral	No impacts identified	
Those with experience of Care	Positive	Adopting a 6-day approach to the market would mitigate the adverse impact of its otherwise excluding those with experience of care (who are often also disabled people or the elderly) from fully accessing the centre on the rest day, with a positive impact from the current status quo.	<p>Access through the Goodramgate Loop on the rest day would be an enhancement over the 2025 event (the 'do nothing' scenario). Please refer to the purpose of the proposal which is assessing mitigations, rather than the Christmas Market itself.</p> <p>City centre access more generally could be improved, a roadmap of short medium and long-term measures was approved by Executive in March to develop these improvements, and does not form part of this decision.</p>

## Step 4 – Gaps in data and knowledge

<b>4.1</b>	<b>What are the main gaps in information and understanding of the impact of your proposal?</b>		
	<p>When conducting your screening, you may have discovered gaps in data or knowledge that make it difficult to assess whether your proposal had a positive or negative impact on human rights/equalities.</p> <p>Please indicate actions you will take to resolve this gap.</p> <p>As your proposal progresses you may be able to resolve this knowledge gap –please indicate when it was resolved.</p>		
	<b>Gaps in data or knowledge</b>	<b>Action to deal with this</b>	<b>Date resolved</b>
	Strategic and long term approach to accessibility and movement in city	Undertake Movement and Place study, to include in depth engagement and consultation with impacted communities.	TBC

## Step 5 - Maximising positive impacts

<b>5.1</b>	<b>What has been done to optimise opportunities to advance equality / human rights or foster good relations?</b>	
	<p>The proposed improvements have been developed with representatives of impacted communities, as part of an intended ongoing process of making to change to the city centre and how events are managed, in order to optimise accessibility and minimise any impacts. This is intended to be an ongoing process with engagement over the short medium and long term.</p>	

## Step 6 – Recommendations and conclusions of the assessment

6.1	<b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision.</b>	
	<b>Important:</b> If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column. There are four main options you can take:	
	<b>No major change to the proposal</b>	The HREAT demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality / human rights and foster good relations, subject to continuing monitor and review.
	<b>Adjust the proposal</b>	The HREAT identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
	<b>Continue with the proposal (despite the potential for adverse impact)</b>	You should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations
	<b>Stop and remove the proposal</b>	If there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Option Selected	Conclusion / justifications
	No major change to the proposal

## Step 7 – Summary of agreed actions resulting from the assessment

7.1	<b>What action, by whom, will be undertaken as a result of the impact assessment.</b>			
	List below the actions or mitigations that have been identified and who will be responsible to carrying them out. Add as many lines as you need.			
	<b>Impact / Issue</b>	<b>Actions to be taken</b>	<b>Person Responsible</b>	<b>Timescale</b>
	Accessibility of the city centre	Work with CYC Officers and disabled people in York on co-production and implementation of broader accessibility improvements	David Smith	TBC

## Step 8 - Monitor, review and improve

8.1	<b>How will the impact of your proposal be monitored and improved upon going forward?</b>		
	Consider how will you identify the impact of activities on protected characteristics, other marginalised groups and human rights going forward? How will any learning and enhancements be capitalised on and embedded?		
	Assessment of the numbers of individuals accessing the city centre on rest days, through footfall monitoring and operation of Hostile Vehicle Measures.		



## Appendix

### Equity, Diversity & Inclusion (EDI): Protected characteristics

Under the public sector duties introduced by the Equality Act 2010 public bodies must have due regard for the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act, such as the failure to make reasonable adjustments for disabled people
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

These duties relate to the nine protected characteristic groups defined by the Equality Act 2010 (outlined in the table below).

The Council recognises that a person's socio-economic background and whether they live in a rural or urban location can be important factors in determining fair access to services, employment and treatment. When carrying out analysis, you must also consider socio-economic issues and rural / urban location issues. In addition to the nine protected characteristic the HREAT includes the following equality groups:

- Carers
- Low income groups
- Veterans, armed forces community
- Experience of care/Other (other groups that are impacted)

### Human rights differ from equalities in two main ways:

- First, human rights apply to everyone and not just groups with protected characteristics.
- Second, they allow for the balancing of rights, priorities, and risks. Many rights are not absolute and can be limited or qualified in particular circumstances.

