



Notice of a public meeting of

Decision Session - Combined Executive Member Decision Session

To: Councillors Lomas, Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion, and Pavlovic, Executive Member for Housing, Planning and Safer Communities

Date: Thursday, 30 July 2026

Time: 4.30 pm

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

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00pm on 6 August 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 items that are called in will be considered by the Corporate Scrutiny Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5:00pm on Tuesday 28 July 2026**.

1. Appointing a Chair

To confirm arrangements for chairing the meeting as follows:
Councillor Lomas – Standard agenda items and Applications for Community Right to Bid under the Localism Act 2011, items 1-5.
Councillor Pavlovic – Minerals and Waste Planning, and Urgent Business, items 6-7.

2. Apologies for Absence

To receive and note apologies for absence.

3. Declarations of Interest (Page 5)

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.

[Please see attached sheet for further guidance for Members]

4. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee. Please note that our registration deadlines are set as 2 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 Tuesday 28 July 2026.

To register to speak please visit

www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services.

Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

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.

5. Applications for Community Right to Bid under the Localism Act 2011 (Pages 7 - 42)

This report details applications to list the following properties as Asset of Community Value (ACV) for consideration by the Council.

- a) Cross keys Public House, Common Lane, Dunnington, York, YO19 5NG. An application has been received by Dunnington Parish Council.
- b) Blacksmiths Arms Public House, Shipton Road, Skelton, York. An application has been received by Skelton Parish Council.
- c) The Lord Nelson, 9 Main Street, Nether Poppleton, York. An application has been received by Nether Poppleton Parish Council.

6. Minerals and Waste Planning (Pages 43 - 82)

This report provides an update on recent developments concerning the future review of the Joint Minerals and Waste Plan and the implications for the emerging York Local Plan.

7. Urgent Business

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

Democracy Officer:

Robert Flintoft

Contact details:

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- Email: robert.flintoft@york.gov.uk; democratic.services@york.gov.uk

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

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

Contact details are set out above.

Alternative formats

If you require this document in an alternative language or format (e.g. large print, braille, Audio, BSL or Easy Read) you can:



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我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

Declarations of Interest – guidance for Members

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

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	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.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	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 in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (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.

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Meeting:	Combined Executive Member Decision Session
Meeting date:	30 July 2026
Report of:	Director of Finance
Portfolio of:	Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion

Decision Report: Application for Community Right to Bid under the Localism Act 2011

Subject of Report

1. This report details applications to list the following properties as Asset of Community Value (ACV) for consideration by the Council.
 - a) Cross keys Public House, Common Lane, Dunnington, York, YO19 5NG. An application has been received by Dunnington Parish Council.
 - b) Blacksmiths Arms Public House, Shipton Road, Skelton, York. An application has been received by Skelton Parish Council.
 - c) The Lord Nelson, 9 Main Street, Nether Poppleton, York. An application has been received by Nether Poppleton Parish Council.
2. The applications have been received, for a decision by the Executive Member in the Council's statutory capacity as an Asset of Community Value (ACV) listing authority.

Benefits and Challenges

3. This process is a statutory requirement. The process and the effects through the listing of an asset is set out in detail in this paper.

Policy Basis for Decision

4. The process is a statutory requirement.

Financial Strategy Implications

5. There are no financial strategy implications to this decision.

Recommendation and Reasons

6. The Executive Member is asked to consider the officer recommendation(s) to:

- 6.1 Approve the listing of:

- a) Cross keys Public House, Common Lane, Dunnington, York, YO19 5NG. An application has been received by Dunnington Parish Council.
- b) Blacksmiths Arms Public House, Shipton Road, Skelton, York. An application has been received by Skelton Parish Council.
- c) The Lord Nelson, 9 Main Street, Nether Poppleton, York. An application has been received by Nether Poppleton Parish Council.

- 6.2 To approve, that following expiry of an ACV listing on the Council's register of Assets of Community Value, any renewal ACV nominations received for those properties may be referred for officer decision.

Reason:

To ensure the Council meets its legislative obligations (pursuant to the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012) and promotes community access to community facilities.

Background

7. The purpose behind the provisions regarding Assets of Community Value (ACV) in the Localism Act 2011 is to ensure that property (land and building) assets which are currently used for principal/non-ancillary use(s) which benefit the local communities are not disposed of without the local community being given an opportunity to bid for these assets when the owner wishes to dispose of the asset. This right is not simply to accommodate 'public assets' but also private assets, the test is whether such assets are viewed as 'assets of community value'. These assets therefore could be currently owned by the public, private or voluntary sector.
8. Section 89(1)(a) sets out that land in the local authority's area may be listed on the ACV list only in response to a community nomination. Section 89(2)(b)(iii) of the Localism Act 2011 requires that the organisation nominating an asset to be an ACV is a person that is a voluntary or community body with a local connection to the asset nominated. Further, the legislation requires that the nominating organisation must include in the nomination form information about the asset nominated, in accordance with part 6 of the Assets of Community Value (England) Regulations 2012.
9. The definition of 'land of community value' is set out in section 88 of the Localism Act 2011. To be considered as an asset of community value the land or property must satisfy either of the following criteria:
 - a. s88(1) an actual current non-ancillary use of the building or other land furthers the well-being or social interests of the community and whether it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social well-being or social interests of the local community.OR
 - b. s88(2) there is a time in the recent past when an actual non-ancillary use of the building or other land furthered the social well-being or social interests of the local community and it is realistic to think that there is a time within the next 5 years when there could be non-ancillary use (whether or not the same use as before) that would further the social well-being or social interests of the local community.

10. There is no exhaustive list of what is considered to be an asset of community value, but cultural, recreational and sporting interests are included. Excluded specifically are residential type properties (such as hotels, housing in multiple occupation and residential caravan sites) and operational land of statutory undertakers.

The Process

11. The regulations set out how potential assets can be listed which in brief are as follows:
 - **Nomination** – this can be by a voluntary or community body with a local connection. This includes parish councils, neighbourhood forums, charities, community interest groups but excludes public or local authorities (except parish councils).
 - **Consideration** – the local authority has 8 weeks to make the decision. Under the Council's procedures the Executive Member is the decision maker. If the nomination is successful, the asset details are entered onto the 'Community Value list' – see further details in the report – and also the local land charges register. If unsuccessful, then the details are entered onto an 'unsuccessful nominations' list for a period of 5 years to prevent repeat nominations. The owner can request a review of the decision which must be completed within 8 weeks and the owner can further appeal within 28 days of the review outcome to a Tribunal. Neither the Localism Act nor the ACV Regulations give the nominating organisation any right to appeal a decision of the local authority that the nominated property is not an asset of community value/does not satisfy the necessary S.88 criteria referred to above.
 - **Disposal of assets on the ACV list** – if a building or piece of land which is on the list is going to be disposed of (by way of either a freehold sale or granting of a lease for a Term of 25 years or more) with vacant possession, then the owner of the asset needs to give notice to the local authority. There is then a 6-week moratorium period for any community group to express interest in writing. If they do, then a 6-month period (commencing from the date on which the Council had received notice of the owner's intention to dispose of the asset) is provided for that group to prepare its bid. After that period the owner can market the property and any bid from the community group will be considered with bids from other interested parties. There is no guarantee that the offer from the community group will be successful as the owner of the asset will dispose of the property in accordance with its own criteria for disposal.

There are a number of exceptions contained within the legislation that mean that this moratorium period does not apply and the owner does not need to give notice of its intention to sell. This includes when there is a legally enforceable requirement, which pre-dates the listing, to sell to a specific party.

- **Compensation** – the presence of the land or building asset on the community value list may result in additional expenditure or a loss to the owner and therefore the owner can apply for compensation from the local authority. The figure is limited to costs or losses incurred only whilst the asset is on the list and could include such items as legal expenses for appeals, costs relating to the delay in the sale (such as maintenance, security, utility costs, loss of value).

The Cross Keys, Dunnington

A. The eligibility of the nominating organisation and the nominated asset to be an ACV.

12. The application nominating the nomination land ("The Cross Keys Public House") has been made by Dunnington Parish Council. When making the application, the applicant seeks to assert its status as a community body under section 89(2)(b)(iii) of the Localism Act 2011 ("The Act").
13. Dunnington Parish Council are an eligible body, The application meets the qualifying test set out in section 89(1)(a) of the Act as an application made by way of a community nomination.

The application sets out that the freehold of The Cross Keys Public House is owned by Spirit Pub Company (Leased) Ltd, as stated in freehold title registered at the Land Registry. There is no leasehold title registered at the Land Registry. In accordance with the regulations, the freehold owners of the property, have been informed in writing that the application has been made and have been invited to make representations regarding the nomination. No response has been received from the freehold owners
14. The application provides a clear description and postcode of the land nominated on the first page of the form and has attached to it a map setting out the extent of the land. The nominated land does not come within the categories of land which may not be ACVs.

15. The applicant has provided their reasons for thinking that the Council should conclude that the land is of community value, at section 3.
16. Legal Services have confirmed that a nomination must be considered by the Council, if the nominator is someone who meets the eligibility criteria specified in the relevant legislation, and if the nomination form includes the information specified in regulation 6 of the ACV Regulations 2012. Legal Services considers the Nominator fulfils the criteria.

B. Is the current or recent usage of the nominated land an actual and non-ancillary use, does the usage further social wellbeing or social interest, and is it realistic to think that there can continue to be non-ancillary use of the building which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

17. This application concerns the listing of The Cross Keys Public House on the Council's ACV list. The past and current usage of the pub as a venue for community activities/events is set out below and indicates that the current and recent usage of the nominated land is an actual and non-ancillary use pursuant to section 88(1) and section 88(2) of the Act.
18. Dunnington Parish Council state in their application that The Cross Keys Public House closed in November 2025
19. Dunnington Parish Council state in the nomination form that The Cross Keys has served the Dunnington community since around 1823, forming a key feature within the Villages conservation area , positioned at a key position at the junction of 4 roads.
20. The Cross Keys Public House, until its closure in November 2025, was a primary public social and hospitality venue in Dunnington. Its main use was not ancillary; it served as a community gathering space, offering food, drink, entertainment, and social activities. The pub provided a welcoming environment for residents of all ages and for visitors passing through the village. It hosted regular events including quiz nights, darts matches, live music, board game evenings, and charity fundraisers.

