



Agenda

Meeting: Executive

Members: Councillors Carl Les (Chairman), Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance, Keane Duncan, Greg White and Annabel Wilkinson.

Date: Tuesday, 12th December, 2023

Time: 11.00 am

Venue: Meeting Room 3, County Hall, Northallerton, DL7 8AD

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the Democratic Services Officer whose contact details are below if you would like to find out more.

This meeting is being held as an in-person meeting that is being broadcasted and recorded and will be available to view via www.northyorks.gov.uk/livemeetings.

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Business

1. **Apologies for Absence**

2. **Minutes of the Meeting held on 28 November 2023** (Pages 5 - 12)

3. **Declarations of Interest**

4. **Public Participation**

Members of the public may ask questions or make statements at this meeting if they have given notice to Melanie Carr of Democratic and Scrutiny Services and supplied the text (contact details below) by midday on Thursday 7 December, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded,

please inform the Leader who will instruct anyone who may be taking a recording to cease while you speak.

5. Catterick Garrison Town Centre Regeneration Project – Levelling Up Fund Project (Pages 13 - 30)

Recommendations:

It is recommended that the Executive:

- i) provides authority to enter into a Collaboration Agreement and Lease with the Defence Infrastructure Organisation to facilitate the delivery of the LUF Catterick Garrison Towns Centre Regeneration project on terms principally contained within this report; and
- ii) notes that as part of the Collaboration Agreement, the Council will take responsibility for delivering any section 106 obligations associated with its planning application in respect of the LUF project; and
- iii) delegates authority to the Corporate Director of Community Development in discussion with the Executive Member for Open to Business and Corporate Director of Resources to agree the final terms of a Collaboration Agreement and Lease with the Defence Infrastructure Organisation; and
- iv) notes that this delegation will include the final determination of the DIO's match funding contributions by way of capital costs and land value as well as securing sufficient on-going maintenance costs for the completed LUF project from the DIO's subsequent commercial and residential developments and comprised in Phase 2.

6. Delivery of the New Settlement (Maltkiln) Development Plan Document (Pages 31 - 70)

Recommendation:

- i) That the Executive Recommend to Full Council that a Compulsory Purchase Order is pursued as a mechanism to deliver a new settlement at Maltkiln if an agreement with landowners cannot be reached.

7. Devolution Deal Net Zero Fund: Acceptance of Grant Funding (Pages 71 - 78)

Recommendations:

- i) That the Executive note the Joint Devolution Committee recommendations for funding under the DLUHC Devolution Deal Net Zero Fund for North Yorkshire Council
- ii) That the Executive delegate authority to the Corporate Director of Resources, in consultation with the Assistant Chief Executive (Legal and Democratic Services), to accept the DLUHC Devolution Deal Net Zero Fund subject to acceptable terms and conditions being received

8. Approval of Grant Acceptance – Department for Education (DfE) Skills Bootcamps (Wave 5) 2024-25 (Pages 79 - 88)

Recommendation:

That the Executive approves acceptance of the grant from the Department for Education for Skills Bootcamps (Wave 5) 2024-25 based on the pending application for grant funding of £2,487,974.

9. Forward Plan (Pages 89 - 110)

10. Any Other Items

Any other items which the Leader agrees should be considered as a matter of urgency because of special circumstances

11. Date of Next Meeting - 9 January 2024

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Contact Details:

Enquiries relating to this agenda please contact Melanie Carr, Principal Democratic Services & Scrutiny Officer

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Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)
County Hall
Northallerton

Monday, 4 December 2023

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Public Document Pack Agenda Item 2

North Yorkshire Council

Executive

Minutes of the meeting held on Tuesday, 28th November 2023 commencing at 11.00 am.

Councillor Carl Les in the Chair. plus Councillors Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance, Keane Duncan and Greg White.

In attendance: Councillors Alyson Baker, Barbara Brodigan, Caroline Dickinson, Andrew Lee, Karin Sedgwick, Andrew Williams, Paul Haslam, Malcolm Taylor, Chris Aldred, Peter Lacey, Cliff Lunn and John Mann.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Richard Flinton, Nic Harne, Barry Khan, Richard Webb, Melanie Carr, Daniel Harry, Richard Binks, Trudy Forster, Amanda Newbold, Tony Law and Will Boardman.

Other Attendees: Stuart Minting.

Apologies: Councillor Annabel Wilkinson.

Copies of all documents considered are in the Minute Book

343 Apologies for Absence

Apologies were received from Councillor Annabel Wilkinson.

344 Public Minutes of the Meeting held on 7 November 2023

Resolved –

That the public Minutes of the meeting held on 7 November 2023, having been printed and circulated, be taken as read and confirmed by the Chair as a correct record.

345 Declarations of Interest

In regard to Agenda item 6, Councillor Michael Harrison declared a pecuniary interest, as an employee of one of the organisations listed in Treasury Management Appendix B. He confirmed he had a dispensation from the Standards Committee enabling him to remain in the meeting and vote.

Councillors Carl Les and Janet Sanderson both declared an interest in Agenda item 9 as they were both Trustees of North Yorkshire Youth and Carlton Lodge Activity Centre.

346 Exclusion of the Public

Resolved – That on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 2 & 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, the public was excluded from the meeting during consideration of agenda item 13.

347 Public Participation

There were no public questions or statements.