The following guidance identifies which rights are most likely to be engaged by proposals in certain policy areas. This doesn't mean that you should not consider whether other rights might be engaged.

## Three types of human rights

There are three types of human rights in the Human Rights Act:

- **Absolute rights** – cannot be breached in any circumstances e.g. right to life and to protection from torture and inhuman or degrading treatment.
- **Limited rights** – can only be restricted in specific situations e.g. a person can be deprived of their liberty if they are convicted of an offence and imprisoned.
- **Qualified rights** – human rights can be restricted if it is in the interests of the wider community or to protect other people's rights e.g. freedom of movement and assembly were restricted during the Covid-19 pandemic in the interests of public health.

As limited and qualified rights are not absolute, they sometimes have to be balanced in decision making. In Table 1, absolute rights are indicated with an \*; limited rights with a \*\*; and qualified rights with a \*\*\*.

Right	Description <sup>1</sup>	Focus Area
<b>Right to life</b>	<p>Nobody, including the Government, can take someone's life away. Public authorities must take appropriate measures to safeguard life including by protecting people whose life might be in danger.</p> <p>Public authorities should also consider the right to life when making decisions that might endanger or affect life expectancy.</p> <p>When public officials may be involved in an instance when someone died, public authorities must conduct an investigation.</p>	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Births, deaths and marriages</li> <li>• Children and families</li> <li>• Environment and animals</li> <li>• Health and social care</li> <li>• Housing</li> <li>• Planning and building</li> <li>• Waste and recycling</li> </ul>

<p><b>Freedom from torture and inhuman or degrading treatment</b></p>	<p>Torture consists in causing very serious and cruel physical or mental pain or suffering.</p> <p>Inhuman treatment or punishment is treatment which causes intense physical or mental suffering. Degrading treatment means treatment that is extremely humiliating and undignified.</p> <p>Inhuman or degrading treatment could include: serious physical assault; very severe detention conditions or restraints; serious physical or psychological abuse in a health or care setting.</p>	<ul style="list-style-type: none"> <li>• Children and families</li> <li>• Health and social care</li> </ul>
<p><b>Prohibition of slavery and forced labour</b></p>	<p>Slavery is when someone owns someone else like a piece of property.</p> <p>Servitude is when someone provides services to a person for no reward and is unable to stop due to coercion.</p> <p>Forced or compulsory labour is when someone is forced to do work to which they have not agreed to, under the threat of punishment.</p>	<ul style="list-style-type: none"> <li>• Children and families</li> <li>• Jobs, training and volunteering</li> <li>• People and communities</li> </ul>
<p><b>Right to liberty and security</b></p>	<p>It focuses on protecting individuals' freedom from unreasonable detention, as opposed to protecting personal safety. However, there is case law from other jurisdictions where this right also covers personal safety in conditions other than detention.</p> <p>Under the HRA 1998 and the ECHR, it means that no one can be imprisoned or detained without good reason.</p>	<ul style="list-style-type: none"> <li>• Health and social care</li> <li>• Housing</li> <li>• People and communities</li> </ul>

<b>Right to a fair trial</b>	<p>This right is triggered when someone is charged with a criminal offence and have to go to court, or a public authority is making a decision that has an impact on someone's civil rights or obligations.</p>	<ul style="list-style-type: none"> <li>• Environment and animals</li> <li>• Health and social care</li> <li>• People and communities</li> <li>• Streets, roads and pavements</li> </ul>
<b>No punishment without law</b>	<p>No one can be charged with a criminal offence for an action that was not a crime when it was committed.</p> <p>Public authorities must explain clearly what counts as a criminal offence so that people know when they are breaking the law.</p>	<ul style="list-style-type: none"> <li>• Environment and animals</li> <li>• People and communities</li> <li>• Streets, roads and pavements</li> </ul>
<b>Right to private and family life, home and correspondence</b>	<p>This includes one's right to determine their sexual orientation, lifestyle, and the way one looks and dresses. It also includes the right to control who sees and touches one's body. It further covers one's right to develop their personal identity and to forge friendships and other relationships, the right to participate in essential economic, social, cultural and leisure activities. In some circumstances, public authorities may need to facilitate the enjoyment of one's right to a private life, including their ability to participate in society.</p> <p>It also means that personal information about anyone (including official records, photographs, letters, diaries and medical records) should be kept securely and not shared without their permission, except in certain circumstances.</p>	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Births, deaths and marriages</li> <li>• Children and families</li> <li>• Health and social care</li> <li>• Jobs, training and volunteering</li> <li>• Parking and permits</li> <li>• Planning and building</li> <li>• Schools and education</li> <li>• Sports and leisure</li> </ul>
<b>Freedom of thought,</b>	<p>This may include the right to change religion or beliefs, the right to put one's thoughts and beliefs into action, for example by exercising the right to wear religious clothing,</p>	<ul style="list-style-type: none"> <li>• Business</li> <li>• Schools and education</li> </ul>