Additionally, local community groups and clubs met regularly at the pub, using its facilities for meetings, celebrations, and social gatherings.

21. Dunnington Parish Council also state that The Cross Keys demonstrably furthered the social wellbeing of the local community. The pub was particularly important for residents who do not have private transport, with alternative venues located several miles away. Families benefitted from the children's play area and safe outdoor space, while adults enjoyed community events and casual social interaction. The pub also contributed to local tourism and the economy, welcoming cyclists on National Cycle Route 66 and visitors staying in nearby accommodation.
22. It is stated that before its closure, The Cross Keys was well used by the local community with facilities including a rear beer garden, outdoor seating and off road parking. Since its closure, it is stated that there was noticeable decline in opportunities for social inclusion in the village of Dunnington especially for older or isolated residents. Local community groups struggle to find community meeting spaces since the closure.
23. It is stated that future use could include reopening as a public house or café, creating a community owned venue and hosting cultural, recreational and social activities
24. Full details are provided in the nomination form in Annex 1.
25. The Cross Keys Public House has developed a community focus and, for the reasons set out above and further in the nomination form, the pub appears to have been using the land in a way which engages and strengthens community bonds, adding to the social value of the community; therefore the application meets the criteria of the legislation
26. The application meets the criteria for listing and there is a realistic prospect that the pub the pub could re-open given the longevity of the facility that has served the site and community. It is therefore recommended that The Cross Keys Public House should be listed on the ACV register.

The Blacksmiths Arms, Skelton

A. The eligibility of the nominating organisation and the nominated asset to be an ACV.

27. The application nominating the nomination land ("The Blacksmiths Arms") has been made by Skelton Parish Council. This is a renewal of an application originally granted on 16th September 2019 and removed after the 5 year nomination period. When making the application, the applicant seeks to assert its status as a community body under section 89(2)(b)(iii) of the Localism Act 2011 ("The Act").

28. Skelton Parish Council are an eligible body, The application meets the qualifying test set out in section 89(1)(a) of the Act as an application made by way of a community nomination.

The application sets out that the freehold of The Blacksmiths Arms is owned by Samuel Smiths Brewery, there is no freehold or leasehold title registered at the Land Registry. In accordance with the regulations, the freehold owners of the property, have been informed in writing that the application has been made and been invited to make representations regarding the nomination. No response has been received from the freehold owners.

29. The application provides a clear description and postcode of the land nominated on the first page of the form and has attached to it a map setting out the extent of the land. The nominated land does not come within the categories of land which may not be ACVs.

30. The applicant has provided their reasons for thinking that the Council should conclude that the land is of community value, at section 3.

31. Legal Services have confirmed that a nomination must be considered by the Council, if the nominator is someone who meets the eligibility criteria specified in the relevant legislation, and if the nomination form includes the information specified in regulation 6 of the ACV Regulations 2012. Legal Services considers the Nominator fulfils the criteria.

B. Is the current or recent usage of the nominated land an actual and non-ancillary use, does the usage further social wellbeing or social interest, and is it realistic to think that there can continue to be non-ancillary use of the building which will

further (whether or not in the same way) the social wellbeing or social interests of the local community.

32. This application concerns the listing of The Blacksmiths Arms on the Council's ACV list. The past and current usage of the pub as a venue for community activities/events is set out below and indicates that the current and recent usage of the nominated land is an actual and non-ancillary use pursuant to section 88(1) and section 88(2) of the Act.
33. Skelton Parish Council state in their application the current occupier/landlord of the The Blacksmiths Arms is Mr W Pike
34. Skelton Parish Council state in the nomination form that the Blacksmiths Arms has served the Skelton community for generations and for decades has been the only public house in the main village. Its longstanding primary use is that of a public house providing food, drink and is a place for social interaction.
35. It advises that the pub has functioned as a central meeting place where residents of all ages and backgrounds come together, supporting community cohesion, reducing isolation and providing an informal social space.
36. During a recent period of closure, it is stated that there was noticeable decline in opportunities for social inclusion in the village of Skelton and residents were forced to travel outside of the village to meet and socialise. With the reopening of the premises, it has resumed its role and a thriving focal point for village life.
37. Full details are provided in the nomination form in Annex 1.
38. The Blacksmiths Arms has developed a community focus and, for the reasons set out above and further in the nomination form, the pub appears to have been using the land in a way which engages and strengthens community bonds, adding to the social value of the community; therefore the application meets the criteria of the legislation

39. The application meets the criteria for listing. It is therefore recommended that The Blacksmiths Arms should be listed on the ACV register.

The Lord Nelson, Nether Poppleton

A The eligibility of the nominating organisation and the nominated asset to be an ACV.

40. The application nominating the nomination land ("The Lord Nelson") has been made by Nether Poppleton Parish Council. This is a renewal of an application originally granted on 16th September 2019 and removed after the 5 year nomination period. When making the application, the applicant seeks to assert its status as a community body under section 89(2)(b)(iii) of the Localism Act 2011 ("The Act").

41. Nether Poppleton Parish Council are an eligible body, The application meets the qualifying test set out in section 89(1)(a) of the Act as an application made by way of a community nomination.

The application sets out that the freehold of The Lord Nelson is owned by ACT York Ltd, (reg no: 11492568) Club Chambers, Museum Street, York, North Yorkshire, United Kingdom, YO1 7DN.

In accordance with the regulations, the freehold owners of the property, have been informed in writing that the application has been made and been invited to make representations regarding the nomination. No response has been received from the freehold owners.

42. The application provides a clear description and postcode of the land nominated on the first page of the form and has attached to it a map setting out the extent of the land. The nominated land does not come within the categories of land which may not be ACVs.
43. The applicant has provided their reasons for thinking that the Council should conclude that the land is of community value, at section 3.
44. Legal Services have confirmed that a nomination must be considered by the Council, if the nominator is someone who meets

the eligibility criteria specified in the relevant legislation, and if the nomination form includes the information specified in regulation 6 of the ACV Regulations 2012. Legal Services considers the Nominator fulfils the criteria.

B Is the current or recent usage of the nominated land an actual and non-ancillary use, does the usage further social wellbeing or social interest, and is it realistic to think that there can continue to be non-ancillary use of the building which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

45. This application concerns the listing of The Lord Nelson on the Council's ACV list. The past and current usage of the pub as a venue for community activities/events is set out below and indicates that the current and recent usage of the nominated land is an actual and non-ancillary use pursuant to section 88(1) and section 88(2) of the Act.
46. Nether Poppleton Parish Council state in their application the current occupier/landlord of the The Lord Nelson is Mr T Brown
47. Nether Poppleton Parish Council state in the nomination form that the The Lord Nelson is the only public house in Nether Poppleton.
48. It advises that the pub is a meeting point for local residents, community groups and sports teams. The pub is a venue for family gatherings
49. Full details are provided in the nomination form in Annex 1.
50. The Lord Nelson has developed a community focus and, for the reasons set out above and further in the nomination form, the pub appears to have been using the land in a way which engages and strengthens community bonds, adding to the social value of the community; therefore the application meets the criteria of the legislation
51. The application meets the criteria for listing. It is therefore recommended that The Lord Nelson should be listed on the ACV register.

Nominations for Renewal of ACV Listings

52. Successful nominations are added to the Asset of Community Value register and remain on the list for a period of 5 years. Following expiry, the entry is removed.
53. It is proposed that any renewal nomination received for a property that has been listed on the Asset of Community Value register be referred to the Director of Finance in consultation with the Director of Governance for decision.
54. For the avoidance of doubt, new nominations will continue to be sent for Executive Member decision.

Consultation Analysis

As required by the Assets of Community Value Regulations, the owners of the properties have been consulted regarding the applications and have been invited to make representations. No representations have been received from the registered owner regarding the listing.

Options Analysis and Evidential Basis

55. The applications to list The Cross Keys, Dunnington, The Blacksmiths Arms, Skelton & The Lord Nelson, Nether Poppleton as Assets of Community Value can either be accepted or rejected. There are no other options, as it is considered that sufficient information has been provided for a decision to be made.
56. If the decision is to approve the ACV nomination application, then the owner of the property has a statutory right to request a review of that decision by submitting a review request to the Council within 8 weeks of the decision date. (If the decision is to reject the ACV nomination application, the legislation does not give the nominating group any right to appeal that request, though they could potentially seek a Judicial Review of the decision by submitting a claim to the High Court.)

Organisational Impact and Implications

57.

- **Financial** – Compensation may be payable by the Council to the owner of any property which is listed. The figure is limited to costs or losses incurred only whilst the asset is on the list and could include such items as legal expenses for appeals, costs relating to the delay in the sale (such as maintenance, security, utility costs, loss of value).
- **Human Resources (HR)** – None
- **Legal** – Advice and comments have been sought from Legal Services and incorporated in this report.
- **Procurement** – None
- **Health and Wellbeing** – The added protection of an ACV around a physical activity facility which caters for some of our more vulnerable and poorer residents has health and wellbeing benefits which should be considered in decision making.
- **Environment and Climate action** – No direct environmental impacts but buildings of community value are key and underpin a sense of place
- **Affordability** – None
- **Equalities and Human Rights** – None
- **Data Protection and Privacy** – Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.
 - DPIAs helps us to assess and demonstrate how we comply with all our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.
 - The DPIA screening questions identified that whilst there is processing of personal, it is not likely to result in a high risk to the rights and freedoms of individuals. Therefore, a simple DPIA was completed which identified the data protections risks as well as the mitigations either in place or that need to be put in place, to minimise these identified risks such as redacting or withholding personal identifiable information from the public report where we do not have a lawful basis to publish it

- The data protection impact assessment (DPIAs) 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 a routine statutory process. However, given the high level of community use and support for the venue, there may be public or stakeholder interest. Should this arise, communications will be able to support. Proactive messaging opportunities also exist to highlight the value of Assets of Community Value in sustaining vibrant neighbourhoods.
- **Economy** – None
- **Specialist Implications Officers** – None

Risk Management

58. The freeholder may appeal against the Council's decision to list their property as an asset of community value. In the first instance the property owner should ask the council to review its decision. If the Council upholds its decision to list the owner may appeal to the First-Tier Tribunal. If the decision is to reject the ACV nomination application, the nominating organisation may seek a Judicial Review of the decision by submitting a claim to the High Court. In both cases this can be a long and costly procedure.