348 Quarter 2 Performance Monitoring and Budget Report

Q2 Performance Monitoring and Budget Report

A joint report of the Chief Executive and Corporate Director - Resources, bringing together key aspects of the County Council's performance on a quarterly basis.

County Councillor David Chance introduced the section on Quarter 2 performance, which provided a comprehensive performance picture of North Yorkshire Council. He drew attention to the strong performance and leadership across a range of areas, as detailed in the report, and provided an overview of the strengths and challenges in performance across the Council's Directorates, which included:

- HAS performance remained strong despite the ongoing care market pressures;
- An increase in safeguarding activity in both Quarter 1 and Quarter 2;
- The average cost of care home placements had risen by 14%;
- package provision had risen by 4%;
- The demand for Adult Services was above the national figure;
- A 10% increase in the number of EHCPs;
- The number of exclusions and referrals to Children's Services had risen;
- An increase in residual waste and a decrease in recycling;
- A year on year reduction in landfill;
- A long term downtrend trend in fly tipping;
- An increase in demand on the Translation and Interpretation Service;
- An increase in demand for customer service interactions;
- A reduction in water quality particularly in South Bay, Scarborough;
- A continued demand under the Homes for Ukraine Scheme;

Executive Members were given the opportunity to provide any further information relevant to their individual portfolio areas, and in response to questions from members of the Scrutiny Board, the following was confirmed:

- The table on customer interaction did not include data on those interactions coming through the website such as applying for a residents parking permit or a green waste bin. Work was ongoing to improve the collection of data representing the whole customer experience for reporting purposes
- The ongoing pressure on domiciliary care was having an impact on the work of the Reablement Team. Short term placements were being constantly reviewed to ensure as many as possible were able to return to home rather than moving to long term care.
- Weight management referrals were increasing but were still below pre-pandemic figures. Work was ongoing to improve referral routes and data was being fed into the ongoing review of Leisure Services.
- Some improvements were required to the NHS Health Checks national programme - it was noted that uptake was slightly higher across the County compared to the national picture
- The data on smoking cessation had improved since the service was taken back in house but had flatlined in recent months. It was noted the figures did not include data on vape users.
- In regard to drug treatment figures, Richard Webb, Corporate Director for Health & Adult Services agreed to provide further information after the meeting.
- The number of children in care had increased but without the unaccompanied asylum

seeker children the figures would have reduced.

- Plans were in place to increase the amount of accommodation available for unaccompanied asylum seekers. Councillor Janet Sanderson acknowledged the concerns raised about the appropriateness of some of the properties being proposed and she encouraged Members to direct any further concerns to her so that she could ensure they were addressed. It was confirmed that finding the right type of accommodation was a key factor in ensuring that asylum seekers placed with the Authority stayed in the county.
- The drop in timely assessments for ECHPs was due to a lack of educational psychologists which was an issue nationally. Stuart Carlton - Corporate Director for Children & Young People's Service confirmed the County had commissioned more assessments than it was capable of completing with the staff available and was pleased to note the recent recruitment of a Principal Psychologist and two further educational psychologists which he ensured Members would help address the assessment backlog.
- There was a limit to what the Authority could do to encourage a greater reduction in the amount of waste generated. It was noted the County's landfill figure of 4% was half that of the national average of 8%.
- In regard to highways insurance claims, the focus was not on their repudiation but on investment in the road network to improve the highways and in turn reduce the number of claims.
- The draft Economic Strategy was recently approved by Full Council.
- As a result of bringing together the data available from the legacy District and Borough Councils it was not possible at this stage to understand whether the number of households in temporary accommodation were the same households as reported in Quarter 4 2022/23 and Quarter 1 2023/24. It was noted that work was underway to collect improved data that would better inform the Authority's KPIs.
- The performance data available in relation to the management of planning applications could be made clearer – Councillor Andrew Lee suggested it be broken down into two categories – those applications determined within the statutory 8 weeks and those with an extension to 13 weeks. He suggested it would also be useful to know who was asking for the extension in time – the applicant or the Authority. It was confirmed that in Quarter 1 all areas were performing above the national requirements with all but Hambleton & Richmond being above the major performance target of 70%.

Revenue Budget, Treasury Management & Capital Plan

County Councillor Gareth Dadd introduced each section of the report. In regard to Revenue, he drew attention to the current underspend and the expected in-year budget deficit of £27m.

Gary Fielding, Corporate Director for Resources confirmed the planned £30m deficit budget had been put in place to allow time to plan for the coming years. He was also pleased to report there had been no major shocks as part of the ongoing consolidation work.

In regard to Treasury Management, County Councillor Gareth Dadd noted there was nothing to add to the report, and in regard to the Capital Plan, he drew attention to the addition of £580k to the capital plan for the Scarborough chalets, on an invest to save basis, and the risks associated with capital projects and the ongoing work to mitigate those risks.

Executive Members voted unanimously in favour of all of the recommendations within the report, and it was

Resolved – That the following be noted:

- a. The information in the Q2 Performance Report was to be used as a performance baseline or starting point for the new council
- b. The forecast outturn position against the 2023/24 Revenue Budget, as summarised in paragraph 2.2.2 of the report.
- c. The forecast outturn position for the Housing Revenue Account as set out in paragraph 2.3.1 of the report
- d. The position on the Council's Treasury Management activities during the second quarter of 2023/24

The Executive also agreed:

- e. To approve the move of £10,443k from Strategic Capacity Unallocated to General Working Balances as set out in paragraph 2.5.1 of the report;
- f. To refer the report to the Audit Committee for their consideration as part of the overall monitoring arrangements for Treasury Management;
- g. To approve the refreshed Capital Plan as summarised at paragraph 4.2.3 of the report;
- h. To approve the addition of £580k to the capital plan for the Scarborough chalets, on an invest to save basis; and delegate authority to officers to proceed with the scheme;
- i. That no action be taken at this stage to allocate any additional capital resources.