<b>conscience and belief</b>	<p>the right to talk about one's own beliefs or take part in religious worship. Public authorities cannot stop anyone from practising their religion, without very good reason.</p> <p>This right protects a wide range of non-religious beliefs including atheism, agnosticism, veganism and pacifism.</p>	
<b>Freedom of expression</b>	<p>This includes the right to express views aloud (for example through public protest and demonstrations) or through published articles, books or leaflets, television or radio broadcasting, works of art, the internet and social media. It further protects the right to receive information from other people by, for example, being part of an audience or reading a magazine.</p>	<ul style="list-style-type: none"> <li>• Business</li> <li>• Environment and animals</li> <li>• People and communities</li> <li>• Schools and education</li> <li>• Sports and leisure</li> </ul>
<b>Freedom of assembly and association</b>	<p>This encompasses the right to form and be part of a trade union, a political party or any another association or voluntary group. Nobody has the right to force anyone to join a protest, trade union, political party or another association.</p>	<ul style="list-style-type: none"> <li>• Environment and animals</li> <li>• Jobs, training and volunteering</li> <li>• People and communities</li> <li>• Travel and transport</li> <li>• Streets, roads and pavements</li> </ul>
<b>Right to marry and start a family</b>	<p>Right of men and women of marriageable age to marry and to start a family.</p>	<ul style="list-style-type: none"> <li>• Births, deaths and marriages</li> <li>• Children and families</li> </ul>
<b>Right to property</b>	<p>No public authority, without very good reason can take away one's property, which may include things like land, houses, objects, shares, licences, leases, patents, money, pensions and certain types of welfare benefits. This right applies to companies as well as individuals.</p>	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Business</li> <li>• Council tax</li> <li>• Environment and animals</li> <li>• Housing</li> <li>• Planning and building</li> <li>• Travel and transport</li> </ul>

		<ul style="list-style-type: none"> <li>• Streets, roads and pavements</li> <li>• Waste and recycling</li> </ul>
<b>Right to education</b>	<p>This right protects one's right to an effective education within the UK's existing educational institutions. It relates to primary, secondary, and higher education. Parents have a right to ensure that their religious and philosophical beliefs are respected during their children's education.</p>	<ul style="list-style-type: none"> <li>• Children and families</li> <li>• Environment and animals</li> <li>• Jobs, training and volunteering</li> <li>• People and communities</li> <li>• Schools and education</li> <li>• Sports and leisure</li> </ul>
<b>Right to free elections</b>	<p>Public authorities must support the right to free expression by holding free elections at reasonable intervals. These elections must enable anyone to vote in secret.</p>	<ul style="list-style-type: none"> <li>• Births, deaths and marriages</li> <li>• People and communities</li> </ul>
<b>Right to housing</b>	<p>Adequate housing must provide more than four walls and a roof. For housing to be adequate, it must, at a minimum, meet the following criteria:</p> <p>Security of tenure, that is legal protection against forced evictions, harassment and other threats; availability of services, materials, facilities and infrastructure; affordability, which means that housing is not adequate if its cost threatens or compromises the occupants' enjoyment of other human rights; Habitability, which relates to physical safety or adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards; accessibility, in that it must accommodate the specific needs of disadvantaged and marginalised groups; location, which means that it must not be cut off from employment opportunities, health-care</p>	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Housing</li> <li>• People and communities</li> <li>• Planning and building</li> <li>• Waste and recycling</li> </ul>

	services, schools, childcare centres and other social facilities, or it must not be located in polluted or dangerous areas; cultural adequacy, which means that it must respect and take into account the expression of cultural identity.	
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<sup>1</sup> The wording of each description box has been adapted from the following sources: [Equality and Human Rights Commission](#) or [British Institute for Human Rights](#).