Wards Impacted

Osbaldwick & Derwent
Rural West York

Contact Details

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

Author

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Report approved:	Yes
Date:	22 July 2026

Co-authors

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Service Area:	Corporate Finance	Property Services
Telephone:	01904 554161	01904 552167
Report approved:	Yes	Yes
Date:	22 July 2026	22 July 2026

Annexes

- Annex 1 – The Cross Keys Public House, Common Lane, Dunnington YO19 5NG – Redacted Application to add to the list of assets of community value.
- Annex 2 – The Cross Keys – Land Registry Plan
- Annex 3 – The Blacksmiths Arms, Skelton, YO30 1YJ – Redacted Application to add to the list of assets of community value.
- Annex 4 – The Blacksmiths Arms - Plan
- Annex 5 – The Lord Nelson, YO26 6HS – Redacted Application to add to the list of assets of community value & plan
- Annex 6 - Current list of Assets of Community Value

Abbreviations used in the used in the report.

- ACV – Assets of Community Value
- DPIA – Data Protection Impact Assessment
- CAMRA – Campaign for Real Ale

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ASSETS OF COMMUNITY VALUE NOMINATION FORM

If you need assistance completing this form, then please refer to the guidance document which can be downloaded from the website www.york.gov.uk/assetsofcommunityvalue or alternatively call 01904 553360.

Section 1

About the property to be nominated

Name of Property:	Cross Keys Public House
Address of Property:	Common Road, Dunnington, York
Postcode:	YO19 5NG

Property Owner's Name:	Greene King
Address:	Sunrise House, Louisiana Way, Bury, St Edmunds, Suffolk
Postcode:	IP33 3GG
Telephone Number:	01284 843200
Current Occupier's Name:	Vacant

Section 2

About your community organisation

Name of Organisation:	Dunnington Parish Council
Title:	
First Name:	
Surname:	
Position in Organisation:	Parish Clerk
Email Address:	parish.clerk@dunningtonparishcouncil.gov.uk
Address:	The Reading Rooms Office, Church Street, Dunnington, YORK
Postcode:	YO19 5PW
Telephone Number:	

Organisation type:

Local Government Body

Organisation size

How many members do you have?

Section 3

Supporting information for nomination

Any information entered in this section only may be copied and passed onto the owner of the property you are nominating. Definition of an asset of community value can be found in the guidance document.

Why do you feel the property is an asset of community value? Please give as much information as possible.

During the 19th and 20th centuries, the Parish of Dunnington was served by six inns and public houses. Today, only one remains: the Cross Keys Public House, located on Common Road in the centre of the village. The Cross Keys has stood at this prominent location since approximately 1823 and forms a key feature within the village's conservation area, positioned at the junction of four roads at the heart of the community.

1. Current or Recent Main Use of the Premises

The Cross Keys Public House has, until its sudden closure in November 2025, been the primary public social and hospitality venue in Dunnington. Its main use was not ancillary; it served as a community gathering space, offering food, drink, entertainment, and social activities. The pub provided a welcoming environment for residents of all ages and for visitors passing through the village. It hosted regular events including quiz nights, darts matches, live music, board game evenings, and charity fundraisers. Additionally, local community groups and clubs met regularly at the pub, using its facilities for meetings, celebrations, and social gatherings.

2. How the Premises Furthers Social Interests and Wellbeing

The Cross Keys Public House demonstrably furthered the social wellbeing of the local community. It provided a venue where residents could meet, socialise, and participate in cultural, recreational, and leisure activities, fostering a sense of belonging and cohesion. The pub was particularly important for residents who do not have private transport, as alternative venues are located several miles away. Families benefitted from the children's play area and safe outdoor space, while adults enjoyed community events and casual social interaction. The pub also contributed to local tourism and the economy, welcoming cyclists on National Cycle Route 66 and visitors staying in nearby accommodation.

3. How Well the Premises Was Used

Until its closure, the Cross Keys was well-used by the community. Many events were regularly attended by residents, with social activities catering to a wide range of ages and interests. Birthdays, anniversaries, and other celebrations frequently took place in the venue, illustrating its integral role in community life. Its facilities, including a rear beer garden, outdoor seating, and off-road parking, made it highly accessible and attractive for a variety of uses.

4. Impact of the Premises' Closure

The closure of the Cross Keys has left a significant void in village life. Residents have lost a key space for social interaction, cultural activities, and community events. The absence of the pub has reduced opportunities for informal social contact, which is particularly important for older or isolated residents. Local community groups now struggle to find suitable meeting spaces, and the wider social cohesion of the village has been negatively affected.

5. Meeting the Social Interests of Different Parts of the Community

The Cross Keys served a diverse cross-section of the community. It supported families, young adults, older residents, and visitors alike. Community groups, sports clubs, and hobby groups were able to meet and hold events in the pub, while informal gatherings encouraged intergenerational interaction. Its accessibility and central location made it uniquely positioned to meet a wide range of social needs within the village.

6. Community Support for the Premises

The Cross Keys was highly valued by local residents, who regard it as an essential hub for social wellbeing. The community's strong attachment to the pub is evidenced by public concern and disappointment following its closure. The venue was recognised as a key feature within the village conservation area, enhancing both the cultural and social identity of Dunnington.

7. Prospects for Future Use

It is realistic to expect that the Cross Keys can continue to serve as an asset of community value. Future use could include re-opening as a public house or café, establishing a community-owned venue, or hosting cultural, recreational, and social activities that serve the community's needs. Potential uses might include:

- Regular social gatherings, quizzes, and live music events.
- Meetings for local clubs, societies, and community groups.
- Family-friendly activities, such as children's play sessions and outdoor events.
- Cultural and charitable events benefiting local residents.

Given the building's existing layout, facilities, and central location, it is well-suited to such uses. Within five years, it is realistic to think that a non-ancillary community-focused use can be re-established, whether as a traditional pub or another form of communal venue.

Conclusion

This nomination covers the entire area shown on the Land Registry plan included with the nomination form, comprising the public house building itself, the rear parking and play area, and the outdoor seating area at the front of the property.

For the reasons set out above, Dunnington Parish Council is satisfied that the Cross Keys Public House meets the definition of an Asset of Community Value as set out in the Localism Act 2011. Its principal and non-ancillary use has, within recent years, demonstrably furthered the social wellbeing and social interests (including cultural, recreational, and sporting interests) of the local community. Furthermore, there is a realistic prospect that such use can continue in the future.

Section 4**Boundary of Property**

What do you consider to be the boundary of the property? Please give as much detail/be as descriptive as possible. Please include a plan.

Title Number : NYK396269

This title is dealt with by HM Land Registry, Durham Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 28 MAY 2019 at 19:23:00 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number : NYK396269

Address of Property : The Cross Keys Public House, 3 Common Road, Dunnington, York (YO19 5NG)

Price Stated : £1

Registered Owner(s) : [REDACTED] of

The Cross Keys Public House, 3 Common Road, Dunnington, York YO19 5NG.

Lender(s) : None

1 of

2

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 28 MAY 2019 at 19:23:00. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the HM Land Registry web site explains how to do this.

A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

YORK

1 (01.05.2012) The Leasehold land shown edged with red on the plan of the above title filed at the Registry and being The Cross Keys Public House, 3 Common Road, Dunnington, York (YO19 5NG).

2 (01.05.2012) The mines and minerals together with ancillary provisions relating to letting down the surface are excepted.

3 (01.05.2012) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:

Date : 4 April 2012

Term : 20 years from 4 April 2012

Parties : (1) Spirit Pub Company (Leased) Limited

(2) [REDACTED]

4 (01.05.2012) The Lease prohibits or restricts alienation.

5 (01.05.2012) The title includes any legal easements referred to in clause LR11.1 of the registered lease but is subject to any rights that are granted or reserved by the lease and affect the registered land.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (11.08.2015) PROPRIETOR: [REDACTED]

[REDACTED] of The Cross Keys Public House, 3 Common Road, Dunnington, York YO19 5NG.

2 (11.08.2015) The price stated to have been paid on 31 July 2015 was £1.

3 (11.08.2015) The covenant implied under section 4(1)(b) of the Law of Property (Miscellaneous Provisions) Act 1994 in the disposition to the proprietor is modified.

End of register

Title number NYK396269

2 of

2

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HM Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan ma

Section 5

Attachment checklist

- ☐ Copy of group constitution (if you are a constituted group)
- ☐ Name and home address of 21 members registered to vote in nomination area (if group is not constituted)
- ☐ Site boundary plan (if possible)

Section 6

Declaration

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.