349 North Yorkshire Transforming Cities Fund Projects

Considered – A report of the Corporate Director of Environment providing an update on the North Yorkshire Transforming Cities Fund (TCF) projects in Skipton, Selby and Harrogate and seeking approval of the revised final project scopes.

Councillor Keane Duncan introduced the report and provided an overview of the current position including the economic challenges resulting from the increase in costs since the Outline Business Cases (OBCs) were first prepared in 2020. He also provided a brief overview of the three individual projects and noted they would lead to landmark improvements for the three towns and give assurances that sub-contractors would be closely monitored to ensure maximum value for money.

Councillor John Mann expressed his support for the revised scheme for Harrogate and confirmed there was increased support from the community. He drew particular attention to the feedback from the Harrogate BID and the Independent Harrogate group who were both in favour of the revised proposal for Harrogate and advocated for their proposal for a relief road for west Harrogate. He noted the Local plan included for an increase in housing in that area which in time would impact further on the existing level of congestion. Whilst he recognised there was no funding for a relief road at present, he asked this be kept under consideration.

In response Councillor Keane Duncan confirmed the overwhelming feedback from the Harrogate Congestion Study showed that rather than a bypass or inner relief road, residents wanted improved sustainable transport options and demand management solutions. He also confirmed the Council was still progressing its Harrogate Transport Improvement Programme and a report was expected in spring 2024. Other traffic mitigation measures were also being considered as well as a potential Park & Ride.

Councillor Gareth Dadd acknowledged the financial risks associated with the three projects should they overrun and queried what checks and balances were in place. Karl Battersby – Corporate Director for Environment accepted that any overrun could have a significant financial impact and confirmed this risk would be mitigated through thorough project oversight and use of contingencies. He also confirmed that work was underway to

understand which elements of the schemes could be delivered inhouse via the Authority's Teckal companies, where it represented good value for money. Finally he drew attention to an error in the Equality Impact Assessment – he noted the schemes would have a positive impact on males and females by way of making the areas safer.

It was suggested the Executive Member for Finance be included as a consultee for accepting the TCF funding for the three schemes, and having noted the three proposed schemes were now affordable whilst not renegeing on the Council's overall vision, it was

Resolved – That the following be approved:

- i) the descoping options for Selby, the preparation and submission of a Full Business Case, with approval of the detail delegated to the Corporate Director of Environment in consultation with the Corporate Director of Resources and Executive Member for Highways and Transportation. In the event that the Full Business Case is approved by the West Yorkshire Combined Authority, to delegate the acceptance of the TCF funding to the Corporate Director of Resources in consultation with the Assistant Chief Executive Legal and Democratic Services, the Executive Member for Highways and Transportation, and the Executive Member for Finance subject to the scheme being affordable, acceptable terms and conditions being received, and for a satisfactory TRO outcome, the scheme to be implemented; and
- ii) the descoping options for Skipton, the preparation and submission of a Full Business Case, with approval of the detail delegated to the Corporate Director of Environment in consultation with the Corporate Director of Resources and Executive Member for Highways and Transportation. In the event that the Full Business Case is approved by the West Yorkshire Combined Authority, to delegate the acceptance of the TCF funding to the Corporate Director of Resources in consultation with the Assistant Chief Executive Legal and Democratic Services, the Executive Member for Highways and Transportation, and the Executive Member for Finance, subject to the scheme being affordable, and acceptable terms and conditions being received, and for a satisfactory TRO outcome the scheme to be implemented; and
- iii) the descoping options for Harrogate, the preparation and submission of a Full Business Case, with approval of the detail delegated to the Corporate Director of Environment in consultation with the Corporate Director of Resources and Executive Member for Highways and Transportation. In the event that the Full Business Case is approved by the West Yorkshire Combined Authority, to delegate the acceptance of the TCF funding to the Corporate Director Resources in consultation with the Assistant Chief Executive Legal and Democratic Services, the Executive Member for Highways and Transportation, and the Executive Member for Finance, subject to the scheme being affordable, and acceptable terms and conditions being received, and for a satisfactory TRO and public engagement outcome the scheme to be implemented.

350 Local Government and Social Care Ombudsman Public Report

Considered – A report of the Corporate Director – Health and Adult Services providing an overview of a Public Interest Report from the Local Government and Social Care Ombudsman in respect of Adult Social Care, and the actions taken to address the recommendations

Councillor Michael Harrison introduced the report which outlined the LGSCO's findings into a complaint about North Yorkshire Council and confirmed the Ombudsman had upheld the complaint after it found fault with the Council's use of language when describing / explaining its calculations.

The report acknowledged that improvements were required to ensure the correct language

was used when undertaking financial assessments and calculations, to avoid doubt or ambiguity.

Attention was drawn to the findings and the actions required as a result, as detailed in paragraph 2.3 of the report, those actions taken to date as listed in section 6 of the report, and their impact on Health and Adult Services processes.

Resolved – That the following be noted:

- i. The findings and recommendations of the Local Government and Social Care Ombudsman Public Report
- ii. The actions taken.