## Summary of Previous Legal Guidance

### Public Sector Equality Duty

“The Council must comply with the Public Sector Equality Duty as set out in Section 149 of the Equality Act 2010. This means in relation to making a decision, the decision-maker must firstly understand their obligations under the PSED. This is a duty to have due regard to the need to:

1. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equalities Act 2010.
2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Technical guidance provided by the Equality and Human Rights Commission assists public bodies in discharging the duty in practice and this is expressly brought to Members’ attention.

<https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>)

Secondly the decision maker must have sufficient relevant information and demonstrably take this information fully into account throughout the decision-making process.

The concept of due regard requires that there has been proper and conscientious focus on what the duty requires at 1-3 above. If that is done, a court cannot interfere with the decision simply because it would have given greater weight to the equality implications of than (*sic*) the decision maker did. However, the decision maker must be clear precisely what the equality implications are when they put them in the balance. A public body can lawfully conclude that other considerations outweigh the equality ones. This could include security concerns or available resources provided that the weight given to those countervailing factors is not irrational.

Thirdly, the courts have established that the potential impact of a decision on people with different protected characteristics is a mandatory relevant consideration. The manner of assessing that impact is discretionary. Often an Equality Impact Assessment is an appropriate

tool but is not the only Page 20 of 29 available tool. It is the quality of the assessment whether that is presented in an EIA or some other evaluative report which is important.” (Legal implications, November 2024 Executive report and October 2025 Executive report.)

### **ATTRO Powers**

“An ATTRO is a counter terrorism measure pursuant to the provisions of the Civil Contingencies Act 2004. Under Sections 22C and 22D of the Road Traffic Regulation Act 1984 (as amended), the Council is granted a power to make an ATTRO in response to a Chief Constable recommendation. However, this remains a discretionary power, and the recommendation of the Chief Constable does not mandate the Council to introduce an ATTRO. The Council does, therefore, retain the legal ability to decline to make the ATTRO, but this would be an unprecedented approach, and very strong defensible legal grounds would be required for doing so.” (Paragraph 3, October 2025 Executive Report)

“The making of the order remains a discretionary power, with the recommendation of the Chief Constable not mandating the Council to introduce an ATTRO. Refusal to implement an ATTRO after receipt of a compliant recommendation from a Chief Constable would be an unprecedented event nationally. The Council does, therefore, retain the legal ability to decline to make the ATTRO, but would need very robust and defensible legal grounds for doing so. These legal grounds could include that the Council does not consider that there is a genuine terrorist threat, that less restrictive measures would be sufficient to adequately mitigate risk, or that the restrictions are not proportionate to the ends desired. It is suggested, however, that given the justification put forward by the Chief Constable, and informed by officer review of the specific circumstances of this matter, the identified legal grounds are absent in this case.” (Paragraph 24, October 2025 Executive Report)

### **Human Rights Act 1998**

“In considering the issue, the Executive are asked to note the balancing exercise already carried out by NYP in their consideration of whether or not to make a recommendation for an ATTRO; it should be noted that the final paragraph of the Chief Constable’s letter clearly states: “These measures are proportionate and necessary to support the safety and effective management of the event and these restrictions form a critical element for the collective approach to avoid and reduce the likelihood of

danger connected with terrorism.” It is suggested that the Chief Constable’s balancing exercise forms a reasonable basis for Executive to agree to the implementation of the ATTRO, balancing as it does the rights under Articles 2, 8, and 14 of Schedule 1 of the Human Rights Act 1998.” (Paragraph 12, October 2025 Executive report.)

“The Executive are asked to consider both the ‘absolute’ right to life and the ‘qualified’ protection from discrimination. Neither of these duties take precedence, although a public body can lawfully conclude that other considerations outweigh the equality ones, and it is clear that the Chief Constable has carried out that balancing exercise in making his recommendation. The Executive will need to make a decision proportionately, having regard to all impacts, to reach a balanced decision including the Council’s responsibilities under the Public Sector Equalities Duty. The Executive should, however, give significant weight in that exercise to the Chief Constable’s recommendation.” (Paragraph 13, October 2025 Executive report.)

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