Signed

Dated: 08 12 2025

Please e-mail your completed form to property.services@york.gov.uk or post to:

Asset and Property Management

City of York Council

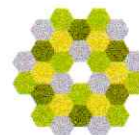
West Offices

Station Rise

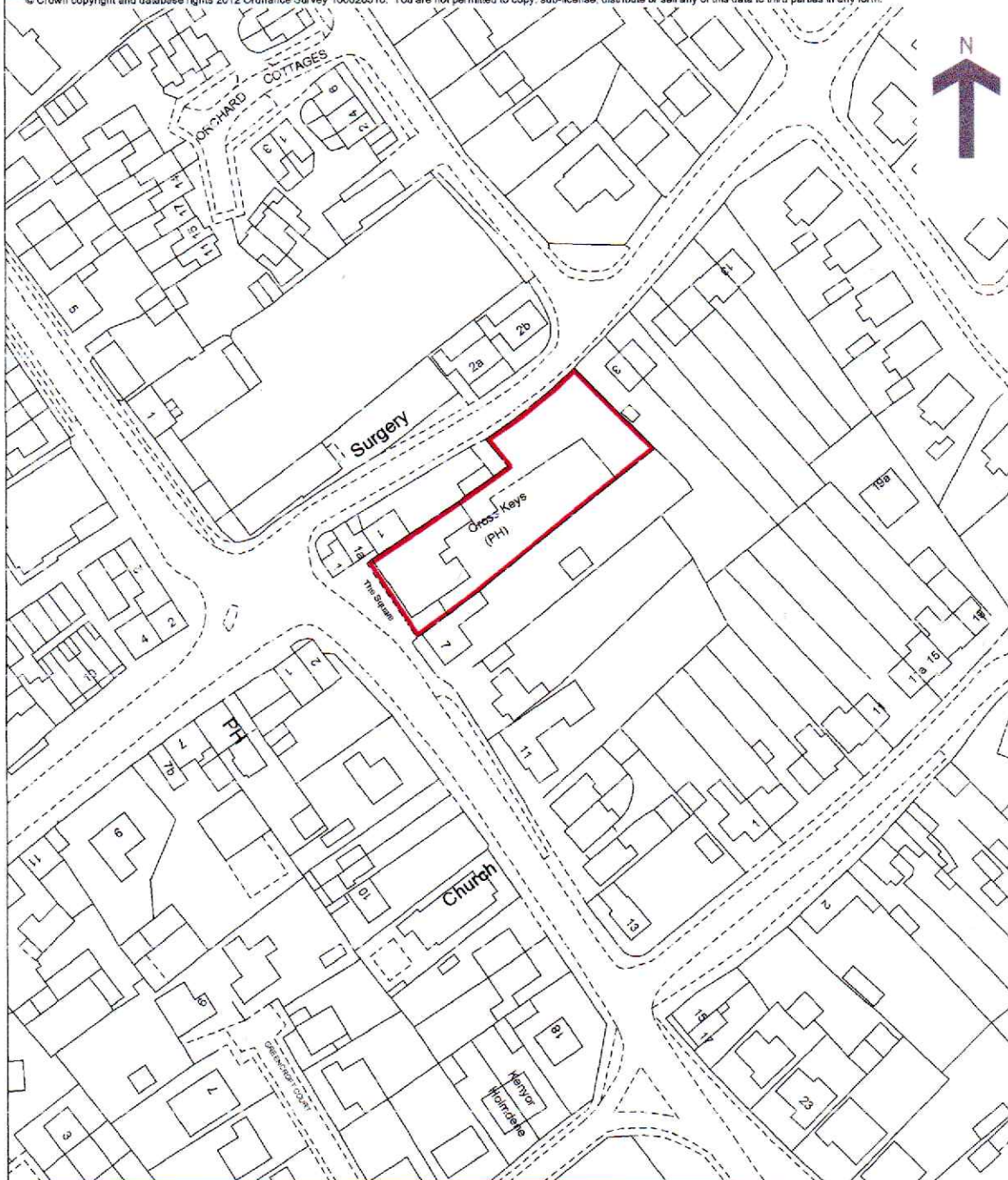
York

YO1 6GA

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This is a copy of the title plan on 28 MAY 2019 at 19:23:00. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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This title is dealt with by HM Land Registry, Durham Office.

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ASSETS OF COMMUNITY VALUE NOMINATION FORM

If you need assistance completing this form, then please refer to the guidance document which can be downloaded from the website www.york.gov.uk/assetsofcommunityvalue or alternatively call 01904 553360.

Section 1

About the property to be nominated

Name of Property:	Blacksmiths Arms Public House
Address of Property:	Shipton Road, Skelton, York
Postcode:	YO30 1YJ

Property Owner's Name:	Samuel Smith's Brewery
Address:	Samuel Smith, The Old Brewery, High Street, Tadcaster, North Yorkshire
Postcode:	LS24 9SB
Telephone Number:	01937 832225
Current Occupier's Name:	[REDACTED]

Section 2

About your community organisation

Name of Organisation:	Skelton Parish Council
Title:	[REDACTED]
First Name:	[REDACTED]
Surname:	[REDACTED]
Position in Organisation:	Chair
Email Address:	[REDACTED]
Address:	[REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]

Organisation type:

Click in field for options

Parish Council

Organisation size

How many members do you have?

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Section 3**Supporting information for nomination**

Any information entered in this section only may be copied and passed onto the owner of the property you are nominating. Definition of an asset of community value can be found in the guidance document.

Why do you feel the property is an asset of community value? Please give as much information as possible.

1. Current or Recent Use That Furthers the Social Wellbeing or Social Interests of the Community

The Blacksmiths Arms has served the Skelton community for generations and has, for many years, been the only public house located within the main village and within convenient walking distance for residents. Its longstanding primary use has been as a public house providing food, drink, and a place for social interaction.

This use clearly furthers the social wellbeing and social interests (including cultural and recreational interests) of the local community, as defined within the Localism Act. The pub has historically functioned as a central meeting place where residents of all ages and backgrounds come together, supporting community cohesion, reducing social isolation, and providing an informal but vital social space.

During the recent period when the Blacksmiths Arms was closed due to the absence of managing tenants, there was a noticeable decline in opportunities for local social interaction. Many residents were forced to travel outside the village to meet and socialise, demonstrating the significant community role that the pub normally fulfils. Its reopening has already restored the social benefits that had been temporarily lost.

2. Realistic Prospect of Continued Community Use

With the arrival of new managing tenants and the recent reopening of the Blacksmiths Arms, there is a clear and realistic prospect that its community-focused use will continue. The pub has rapidly resumed its role as a thriving focal point for village life, with residents once again able to meet, socialise, and participate in community activities.

The building and site are fully suitable for ongoing use as a public house, and no alternative use has been proposed that would displace or undermine this. The demand and support demonstrated by local residents further reinforce the likelihood that this community use will be sustained in the future.

3. Conclusion

On the basis of the above, the Blacksmiths Arms meets both statutory criteria under the Localism Act 2011 for designation as an Asset of Community Value. Its use as a public house has demonstrably furthered—and continues to further—the social wellbeing and interests of the Skelton community. There is also strong evidence of a realistic prospect of this community value being maintained in the years ahead.

It is therefore considered appropriate and justified that the Blacksmiths Arms remains listed as an Asset of Community Value.

Section 4**Boundary of Property**

What do you consider to be the boundary of the property? Please give as much detail/be as descriptive as possible. Please include a plan.

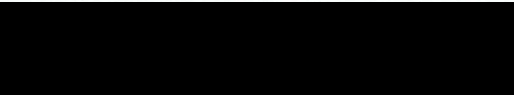
The boundary of the Public House, with car park and beer garden, is detailed on the attached plan

Section 5**Attachment checklist**

- ☐ Copy of group constitution (if you are a constituted group)
- ☐ Name and home address of 21 members registered to vote in nomination area (if group is not constituted)
- ☐ Site boundary plan (if possible)

Section 6**Declaration**

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.

Signed: 

Dated: 4/12/2025

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TOOLS CREATE HELP

VIEW PRINT TABLE



Print



Title
The Blacksmiths Arms Public House

Description
Date : 8th December 2025

Size
A4

Layout
Landscape

Scale
Best Fit: 1:500

PDF PNG

☐ Legend

☐ Hide All Labels

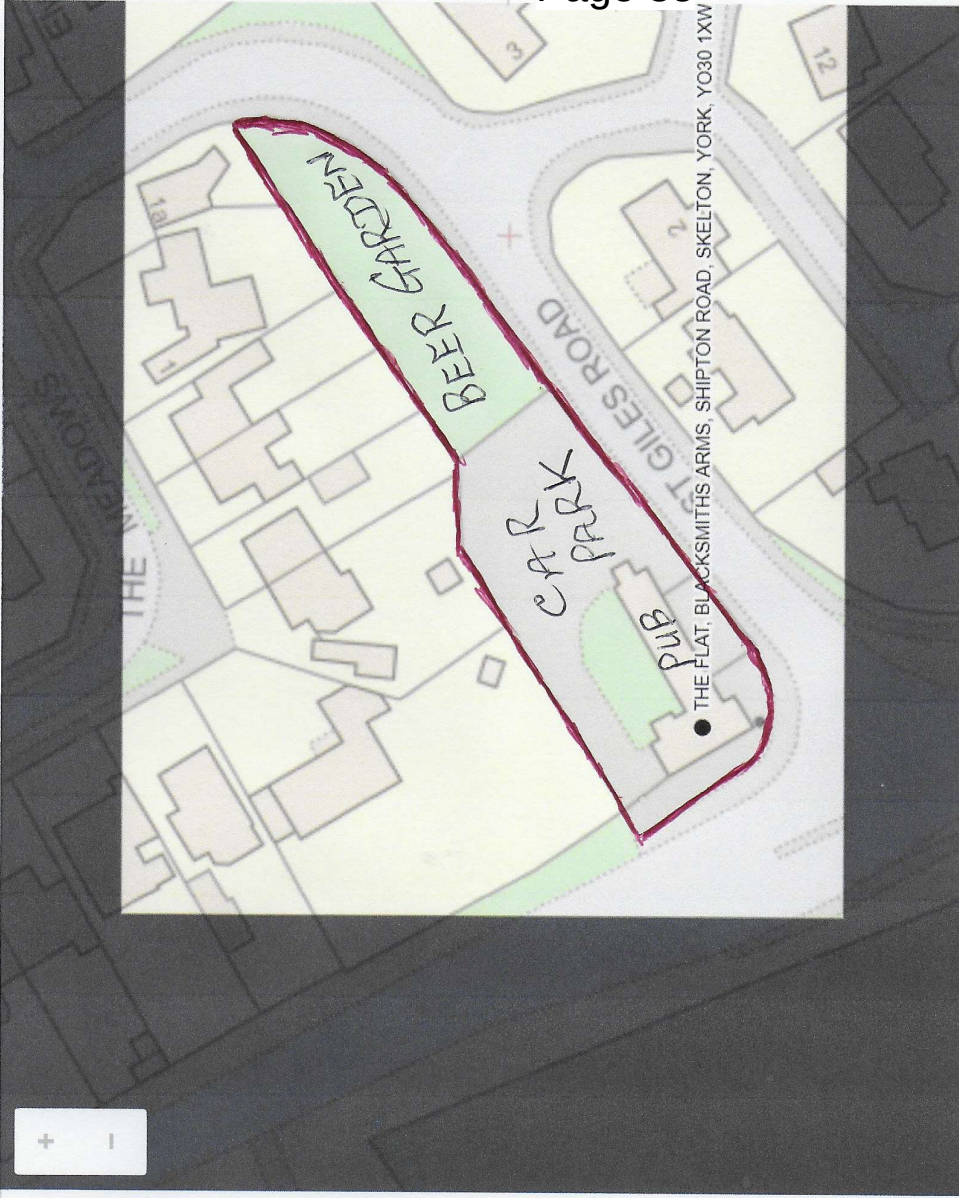
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☐ Hide Author