351 Outdoor Learning Service

Considered – A report of the Corporate Director – Children & Young People’s Service providing a performance update on the Outdoor Learning Service.

Councillor Janet Sanderson introduced the report which detailed the operation of the two outdoor learning centres, Bewerley Park and East Barnby, which provided residential and day-based activities as well as staff training. She confirmed there was no longer a statutory duty on local authorities to provide an outdoor learning service but acknowledged the benefits it brought. She drew specific attention to the proposed two-stage approach of investment.

Members were pleased to note the work of officers to develop a sustainable plan for the future, given how precarious the Service had been and the poor condition of the two centres. It was noted the investment would ensure both sites were fit for purpose moving forward and provide enhanced opportunities for children to experience outdoor education in the county, and Members recognised what a good news story that was for the County.

Councillor Gareth Dadd welcomed the sustainability of the business model but cautioned that stage two would only proceed if phase one proved successful.

Resolved – That:

- i) Phase 1 investment up to £4.2m be approved.
- ii) The service return to the Executive in 2027/28 to seek approval for further investment in Phase 2 of the development.

352 Forward Plan

Considered –

The Forward Plan for the period 20 November 2023 to 30 November 2024 was presented.

Resolved - That the Forward Plan be noted.

353 Date of Next Meeting - 12 December 2023

354 Private Minute of the Meeting held on 7 November 2023

Resolved –

That the exempt Minute of the meeting held on 7 November 2023, having been printed and circulated, be taken as read and confirmed by the Chair as a correct record.

The meeting concluded at 12.20 pm.

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North Yorkshire Council

Executive

12 December 2023

Catterick Garrison Town Centre Regeneration – Levelling Up Fund Project

Report of the Corporate Director Community Development

1.0 PURPOSE OF REPORT
1.1 To seek authority from the Executive to enter into a Collaboration Agreement and Lease with the Defence Infrastructure Organisation on terms principally contained within this report; and
i. Delegate to the Corporate Director of Community Development, in discussion with the Executive Member for Open to Business and Corporate Director of Resources, to agree the final terms of a Collaboration Agreement and Lease with the Defence Infrastructure Organisation; and
ii. Note that this delegation will include the final determination of the Defence Infrastructure Organisation’s match funding contributions by way of capital costs and land value as well as securing sufficient on-going maintenance costs for the completed Levelling Up Fund (LUF) project from the Defence Infrastructure Organisation’s subsequent commercial and residential developments (as outlined in paragraphs 4.13 - 4.17).

2.0 SUMMARY

2.1 This report covers the current status of the Catterick Garrison Regeneration Project, and in particular, the outcome of legal discussions with the Defence and Infrastructure Organisation on the terms of the proposed Collaboration Agreement and Lease to be completed between the parties facilitating the LUF project delivery.

3.0 BACKGROUND

3.1 The Catterick Regeneration Project is aimed at regenerating part of Catterick Garrison Town Centre and is part of a wider general aim to improve Catterick Garrison Town Centre for residents.

3.2 The project’s vision is to transform Shute Road into an attractive, vibrant and inclusive town centre via the creation of a new town square with a community and enterprise facility and the rejuvenation of Coronation Park. This will provide a desirable, well-connected, dynamic place to meet and relax. To deliver on this vision, the town centre regeneration project is comprised of three core elements:

Project 1: Accessibility and Connectivity <i>(Transport infrastructure interventions)</i>	
1a	Pedestrian crossing improvements To improve green transport routes in and around the Catterick Garrison area. Two broad locations for the pedestrian crossings have been identified for potential improvement works on A6136 Richmond Road. These two locations include the, <ul style="list-style-type: none">▪ Northern Crossing – Consideration is being given to the existing staggered pedestrian crossing facility associated with Gough Road / A6136 Richmond Road traffic signal-controlled T junction), and▪ Southern Crossing – Close proximity of the ‘Aldi’ food-store access from A6136 Richmond Road.

1b	<p>Cycling infrastructure improvements</p> <p>To enhance key paths and cycle ways through Coronation Park and on the approach to the town centre. Existing routes will be upgraded and new sections established where gaps currently exist in the network.</p> <p>Proposed improvement works focus on the Catterick Road to Coronation Park corridor and routes through Coronation Park.</p>
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Project 2: Public Realm and Landscape (Community infrastructure interventions)	
2a	Creation of a new town square (circa 1,860sqm of new and enhanced public realm)
2b	Creation of a new pedestrian link between Richmond Road and Shute Road – featured ramped accessible walkway.
2c	Upgrade Coronation Park to include new play areas, active spaces, community garden area and walking routes.
2d	Strengthening green links to the parkland by drawing the landscape from Coronation Park through Shute Road to Richmond Road
2e	Installation of Ground Source Heat Pumps under the town square.

Project 3: Mixed Use Community and Enterprise Facility (Community infrastructure interventions)	
3a	Demolition of four buildings and site clearance works.
3b	<p>New build – one central building divided into three parts,</p> <ul style="list-style-type: none"> ▪ Community and Enterprise Facility. (1,250sqm with rentable office space (2nd floor), community spaces (1st floor) and food and beverage kiosks and seating (Ground floor)) ▪ Double height - Glass Pavilion (283sqm for indoor community seating and food and beverage kiosks). ▪ Shaded canopy to outdoor seating area and retail use. (609sqm)
3c	New car parking spaces to the south of the new Community and Enterprise Facility.
3d	Installation of photovoltaics to the roof area of the Community and Enterprise Facility building.