☐ Toggle Mask

☐ Show Center Coordinates

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ASSETS OF COMMUNITY VALUE NOMINATION FORM

If you need assistance completing this form, then please refer to the guidance document which can be downloaded from the website www.york.gov.uk/assetsofcommunityvalue or alternatively call 01904 553360.

Section 1

About the property to be nominated

Name of Property:	The Lord Nelson
Address of Property:	9, Main Street, Nether Poppleton
Postcode:	

Property Owner's Name:	
Address:	
Postcode:	
Telephone Number:	N/A
Current Occupier's Name:	

Section 2

About your community organisation

Name of Organisation:	
Title:	
First Name:	
Surname:	
Position in Organisation:	
Email Address:	
Address:	
Postcode:	
Telephone Number:	

Organisation type:

Click in field for options

Parish Council

Organisation size

How many members do you have?

7

Section 3

Supporting information for nomination

Any information entered in this section only may be copied and passed onto the owner of the property you are nominating. Definition of an asset of community value can be found in the guidance document.

Why do you feel the property is an asset of community value? Please give as much information as possible.

The Lord Nelson is of significant community value, being the only public house serving Nether Poppleton village.

The pub is a flourishing, welcoming social facility. It is family friendly, and benefits from a large rear garden which is particularly popular in the warmer months. It is a meeting point for local residents, community groups and sports teams and often holds events to raise funds for local charities.

The pub is situated within the Nether Poppleton Conservation Area and is around 300 years old. As such, it is an important part of the village and adds to the beautiful appearance of Main St.

The Parish Council considers that the Lord Nelson boosts the social wellbeing of the community, and certainly meets the intent of an Asset of Community Value. The Lord Nelson was listed as an ACV in 2019, but this has now expired.

Section 4

Boundary of Property

What do you consider to be the boundary of the property? Please give as much detail/ be as descriptive as possible. Please include a plan.

Please see the attached plan

Section 5

Attachment checklist

- ☐ Copy of group constitution (if you are a constituted group)
- ☐ Name and home address of 21 members registered to vote in nomination area (if group is not constituted)
- ☒ Site boundary plan (if possible)

Section 6

Declaration

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.

Signed:

Dated:

2nd March 2026

Please e-mail your completed form to property.services@york.gov.uk or post to:

Asset and Property Management
City of York Council
West Offices
Station Rise
York
YO1 6GA

Lord Nelson Public House Asset of Community Value Nomination

Location Plan / Site Boundary

Address: Lord Nelson, Main St, Nether Poppleton, York. YO26 6HS



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Annex 6

Current list of Assets of Community Value

1. The Golden Ball Public House, 2 Cromwell Road, York, YO16 6DU - approved 6th March 2014. Renewed on 19th September 2024.
2. New Earswick and District Bowls Club, Huntington Road, York, YO32 9PX – approved 6th November 2014. Renewed on 24th July 2020, renewed 24th April 2025
3. Holgate Allotments, Ashton Lane, Holgate, York, YO24 4LX – approved 29th June 2015. Renewed on 14th February 2022.
4. The Derwent Arms, 29 Osbaldwick Village, Osbaldwick, YO10 3NP – approved 14th March 2016. Renewed on 11th April 2022.
5. The Jubilee Hotel Public House, Balfour Street, York, YO26 4YU – approved 11th July 2016. Renewed 14th June 2021.
6. The Blacksmiths Arms, Naburn York, YO19 4PN – approved 12th September 2016. Renewed on 12th September 2022.
7. Holgate Community Garden and Play Park, Upper St Paul's Terrace, York, YO24 4BS. – approved 12th September 2016
8. The Grey Horse Public House, Main Street, Elvington, York, YO41 4AA – approved 11th July 2022.
9. The Deramore Arms Public House, Main Street, Heslington, York, YO10 5EA. – approved 13th March 2017. Renewed on 12th October 2023.
10. The Royal Oak Public House, 1 Main Street, Copmanthorpe, York, YO23 3ST. – approved 11th July 2022.
11. The Blue Bell Public House, 53 Fossgate, York, YO1 9TF. – approved 17th October 2017. Renewed on 19th September 2024.
12. New Earswick Swimming Pool, Hawthorne Terrace, New Earswick, YO32 4TZ. - approved 12th March 2018, renewed 12th December 2024
13. Strensall Library, 19 The Village, Strensall, York, YO32 5XS. – approved 9th April 2018. Renewed 12th October 2023.
14. The Garrison Church of St Wilfrid, St Wilfrid's Road, Strensall, York, YO32 5SJ. – approved 17th September 2018. Renewed 12th October 2023.

15. Hurst Hall Community Centre, Border Road, Strensall Camp, York, B757RL. – approved 15th July 2019. Renewed 19th September 2024.
16. The Ship Inn Public House, Hauling Lane, Acaster Malbis, York, YO23 2UH. – approved 19th December 2022.
17. The Rose and Crown Public House, Main Street, Askham Richard, York, YO23 3PT. – approved 10th July 2023.
18. Vernon House, Vernon Close, Bishopthorpe, York, YO23 2RH. – approved 10th July 2023.
19. The Fox Public House, Stockton on Forest, York, YO32 9UW – approved 5th August 2025



Meeting:	Combined Executive Member Decision Session
Meeting date:	30 July 2026
Report of:	Director of City Development
Portfolio of:	Councillor Pavlovic, Executive Member for Housing, Planning and Safer Communities

Decision Report: Minerals and Waste Planning

Subject of Report

1. This report provides an update on recent developments concerning the future review of the Joint Minerals and Waste Plan (JMWP) and the implications for the emerging York Local Plan.
2. Executive resolved in April 2026 to commence preparation of a new Local Plan for York. As part of that decision, an Activity Schedule was approved which acknowledged that a review of the Joint Minerals and Waste Plan, adopted in 2022, would be required within the plan period and that a formal review process would need to be initiated by April 2027.
3. In accordance with the April decision, the Council issued its Formal Notice of Plan-Making on 26 June 2026 and has subsequently prepared a scoping consultation, which is due to be published shortly.
4. Since then, the strategic context has changed significantly. The North York Moors National Park Authority has resolved to incorporate minerals and waste policies within its new Local Plan, whilst North Yorkshire Council has advised that it is actively considering whether minerals and waste policies should also be incorporated into its emerging Local Plan rather than pursuing a new joint plan.
5. As a consequence, the future of any successor Joint Minerals and Waste Plan is uncertain. The Council must therefore consider how it will continue to discharge its responsibilities as a Minerals and Waste Planning Authority whilst maintaining momentum on preparation of the York Local Plan.

6. This report seeks an Executive Member decision to include minerals and waste matters within the scope of the emerging York Local Plan and notes the Director of City Development's ability to amend and reissue the Formal Notice of Plan-Making to ensure that this is reflected in the statutory plan-making process.

Benefits and Challenges

7. The principal benefit of the proposed approach is that it provides certainty that the Council can continue to fulfil its statutory responsibilities as a Minerals and Waste Planning Authority whilst maintaining momentum on preparation of the York Local Plan.
8. A further officer decision (as per the delegation in the April 2026 Executive decision) to amend and reissue the Formal Notice to include minerals and waste planning would enable these matters to be considered through the forthcoming scoping consultation and throughout subsequent stages of plan preparation. This approach would ensure that stakeholders are engaged on minerals and waste issues from the earliest stage of plan-making and would allow the necessary evidence gathering, policy development and consultation requirements to be integrated within a single plan-making programme. It would also minimise the risk of delays arising from the need to revisit or repeat statutory stages of plan preparation at a later date.
9. The approach reflects the changing strategic landscape following the decision of the North York Moors National Park Authority to incorporate minerals and waste policies within its own Local Plan and North Yorkshire Council's consideration of a similar approach. In the absence of certainty regarding future joint plan arrangements, officers consider it prudent to ensure that York's Local Plan is capable of meeting all of the Council's planning authority responsibilities.
10. However, it should be noted that re-issuing the Formal Notice is not simply an administrative change. Including minerals and waste planning within the scope of the Local Plan would establish a clear intention that these matters will be considered through the plan-making process. This would require the Council to consult on minerals and waste issues through the forthcoming scoping consultation, undertake the necessary evidence gathering and policy development work, and progress those matters alongside the wider Local Plan unless a subsequent alternative approach is formally agreed.

11. The principal challenge is therefore that this will increase the scope, complexity and resource requirements of the emerging Local Plan. Additional technical evidence, policy development and stakeholder engagement are likely to be required, and this could have implications for programme management and staffing requirements.
12. Officers consider that the risks associated with including minerals and waste matters within the Local Plan at this stage are lower than the risks associated with excluding them from the current plan-making process. Failure to include these matters now could prejudice the Council's ability to meet its statutory obligations, potentially require repetition of statutory consultation stages, and introduce avoidable delay and additional cost into the Local Plan programme.

Policy Basis for Decision

13. The preparation and maintenance of an up-to-date development plan is a statutory responsibility of local planning authorities under the Planning and Compulsory Purchase Act 2004. The preparation of plans now falls under the Town and Country Planning (Local Planning) (England) Regulations 2026. Further guidance specific to minerals and waste plans under these recent regulations is anticipated.
14. The approach to Minerals and Waste policy planning is set out in the National Planning Policy Framework and associated Planning Practice Guidance. A new NPPF is expected to be released after the summer and the council will need to ensure all plan preparation accords with the national policies.
15. The proposals support the Council Plan commitment to sustainable and well-managed growth, protecting and enhancing York's environment while ensuring that the infrastructure necessary to support residents and businesses can be planned effectively.
16. Policies in the Local Plan will contribute to the Council's environmental objectives by supporting sustainable management of waste, promoting the prudent use of mineral resources and ensuring that environmental impacts are appropriately considered through the planning process.

Financial Strategy Implications

17. Executive approved the commencement of a new Local Plan for York in April 2026, supported by external grant funding to assist with the early stages of plan preparation. The current programme and associated budgets were developed on the basis that a review of the Joint Minerals and Waste Plan (JMWP) would be considered separately, reflecting the expectation at that time that a future joint planning approach with neighbouring authorities would continue.
18. Incorporating these matters within the Local Plan will require additional evidence gathering, policy development, stakeholder engagement and consultation activity. There may also be implications for specialist technical support and legal advice during later stages of plan preparation and examination.
19. At this stage, officers consider that the immediate financial impact can be accommodated within existing Local Plan project resources and the current programme of work. However, the inclusion of minerals and waste policy preparation is likely to increase the overall scope and complexity of the Local Plan and may require additional budget provision as the plan progresses. It may also require drawing forward of funds into the current year as opposed to costs starting from 2027/28.
20. Conversely, incorporating minerals and waste policies within the York Local Plan may avoid the future costs associated with preparing a separate minerals and waste development plan for York, whether jointly or independently. There may also be efficiencies in undertaking integrated consultation activity and progressing a single examination process.

Recommendation and Reasons

21. The Executive Member is asked to:
 - i. Note the change in circumstances relating to the future review of the Joint Minerals and Waste Plan.
 - ii. Note that City of York Council remains the Minerals and Waste Planning Authority for York and must ensure that its statutory planning responsibilities continue to be addressed through the plan-making process.

- iii. Endorse the inclusion of minerals and waste planning matters within the scope of the emerging York Local Plan and the forthcoming scoping consultation in order to ensure that all reasonable options remain available to the Council and that statutory plan-making requirements can be met, acknowledging there is a delay to the Plan-Making Activity Schedule previously agreed by Executive.
- iv. Note that, exercising delegated powers arising from the April 2026 Executive decision to commence preparation of a new Local Plan, the Director of City Development will amend and reissue the Formal Notice of Plan-Making to reflect the inclusion of minerals and waste planning matters within the scope of the emerging Local Plan.
- v. Request that officers prepare a further report for Executive in October 2026 setting out:
 - the strategic implications of the changing position across York and North Yorkshire;
 - the options considered for future minerals and waste plan-making;
 - the programme, governance, staffing and financial implications of those options;
 - a revised Plan-Making Activity Schedule inclusive of the Local Plan Timetable; and
 - an update on the Council's approach.

Background

22. The Minerals and Waste Joint Plan was adopted on 16 February 2022 and covers the administrative areas of City of York Council, North Yorkshire Council and the North York Moors National Park Authority. The plan provides the strategic planning framework for minerals extraction, waste management facilities and associated infrastructure within the plan area.
23. Since adoption of the current plan, the Government has introduced a new plan-making system intended to accelerate plan production and ensure greater consistency across local planning authorities. The new system establishes a mandatory 30-month preparation period and introduces three gateway assessments alongside three statutory consultation stages. Reviews of existing plans are required to follow the same process as new plans and should commence within five years of plan adoption.

24. Executive agreed in April 2026 to commence preparation of a new Local Plan for York. At the time this report was prepared, officers were engaged in discussions with North Yorkshire Council (NYC) and the North York Moors National Park Authority (NYMNP) regarding the future review of the JMWP. Those discussions were based on an assumption that the three authorities would continue to work collaboratively on a successor joint plan, consistent with the approach taken in preparing the existing JMWP.
25. Since then, the position has changed significantly. In June 2026, the North York Moors National Park Authority resolved to incorporate minerals and waste planning policies within its forthcoming Local Plan rather than participate in a future joint minerals and waste plan. City of York Council has subsequently been advised by North Yorkshire Council that it is also considering whether minerals and waste policies should be incorporated within its emerging Local Plan, although no formal decision has yet been taken.
26. These developments have prompted officers to review how the Council will continue to fulfil its statutory responsibilities as a Minerals and Waste Planning Authority. In practical terms, the Council now has two potential routes available: either to wait and see whether a joint minerals and waste planning approach with North Yorkshire Council can be pursued, or to prepare minerals and waste policies as part of the emerging York Local Plan.
27. Given the advanced stage of preparation of the Local Plan programme, the imminent publication of the Scoping Consultation, and the desire to avoid delay or the need to repeat statutory stages of plan-making at a later date, officers consider it prudent to amend the scope of the Local Plan process now to include minerals and waste planning matters. This would ensure that minerals and waste issues can be considered through the forthcoming consultation, evidence gathering and policy development work from the outset.
28. The Formal Notice of Plan-Making issued on 26 June 2026 did not specifically identify minerals and waste policy preparation as part of the scope of the new Local Plan. However, under the delegated authority established through the April Executive decision, the Director of City Development may amend and reissue the Formal Notice to reflect the inclusion of minerals and waste planning matters. This will ensure that the statutory plan-making process accurately reflects the scope of work now proposed.

Consultation Analysis

29. At this stage, discussions have been undertaken between officers of the three partner authorities regarding future plan preparation arrangements and potential programme implications. No formal public consultation has yet been undertaken ahead of the commencement of the statutory plan-making process.
30. Should the Executive Member support the recommendations contained within this report, future consultation will be undertaken in accordance with the requirements of the new planning regulations and forthcoming engagement strategy, inclusive of meeting statutory duties for maintaining effective cross-boundary cooperation.

Options Analysis and Evidential Basis

Option 1 – Amend the scope of the Local Plan to include minerals and waste planning matters (Recommended)

31. Under this option, the Council would amend and reissue the Formal Notice of Plan-Making to clarify that minerals and waste planning matters fall within the scope of the emerging York Local Plan. Minerals and waste issues would then be included within the forthcoming Scoping Consultation and subsequent evidence gathering and policy development work.
32. This approach ensures that the Council can continue to fulfil its responsibilities as a Minerals and Waste Planning Authority whilst responding to the changing position of partner authorities. It would provide certainty that minerals and waste matters have been appropriately identified from the outset of the plan-making process and would minimise the risk of delay, duplication or the need to repeat statutory plan-making stages at a later date.
33. Whilst this approach would increase the scope of the emerging Local Plan and commit the Council to considering minerals and waste policy requirements through the plan-making process, it preserves programme momentum ensuring minimal delay in plan preparation.

Option 2 – Do not amend the scope of the Local Plan and await further decisions from North Yorkshire Council prior to agreeing an approach to Minerals and Waste planning.

34. Under this option, the Council would continue with the Local Plan process as currently notified and await further clarity regarding North Yorkshire Council's intentions before determining how minerals and waste matters should be addressed.
35. The advantage of this approach is that it would avoid committing resources to minerals and waste policy preparation until the future of any successor joint arrangement is clearer.
36. However, this option carries significant risks. The Council is preparing to commence its scoping consultation and has already issued a Formal Notice of Plan-Making. Delaying consideration of minerals and waste matters could result in them not being appropriately reflected within the early stages of plan preparation. Should the Council subsequently decide to incorporate minerals and waste policies within the Local Plan, there is a significant risk that consultation stages, evidence gathering or programme milestones would need to be revisited, creating additional cost and delay. For these reasons, this option is not recommended.

Option 3 – Commit now to preparing a separate Minerals and Waste Development Plan

37. Under this option, the Council would begin preparing a standalone minerals and waste plan. Officers do not recommend this option. This has significant resource requirements and costs associated with progressing a separate plan through the plan-making process roughly 6 months behind the preparation of the Local Plan.

Organisational Impact and Implications

38. **Financial** - Financial implications are outlined above. Further detailed budget implications will be identified and reported to Executive.
39. **Human Resources (HR)** - The review will require officer input from Strategic Planning Policy and other relevant technical officers. Initial work can be accommodated within existing staffing arrangements. However, as the evidence base and policy development work progresses, additional specialist support or consultancy input may be required. Resource requirements will continue to be reviewed as part of the wider Local Plan programme.