- 3.3 In August 2022 a LUF bid was submitted for the project which represented a joint working initiative between Richmondshire District Council, North Yorkshire County Council, the Ministry of Defence (MoD) and the Defence Infrastructure Organisation (DIO).
- 3.4 The LUF bid costs comprised a combination of the LUF grant and a total 10% match funding provided by the other project partners. The DIO/MoD's contribution is by way of land value of circa 4 acres, representing the project site and estimated at £1.395m, as well as a further £335k capital expenditure on demolition and vacant possession costs associated with the scheme. Direct financial contributions were also made by both Richmondshire District Council and North Yorkshire County Council in order to meet the 10% match funding required for the LUF bid.
- 3.5 It was envisaged that, if successful, the parties would enter into a formal collaboration agreement governing the delivery of the project in accordance with principles which had been agreed and set out in a Memorandum of Understanding (MOU) completed by the parties in July 2022 prior to the submission of the LUF bid.

3.6 The agreed principles of collaboration contained in the original project MOU were as follows:

- Match funding will be delivered by all parties in full in accordance with the timing requirements of the LUF;
- Transfer of the Shute Road park area within the red line boundary of the LUF will be by way of 125 year lease from the DIO to Richmondshire District Council (transferred to the North Yorkshire Council by virtue of Local Government Re-organisation on 1 April 2023) at a pepper corn consideration;
- The North Yorkshire Council will receive the LUF grant, deliver the LUF funded phase 1 of the town centre project and will bear the risk of cost of delivery;
- The management and maintenance of the new facilities will be the responsibility of the North Yorkshire Council;
- Management and maintenance of the new facilities may be addressed through a management and operation agreement with a third party;
- The North Yorkshire Council will bear the risk of the costs of maintenance and support until the MoD's wider town centre commercial and residential developments (phase 2), are in a position to contribute towards those costs to an agreed formula;
- The DIO/MoD will contribute to the on-going maintenance of specified elements of the phase 1 LUF project through service charges and/or developer contributions from its Phase 2 development;
- If the North Yorkshire Council has incurred any costs associated with the maintenance of the specified elements of the phase 1 project in the period between the phase 1 project becoming operational and the phase 2 project generating income then these costs will be mitigated by weighting contributions from the phase 2 developments towards those costs.

3.7 Phase 1 and 2 are intended to be complimentary developments. Phase 1 covers the land at Shute Road and Coronation Park. Phase 2 comprises other land owned by the MoD/DIO suitable for development situated in the wider Catterick Garrison Town centre including other parts of Shute Road.

3.8 Following notification of the bid's success, the Council's Executive on 30 May 2023 resolved to accept the Levelling Up Fund grant offer of £19,008,679 of capital grant funding from the Department of Levelling Up, Housing and Communities for the delivery of the Catterick Garrison Regeneration Project. It was noted that further reports would be brought back to Members, as appropriate, to facilitate the delivery of the scheme.

4.0 HEADS OF TERMS: COLLABORATION AGREEMENT AND LEASE

4.1 Following notification of the success of the LUF bid, the Council has been working with the DIO to agree heads of terms for a Collaboration Agreement and Lease to facilitate the delivery of the project in accordance with the LUF bid and the MOU principles. Draft Heads of Terms have now been agreed as set out below:

Collaboration Agreement

4.2 The Collaboration Agreement and the DIO's grant of access to the Council to the LUF project site to carry out the project works will be conditional upon the satisfaction of the following conditions:

- i. The DIO obtaining vacant possession of the LUF project site in accordance with the LUF programme;
- ii. The DIO carrying out demolition works of certain buildings at the LUF project site in accordance with the LUF programme and, to the satisfaction of the Council;

- iii. The Council applying for and obtaining satisfactory planning permission for the project works;
 - iv. The Council obtaining any necessary statutory orders for the project works;
 - v. The Council carrying out any necessary enabling works to the LUF site such as site surveys, temporary traffic management works, footpath diversions etc;
 - vi. The Council entering into contract with its appointed contractor to carry out the project works.
- 4.3 On the satisfaction of all of these conditions, both parties will become fully committed to the delivery of the project and the Council will be granted a licence over the LUF site to carry out the project works. The current programme indicates that works will start on site in April 2024.
- 4.4 The Council will commit to procure a contractor to carry out the works and deliver the three core elements of the LUF project. The Council will also commit to deliver the project in accordance with the LUF programme by an agreed longstop date and take responsibility for all cost overruns, subject to the agreed governance processes described below. The current programme indicates that all elements of the works will complete in July 2025 and the Council is currently in the process of procuring a contractor to deliver the project within the project budget as well as an operator to operate and manage the community and enterprise facility.
- 4.5 In taking responsibility for the delivery of the LUF project, the Council will also take responsibility for the section 106 obligation associated with its planning application. Early indication from the Council's planning team suggests that the potential planning obligations should not be particularly onerous and within budget.
- 4.6 There will be a right for the DIO as landowner to terminate the collaboration agreement. These rights will occur if the conditions outlined at paragraph 4.2 above are not discharged by an agreed longstop date; if the project works have not commenced or completed by an agreed longstop date; and if the Council commits a material breach of the agreement which is incapable of remedy. This termination right is subject to a dispute resolution procedure which also aligns to the project governance processes described below.
- 4.7 If the agreement is terminated then the parties will work together to approve a joint press release, the site will be returned to the DIO and, depending on the status of the project works, the Council may be required to reinstate the land to its original cleared condition.

Lease

- 4.8 The DIO's match funding for the LUF project is made up of capital works and the land value attributable to the LUF project site. By the terms of the Collaboration Agreement, the DIO will grant the Council a 125 year lease of the LUF site at a peppercorn on material start on site of the project works by the Council's appointed contractor.
- 4.9 The lease to the Council is fully repairing and insuring; on commercially acceptable standard terms and the use is restricted to open space, commercial and a community facility. On completion of the project the contractor will hand the site to the Council and the Council will then take on full responsibility for the LUF site from handover. As agreed in the original project MOU, the DIO will be required to contribute to the on-going maintenance of specified elements of the project works through service charges and developer contributions from Phase 2 through an agreed formula. The DIO will also be required to reimburse the Council for any maintenance costs incurred prior to Phase 2 becoming operational. Further detail on on-going maintenance costs is contained below.

Project Governance

- 4.10 The delivery of the Catterick Garrison Redevelopment LUF project represents a collaboration between the Council and the MoD/DIO. One of the pillar stones of the LUF funding assurance process is project governance and in recognition of this, the Council and DIO have set up a LUF Project Partnership Board which is made up of key representatives from the Council and the DIO and meets on a 6 weekly basis. The meeting is chaired by the Council's Assistant Director for Economic Development, Regeneration, Tourism and Skills.
- 4.11 In accordance with the LUF grant, the Collaboration Agreement will include these project governance processes. The LUF Project Partnership Board will be responsible for the overall direction and management of the project delivery. If necessary, project changes will be agreed at the Board and, where required, will be submitted to the Department of Levelling Up, Housing and Communities as project adjustment requests. The project objectives, core elements and/or any longstop dates will then be adjusted to reflect the agreed changes.
- 4.12 In the first instance, all disputes relating to the delivery of the LUF project, including issues relating to cost escalation or force majeure, will be referred to the LUF Project Partnership Board. If the dispute cannot be resolved at Board level, it will be referred to an agreed independent expert for resolution.

Match Funding

- 4.13 A requirement of the LUF grant is that the parties commit the match funding in accordance with the proportions in the LUF bid and outlined at paragraph 3.4 above. The parties are in the process of verifying the cost of demolition works and compensation due to tenants in order for the DIO to provide vacant possession of the site as well as obtaining an independent valuation of the LUF project site.
- 4.14 The final determination of and securing the adequacy of these match contributions will form part of the final legal agreement between the parties and it is proposed that authority is delegated to the Corporate Director of Community Development, in discussion with the Executive Member for Open to Business and Corporate Director of Resources, to make this determination, provided they satisfy the LUF grant funding requirements.

Maintenance

- 4.15 As outlined above, the original project MOU envisaged that the Council would be initially responsible for the maintenance costs associated with the different elements of the LUF project. However, as the LUF project has accelerated the ability of the DIO to deliver the commercial and residential elements comprised in Phase 2, it has been agreed that service charges and contributions from these elements will pay for the on-going maintenance costs (including life cycle replacement) of the LUF project including reimbursing the Council for any costs incurred prior to Phase 2 becoming operational.
- 4.16 The parties have been working together to finalise how these maintenance costs will be secured to give the Council sufficient comfort that these costs will be forthcoming. In seeking resolution, the parties have established that only the park and public infrastructure elements of the project should require maintenance contributions. Discussions continue on the sources of financial contributions, programme for Phase 2 including agreeing a longstop date as well as a default position should Phase 2 development not progress as planned.
- 4.17 The final agreed mechanism for securing maintenance contributions will form part of the final legal agreement and it is therefore proposed that authority is delegated to the Corporate Director of Community Development, in discussion with the Executive Member for Open to

Business and Corporate Director of Resources, to agree the final mechanism, provided it is in line with the principles contained in the original project MOU.

5.0 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 There are no other options to consider in terms of regeneration of this area of Catterick Garrison. The LUF project is being carried out in accordance with the grant conditions and as envisaged by the original project MOU.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The Council has accepted the offer of £19,008,679 of capital grant funding from the Department of Levelling Up, Housing and Communities in respect of the Catterick Garrison Town Centre Regeneration Project.
- 6.2 By entering into the Collaboration Agreement and Lease with the DIO, subject to satisfaction of the various conditions, the Council is committing to delivering the three core elements of the Catterick Garrison Regeneration Project in accordance with the LUF grant, to be responsible for all cost overruns associated with the project and maintenance costs, with the proviso that maintenance costs can be recovered from the DIO's Phase 2 development.
- 6.3 As the scheme design now progresses to the technical stage, the Council has been working with its appointed consultant, Align Property Properties as well as its internal street services parks team, to further define the maintenance costs associated with the park and public realm elements of the LUF project. These costs are currently estimated as £60k per annum.
- 6.4 One of the conditions to be satisfied is the Council entering into a building contract with a contractor for the construction phase of the project. On 15 September 2023 the Executive Member for Open to Business provided authority for the Council to procure a contractor to deliver the works via the Yorbuild Major Works Framework. As outlined in the report to the Executive Member, this will be a two-stage process with appointment of a contractor for the Early Contractor Involvement stage followed by the agreement of a within budget construction cost including project contingency before being appointed to proceed to the next phase. There will be a revised cost report undertaken before any entry into the construction phase contract. In addition, there will be stringent and regular monitoring of full project costs and the capital plan through the governance and project management processes. A full risk register will be maintained in accordance corporate duties and project obligations.
- 6.5 On 15 September 2023 the Executive Member for Open for Business also provided authority to commence a procurement process to seek an operator for the Community and Enterprise facility which forms part of the completed LUF project. The Council is seeking to secure an operator to work with the Council through the design stage of the project to ensure the facility meets the operator's requirements but also to fix the on-going maintenance costs of the facility through a lease and SLA agreement.
- 6.6 On the basis that the community and enterprise building would be let on a full repairing basis at a peppercorn, the indicative costs suggested that a potential operator should be able to generate sufficient income from the facility to cover its operating costs including maintenance. Following the commencement of the procurement process to select an operator for the facility, it has however become apparent that this may not be the case and a level of subsidy may be required. Officers are working to minimise this as far as possible through the design of the facility, alternative funding streams for the operator and discussions with the potential operator. As outlined in the Executive Member report further approval will be sought for the terms of the operator agreement and any associated financial implications to the Council.