40. **Legal** - The Council has statutory responsibilities in relation to plan-making. Any future Partnership Agreement will require legal review and appropriate governance arrangements to ensure compliance with relevant legislation and constitutional requirements.
41. **Procurement** - Procurement activity is likely to be required for specialist technical studies and consultancy support. Any procurement activity will be undertaken in accordance with the Council's Contract Procedure Rules.
42. **Health and Wellbeing** - An up-to-date minerals and waste planning framework supports the management of environmental and amenity impacts which can affect community health and wellbeing. Future policy development will seek to ensure that impacts on communities are appropriately assessed and mitigated.
43. **Environment and Climate Action** - Minerals and waste planning has an important role in supporting sustainable resource management, the circular economy, climate resilience and the transition towards net-zero carbon objectives.
44. The proposed approach will ensure that these matters are considered alongside wider environmental and climate priorities through the preparation of the Local Plan.
45. **Affordability** - There are no direct affordability implications arising from the recommendations at this stage.
46. **Equalities and Human Rights** - A Human Rights and Equalities Assessment has been undertaken in relation to the proposal and is attached at Annex A. The outcomes from this have shown that there would be positive outcomes from production of a new plan inclusive of minerals and waste planning.
47. **Data Protection and Privacy** - There are no direct data protection implications arising from this report. Any future consultation activities will be undertaken in accordance with relevant data protection requirements.
48. **Communications** - Clear communication will be required to explain the change in circumstances regarding the future review of the Joint Minerals and Waste Plan and to set out why minerals and waste matters are now proposed to be included within the scope of the Local Plan.

49. The forthcoming Scoping Consultation will provide the first opportunity to engage stakeholders on these issues and should clearly communicate that the Council is seeking views on minerals and waste matters in light of the evolving position across York and North Yorkshire.
50. **Economy** - An up-to-date minerals and waste policy framework supports sustainable economic growth by providing certainty for infrastructure investment and development activity.
51. Including these matters within the Local Plan will allow minerals and waste planning considerations to be integrated with wider economic, environmental and spatial planning objectives.

Risks and Mitigations

52. Risk: Failure to adequately address Minerals and Waste Planning Authority responsibilities

Mitigation: The Formal Notice of Plan-Making will be amended to include minerals and waste planning matters within the scope of the emerging Local Plan, ensuring that these issues are considered from the outset of the plan-making process and through the forthcoming Scoping Consultation.

53. Risk: Delay to Local Plan preparation

Mitigation: Including minerals and waste planning matters within the current scope of work enables evidence gathering and consultation activities to proceed without delay and reduces the likelihood of repeating statutory stages of plan-making.

54. Risk: Increased scope and resource requirements

Mitigation: Resource requirements will continue to be monitored through the Local Plan programme. Early consideration of minerals and waste matters allows these requirements to be planned into future project budgets and staffing arrangements. A fuller assessment of resource implications will be reported to Executive in October 2026.

55. Risk: Stakeholder confusion regarding the scope of the Local Plan

Mitigation: The amended Formal Notice, Scoping Consultation materials and supporting communications will clearly explain the reasons for the change and the evolving position across York and North Yorkshire. This will provide transparency regarding the Council's intentions and the opportunity for stakeholders to participate in shaping future policy.

Wards Impacted

56. All wards.

Contact details

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

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Date:	21 July 2026

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Report approved:	Yes
Date:	21 July 2026

Background papers

- Executive April 2026 - [Decision - Plan-making activity and Local Plan Review \(york.gov.uk\)](https://york.gov.uk/decision-plan-making-activity-and-local-plan-review)

Annexes

- Annex A: Human Rights and Equalities Assessment (HREA)

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City of York Council and Centre for Applied Human Rights

Human Rights and Equality Assessment Tool (HREAT)

An Equality Assessment 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 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 Equality Assessment 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 Equality 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 HREAT 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?

Directorate		City Development	
Service Area		Strategic Planning Policy	
Name of proposal		Plan-making activity (Local Plan including Minerals and Waste planning)	
Lead Officer		Alison Cooke – Head of Strategic Planning Policy	
Date Assessment Started		21 July 2026	
Date Assessment Completed		Ongoing	
Names of those who contributed to the assessment			
Name	Job Title	Organisation	Area of Expertise
Alison Stockdale	Strategic Planning Policy Manager	City of York Council	Strategic Planning

1.1	What is the purpose of the proposal
	Please explain your proposal in plain English avoiding acronyms and jargon. Consider using Age 9 English. In April 2026, a report to Executive presented the forthcoming Plan-making activity being undertaken by City of York Council, as well as presenting a proposal to refresh York's Local Plan. An Equalities Impact Assessment was carried out to support the initial reporting of the intention to commence work on a new Local Plan – see https://democracy.york.gov.uk/documents/s188399/Item%208%20-%20Plan-making%20activity%20and%20Local%20Plan%20Review%20-%20Annex%20E.pdf As a Minerals and Waste Planning Authority we have a statutory duty to produce a Minerals and Waste Plan. At the time of reporting on forthcoming Plan-making activity it was intended that our statutory duties on Minerals and Waste would be fulfilled by reviewing the joint Minerals and Waste Plan for York and North Yorkshire. However, it is now intended that the Minerals and Waste Plan will form part of York's new Local Plan. This report considers the proposed approach to Plan-making in relation to Minerals and Waste Planning. Minerals and Waste planning influences where extraction, processing, recycling, recovery, and disposal activities occur. These activities can affect: - Local air quality, noise, and traffic - Access to land, public rights of way, and community facilities - Employment opportunities - Environmental quality and long-term health - Distribution of burdens and benefits across communities Because impacts are spatially uneven, the policy must ensure fair treatment and meaningful participation for all affected groups.

Minerals and Waste policy is likely to have city-wide impacts and benefits. Wider cross-boundary impacts are anticipated where this relates to the management and treatment of waste.

Step 1 – Aims and intended outcomes

1.2	Are there any external considerations?
	Legislation / government directive / codes of practice etc.
	Plan making activities must accord with the following legislation: • Planning and Compulsory Purchase Act 2004 (as amended) • Localism Act 2011 • Levelling Up and Regeneration Act 2023 (LURA 2023) • Planning and Infrastructure Act (PIA) 2025 • Town and Country Planning (Local Planning) (England) Regulations 2026 • The Neighbourhood Planning (General) Regulations 2012 • The Neighbourhood Planning (Referendums) Regulations 2012 Under the Town and Country Planning (Local Planning) (England) Regulations 2026, Local Authorities are required to publish a Local Plan Timetable for the preparation of new plans. This is included within the plan-making activity schedule. A new National Planning Policy Framework expected in Autumn 2026 will provide the overarching policy context, with local plans expected to avoid duplication of national policy. This will dictate the content of plans.

The Equality Act 2010 provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It provides a discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society. Under the Act, the Gypsy, Roma and Traveller community are specifically protected under the protected characteristics for 'Race'.

1.3 Who are the stakeholders and what are their interests?

Consider both internal and external stakeholders.

Plan-making in York is relevant to anyone who lives, works or carries out business in the authority. This includes Local Communities, Voluntary and Community Sector, officers at City of York Council and Planning Agents and Developer community. It also includes stakeholders, such as statutory consultees, who may have an interest in strategic planning in the city.

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1.4 What results / outcomes do we want to achieve and for whom?

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.

York is operating within a rapidly changing policy, economic, social, and environmental context. National reforms to the planning system, regional strategies through the York and North Yorkshire Combined Authority, and evolving expectations on a complex range of issues require the Council to maintain an up-to-date spatial framework. Our local policy will be able to set an effective spatial response that optimises benefits for communities. The activity schedule focuses on delivery and implementation of the adopted local plan alongside implementation of the Community Infrastructure Levy, continuation of Neighbourhood Plan making, the updated Statement of Community Involvement and initiation of a Local Plan Review. Each of these documents is subject to a separate decision to proceed.

Since preparation of the current adopted Local Plan there has been significant city-wide strategy development in York, articulated in the city's collective vision set out in 'York 2032: The 10-Year Plan'. The refreshed Local Plan, inclusive of minerals and waste policy, must reflect the city's strategic ambitions as articulated in York 2032 and related strategies on climate change, the economy, health and wellbeing, transport, skills and culture. The plan will provide a coherent basis for delivering sustainable development across the city. All of the above need to shape the development plan for the city.

The proposal directly reflects the core aims of the Council Plan (One City for All – 2023-2037), equalities, affordability, climate action and population health.

Step 2 – Resources utilised

3.1	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?	
	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.	
	Source of data / supporting evidence	Reason for using this source
	Statutory legislation (as set out in Section 1.2 above)	Sets the requirements and formal framework for plan-making
	National Planning Policy Guidance	Provides guidance about the requirements
	National Planning Policy Framework	National Planning Policy for England and how it should be applied.
	Stakeholder engagement	The new Local Plan including Minerals and Waste planning will update the existing adopted City of York Local Plan and Joint Minerals and Waste Plan for York and North Yorkshire. Both plans were informed by significant and wide-reaching stakeholder engagement. The new plan-making system includes a minimum of 3 statutory consultation stages which should be advised by a consultation strategy. The proposal allows for approval of the consultation strategy to be delegated to the Director of City Development; this will set out in detail stakeholder mapping, events and how consultation will be conducted. Preparation will be subject to iterative HREAT and Environmental Outcome Reporting and these will be published at each statutory consultation stage and/or when applicable.

	York's Adopted Local Plan (2025)	Provides the local policy framework against which the CIL, non-statutory guidance and neighbourhood Plans will be developed. This was subject to extensive consultation and public examination and is supported by evidence base, including iterative EIA.
	Adopted Minerals and Waste Joint Plan (2022)	Provides the local and cross-boundary policy framework against which forthcoming Minerals and Waste policy for York will be developed. This was subject to extensive consultation and public examination and is supported by evidence base, including iterative EIA.
	Community Infrastructure Levy (2025)	City-wide consultation on the Community Infrastructure levy charging schedule was undertaken schedule has been undertaken. This was supported by evidence base, EIA and was subject to public examination prior to adoption in November 2025.

Step 3 – Screening the impacts or effects.

3.1	Equality-related obligations derive from the Equality Act of 2010 and the Human Rights Act of 1998.
	Once you have engaged with stakeholders you will need to identify how this proposal impacts on their human rights and equalities. Although table 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. Please see the Appendix for details of the protected characteristics and human rights to consider 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.