7.0 LEGAL IMPLICATIONS

- 7.1 The Council has general powers to undertake regeneration projects such as the Catterick Garrison Town Centre Regeneration Project pursuant to the general power of competence contained in the Localism Act 2011 as well as the wellbeing provisions in the Local Government Act 2000.
- 7.2 This report seeks approval to progress a report to the Executive to enter into a Development Agreement with the Defence Infrastructure Organisation on terms principally contained within this report and propose to delegate authority to the Corporate Director of Community Development, in discussion with the Executive Member for Open to Business and Corporate Director of Resources, to agree the final terms of the Collaboration Agreement and Lease including the determination of the DIO's match funding contributions and the DIO's maintenance contributions from its Phase 2 development.
- 7.3 Further to the original MOU, the Council and the DIO have been continuing to work together at risk in order to deliver the LUF project within the required timescales. As outlined above, the Council has already commenced the process to procure a contractor to carry out these works and it is estimated that the Council should be in a position to appoint by mid December 2023. To ensure the Council can guarantee project delivery, the collaboration agreement between the Council and the DIO should be completed prior to any contractor appointment.
- 7.4 The Council is able to enter into contractual arrangements direct with the DIO by reliance on regulation 12(7) of the Public Contracts Regulations 2015. This procurement exemption allows public organisations such as the Council and the DIO to co-operate and enter into contracts direct where it is in the public interest and subject to fulfilling certain conditions contained in the legislation. In order to satisfy the conditions, the Council and the DIO must be seeking to achieve common objectives; the co-operation is governed solely by considerations relating to the public interest; and the Council and the DIO perform on the open market less than 20% of the activities concerned by the co-operation. A condition of entering into the collaboration agreement will be the satisfaction of these procurement exemption conditions.
- 7.5 A direct contract with the DIO is further facilitated by reliance on the exclusive rights procurement exemption in view of the fact that the DIO own the land on which the LUF project is to be delivered.

8.0 EQUALITIES IMPLICATIONS

- 8.1 An equalities impact assessment has been undertaken and identified no negative impacts on people with protected characteristics. The form is attached in Appendix A. The project is intended to support people with disabilities through the provision of a changing place.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 There has been a climate change impact assessment undertaken. This is attached as Appendix B. This has identified some minor climate impact in terms of carbon emissions during construction. The whole project however will feature renewable energy and state of the art building construction methods which will contribute a positive impact on carbon emissions through generating more energy than the facility uses. In addition, the project has a community garden which will be used for food and flower growing supporting pollinators and reducing food miles. There has been attention paid to connecting paths and cycleways with networks running from housing and schools to the town centre through the park. Investment in these cycleways will encourage active travel.

10.0 REASONS FOR RECOMMENDATIONS

10.1 To allow the Council to enter into the necessary legal arrangements with the DIO to facilitate the delivery of the LUF Catterick Garrison Town Centre Regeneration Project.

11.0 RECOMMENDATION

It is recommended that the Executive:

- i. provides authority to enter into a Collaboration Agreement and Lease with the Defence Infrastructure Organisation to facilitate the delivery of the LUF Catterick Garrison Towns Centre Regeneration project on terms principally contained within this report; and
- ii. notes that as part of the Collaboration Agreement, the Council will take responsibility for delivering any section 106 obligations associated with its planning application in respect of the LUF project; and
- iii. delegates authority to the Corporate Director of Community Development in discussion with the Executive Member for Open to Business and Corporate Director of Resources to agree the final terms of a Collaboration Agreement and Lease with the Defence Infrastructure Organisation; and
- iv. notes that this delegation will include the final determination of the DIO's match funding contributions by way of capital costs and land value as well as securing sufficient on-going maintenance costs for the completed LUF project from the DIO's subsequent commercial and residential developments and comprised in Phase 2.