Step 3.1 Table 1 – Screening the impacts or effects

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

ANNEX A

Right to education***	Neutral												
Right to free elections***	Neutral												
Right to housing***	Neutral												

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).

Use the following guidance to inform your responses:

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

Protected Characteristics or Human Rights	Key findings / impacts	Positive (+) Negative (-) (Neutral (0)	High (H) Medium (M) Low (L)
Age	For plan-making, there will be opportunities to engage with all age groups through various consultation stages; this will be outlined in forthcoming consultation strategies. Overall, the Local Plan and planning policy may consider age specific spatial policy; this is to be determined and will be reported on in the future.	+	L
	Sustainability Appraisal and SEA previously identified that Minerals and Waste operations can affect air quality, noise, dust, and water pollution, impacting on the right to life (health). In mitigation, policy must ensure: - Strict environmental controls - Site-selection safeguards - Monitoring and transparent reporting - Avoidance of disproportionate impacts on vulnerable groups, including on the protected characteristics of age and disability. This will be informed by engaging with a wide range of stakeholders throughout the plan-making process.	0 (unknown at this stage)	L
Disability	For plan-making, there will be opportunities to engage and work with those who identify as either having an impairment or being a disabled person through various consultation stages; this will be outlined in forthcoming consultation strategies. The Local Plan and planning policy guidance may consider disability specific spatial policy; this is to be determined and will be reported on in the future	+	L

	Sustainability Appraisal and SEA previously identified that Minerals and Waste operations can affect air quality, noise, dust, and water pollution, impacting on the right to life (health). In mitigation, policy must ensure: - Strict environmental controls - Site selection safeguards - Monitoring and transparent reporting - Avoidance of disproportionate impacts on vulnerable groups, including on the protected characteristics of age and disability. This will be informed by engaging with a wide range of stakeholders throughout the plan-making process.	0 (unknown at this stage)	L
Gender reassignment	This proposal is not expected to impact on that characteristic	0	N/A
Marriage and Civil Partnership	This proposal is not expected to impact on that characteristic	0	N/A
Pregnancy and Maternity	Sustainability Appraisal and SEA previously identified that Minerals and Waste operations can affect air quality, noise, dust, and water pollution, impacting on the right to life (health). In mitigation, policy must ensure: - Strict environmental controls - Site selection safeguards - Monitoring and transparent reporting - Avoidance of disproportionate impacts on vulnerable groups, including on the protected characteristics of age and disability. This will be informed by engaging with a wide range of stakeholders throughout the plan-making process.	0 (unknown)	L

	For plan-making, there will be opportunities to engage with pregnant people through various consultation stages; this will be outlined in forthcoming consultation strategies.	+	L
Race	Mixed use Gypsy and Traveller sites are more likely to be located in industrial areas and therefore disproportionately more likely to be impacted by industrial/waste management uses. In mitigation, policy should avoid the co-location of sensitive receptors.	0 (unknown)	L
	For plan-making, there will be opportunities to engage and work with harder to reach groups such as gypsies and travellers; this will be outlined in forthcoming consultation strategies.	+	L
Religion and Belief	This proposal is not expected to impact on that characteristic	0	N/A
Sex	This proposal is not expected to impact on that characteristic	0	N/A
Sexual Orientation	This proposal is not expected to impact on that characteristic	0	N/A

Other social – economic groups			
Carer	This proposal is not expected to impact on that characteristic. However, there is potential for this group to be considered as part of future evidence base	0	N/A
	For plan-making, there will be opportunities to engage with carers through various consultation stages; this will be outlined in forthcoming consultation strategies.	+	L

Care Leavers	This proposal is not expected to impact on that characteristic. However, there is potential for this group to be considered as part of future evidence base	0	N/A
	For plan-making, there will be opportunities to engage with carer leavers through various consultation stages; this will be outlined in forthcoming consultation strategies.	+	L
Low income groups	While the wider Local Plan outlines the production of non-statutory guidance in relation to affordable housing which will support affordable housing provision, the Minerals and Waste Plan is not itself expected to impact on that characteristic. However, there is potential for this group to be considered as part of future evidence base	0	N/A
Veterans and armed Forces	This proposal is not expected to impact on that characteristic. However, there is potential for this group to be considered as part of future evidence base.	0	N/A
Other	N/A		
Human Rights (list any rights impacted)			
Right to Life	Age, disability and race (Gypsy and Traveller communities) are identified as particularly sensitive receptors in relation to minerals and waste planning. While Minerals and Waste development may affect life expectancy, the plan will recognise this risk and avoid any potential conflict.	0 (unknown)	L

Step 4 – Gaps in data and knowledge

4.1	What are the main gaps in information and understanding of the impact of your proposal?		
	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. Please indicate actions you will take to resolve this gap. As your proposal progresses you may be able to resolve this knowledge gap –please indicate when it was resolved.		
	Gaps in data or knowledge	Action to deal with this	Date resolved
	Full details of the new plan-making system and revised NPPF are not yet available; these are being incrementally released by MHCLG.	Officers to keep up to date with changes in planning policy and guidance.	Ongoing
	Full impacts of the new Local Plan including Minerals and Waste Plan cannot be known until it has been progressed	Further information will be gained via public consultation at statutory stages and continued annual monitoring of the adopted Local Plan.	Ongoing

Step 5 - Maximising positive impacts

5.1	What has been done to optimise opportunities to advance equality / human rights or foster good relations?
	The plan-making process is in its early scoping stages and positive impacts are not yet measurable. The Local Plan will be subject to ongoing HREAT, including at consultation stages, and including Minerals and Waste policy considerations.

Step 6 – Recommendations and conclusions of the assessment

6.1	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.	
	Important: 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:	
	No major change to the proposal	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.
	Adjust the proposal	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.
	Continue with the proposal (despite the potential for adverse impact)	You should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations
	Stop and remove the proposal	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	The HREAT demonstrates the proposal is robust at this stage. There are opportunities to advance equality and foster good relations through targeted and specific consultation in plan-making, which will be subject to continuing monitoring and review. HREAT will continue as an iterative process throughout plan-making.

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.			
	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.			
	Impact / Issue	Actions to be taken	Person Responsible	Timescale
	Review of adopted Local Plan implications	Monitoring of adopted Local Plan and the impact of Minerals and Waste policy to inform future Local Plan production	Alison Cooke	Annual
	HREAT of new Local Plan and Minerals and Waste Plan	Future HREAT to consider the impact and implications of evidence base/new and revised Minerals and Waste policy	Alison Cooke	TBC – aligned to relevant stages of Local Plan production. HREAT to be undertaken prior to statutory consultation and published as part of the suite of evidence.

Step 8 - Monitor, review and improve

8.1	How will the impact of your proposal be monitored and improved upon going forward?
	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?
	The Local Plan Timetable and Activity Schedule will be updated as necessary to ensure the plan-making timetable remains up-to-date. Iterative HREAT will also be carried out to inform Local Plan preparation and will be published as part of statutory consultations and/or when relevant. The adopted Local Plan (2025) and Joint Minerals and Waste Plan policies continue to be monitored in accordance with an agreed monitoring framework and reported through the statutory Annual Monitoring Report. This will be used to inform the detail of future plan-making. Once adopted it is anticipated that the new Local Plan will be monitored annually and reviewed every 5 years, in line with the Regulations.

Appendix A

Equality, 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 characteristics 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.

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	Focus Area
Right to life	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. Public authorities should also consider the right to life when making decisions that might endanger or affect life expectancy. When public officials may be involved in an instance when someone died, public authorities must investigate.	• Benefits and money • Births, deaths and marriages • Children and families • Environment and animals • Health and social care • Housing • Planning and building • Waste and recycling
Right to liberty and security	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.	• Right to liberty and security

Freedom from torture and inhuman or degrading treatment	Torture consists in causing very serious and cruel physical or mental pain or suffering. Inhuman treatment or punishment is treatment which causes intense physical or mental suffering. Degrading treatment means treatment that is extremely humiliating and undignified. 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.	• Children and families • Health and social care
Right to marry and start a family	Right of men and women of marriageable age to marry and to start a family.	• Births, deaths and marriages
Prohibition of slavery and forced labour	Slavery is when someone owns someone else like a piece of property. Servitude is when someone provides services to a person for no reward and is unable to stop due to coercion. Forced or compulsory labour is when someone is forced to do work to which they have not agreed to, under the tHREAT of punishment.	• Children and families • Jobs, training and volunteering • People and communities
Right to a fair trial	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.	• Environment and animals • Health and social care • People and communities • Streets, roads and pavements
No punishment without law	No one can be charged with a criminal offence for an action that was not a crime when it was committed. Public authorities must explain clearly what counts as a criminal offence so that people know when they are breaking the law.	• Environment and animals • People and communities • Streets, roads and pavements

Right to property	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.	• Benefits and money • Business • Council tax • Environment and animals • Housing • Planning and building • Travel and transport • Streets, roads & pavements • Waste and recycling
Right to private and family life, home and correspondence	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. 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.	• Benefits and money • Births, deaths and marriages • Children and families • Health and social care • Jobs, training and volunteering • Parking and permits • Planning and building • Schools and education • Sports and leisure
Right to free elections	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.	• Births, deaths and marriages • People and communities

Freedom of thought, conscience and belief	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, 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. This right protects a wide range of non-religious beliefs including atheism, agnosticism, veganism and pacifism. 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.	• Business • Schools and education
Freedom of expression	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.	• Business • Environment and animals • People and communities • Schools and education • Sports and leisure
Freedom of assembly and association	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.	• Environment and animals • Jobs, training and volunteering • People and communities • Travel and transport • Streets, roads and pavements

Right to education	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.	• Children and families • Environment and animals • Jobs, training and volunteering • People and communities • Schools and education • Sports and leisure
Right to housing	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: 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 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.	• Benefits and money • Housing • People and communities • Planning and building • Waste and recycling

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