APPENDICES:

Appendix A – Equality Impact Assessment

Appendix B – Climate Change Impact Assessment

BACKGROUND DOCUMENTS:

Catterick Town Centre Regeneration – Levelling Up Fund Project (30 May 2023)

Levelling Up Fund – Catterick Garrison Town Centre Regeneration Project –

Submission of Construction Tender (15 September 2023)

Levelling Up Fund – Catterick Garrison Town Centre Regeneration Project –

Submission of Building Operator Tender (15 September 2023)

Nic Harne

Corporate Director – Community Development County Hall

Northallerton

22 November 2023

Report Author – Carol Rehill – Head of Legal Major Projects

Presenter of Report – Carol Rehill – Head of Legal Major Projects

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Community Development Directorate		
Service area	Economic Development, Regeneration, Skills and Tourism		
Proposal being screened	Levelling Up Fund Catterick Garrison Town Centre Regeneration Project		
Officer(s) carrying out screening	Carol Rehill		
What are you proposing to do?	Enter into a Collaboration Agreement and Lease with the MoD/Defence Infrastructure Organisation facilitating the LUF project		
Why are you proposing this? What are the desired outcomes?	To allow the Council to deliver the LUF project in accordance with the LUF grant		
Does the proposal involve a significant commitment or removal of resources? Please give details.	Yes. By entering into the Collaboration Agreement the Council will be committing to delivering the LUF project using the LUF grant (£19m).		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
NYC additional characteristics			
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are members of the armed forces community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No however there are areas of significant health concerns in terms of obesity and inactivity. This project will help to alleviate these through provision of improvements in active travel (cycle ways) and activities in Coronation Park.		
Will the proposal have a significant effect on how other organisations operate? (e.g.	Yes, as part of the initial community consultation and ongoing engagement with neighbouring groups working		

<p>partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.</p>	<p>with people with protected characteristics were and are being consulted. This provision will support people with disabilities with new community facilities such as a changing place and community garden and provide a centre and activities where the community can come together.</p>			
<p>Decision (Please tick one option)</p>	<p>EIA not relevant or proportionate:</p>	<input checked="" type="checkbox"/>	<p>Continue to full EIA:</p>	
<p>Reason for decision</p>	<p>This is a report seeking approval to enter into an agreement to facilitate the delivery of the LUF project. There are no negative impacts on people with protected characteristics and the project will support people with protected characteristics in many ways.</p>			
<p>Signed (Assistant Director or equivalent)</p>	<p>Dave Caulfield, Assistant Director – Economic Development, Regeneration, Skills and Tourism</p>			
<p>Date</p>	<p>22/11/2023</p>			

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:
 Planning Permission
 Environmental Impact Assessment
 Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

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Title of proposal	Catterick Garrison Town Centre Regeneration Project – Levelling Up Fund Project
Brief description of proposal	To seek approval to enter into a collaboration agreement and lease with the MoD/DIO facilitating the project
Directorate	Community Development Directorate
Service area	Economic Development, Regeneration, Skills and Tourism
Lead officer	Carol Rehill
Names and roles of other people involved in carrying out the impact assessment	n/a
Date impact assessment started	22/11/2023

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

There were no other options considered in trying to achieve the aim of this project.

This is a new funding stream that provides support for place transformation to support business and the community. This work is directly complementary to other key initiatives and responsibilities of the Council. The scheme being progressed has been designed with and has a high degree of support from the local community and other key stakeholders.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

This project will involve nearly £400,000 of combined North Yorkshire Council match funding to develop (£100,000 match from the former Richmondshire District Council and £282,075 match from North Yorkshire Council) as well as a £19m LUF grant. In addition the project will involve the development of new assets in the form of a community enterprise building and park facilities. There will however be income from rental of offices and facilities within the new building and renewable energy installations which will offset building and park running and maintenance costs. The project in addition provides capital investment in pedestrian/ traffic controls on Richmond Road and cycle ways which will be a saving to Council budgets. Discussions with the MOD/DIO have included capturing some of the uplift from future development phases to help funding ongoing revenue maintenance costs of the park and public realm.

Appendix B

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	<p>Emissions from travel</p>	<p>X</p>			<p>There are planned improvements to active the travel network from footpath and cycleway investment, encouraging active travel.</p>		<p>Investment in the footpaths and cycleways has been targeted at the Catterick Garrison wider network to encourage linkages between housing and schools and the park and town centre.</p>
	<p>Emissions from construction</p>			<p>X</p>	<p>There will be some negative emissions from construction due to the use of new materials and powered vehicles</p>	<p>Reuse of materials will be explored and reduction in vehicle movements</p>	<p>The new building and public realm will feature renewable energy installations.</p>
	<p>Emissions from running of buildings</p>	<p>X</p>			<p>The design of the building will include renewable energy elements which will cover the energy requirements of the new build and generate excess energy.</p>		<p>As above</p>

How will this proposal impact on the environment?		Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Page 26	Other	X			New facilities in the park and growing of food in the community garden will contribute to reduction of carbon footprints from children playing locally and community food growing.		
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic		X			The community facility will encourage the reduce, reuse, recycle and compost message.		
Reduce water consumption			X		The building and new park facilities will be developed to the latest standards to reduce water consumption.		
Minimise pollution (including air, land, water, light and noise)		X			The building and new park facilities will be developed to the latest standards and will minimise pollution.		

Appendix B

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>	X			<p>The building and new park facilities will be developed to the latest standards and will be adapted to unavoidable climate change impacts.</p>		
<p>Enhance conservation and wildlife</p>		X		<p>There will be park improvements which will aim to contribute to conservation and wildlife however this is likely to be a neutral impact in the beginning.</p>		<p>Work with the members of the community garden initiative could develop into a Friends of Coronation Park initiative looking at nature improvements.</p>
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>	X			<p>This will improve the quality of place in Catterick Garrison. Currently the area identified for investment is run down and this</p>		<p>The building and park facilities will be designed to the highest</p>

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Page 28</p>				<p>funding will transform this area into an attractive community facility.</p>		<p>standards to ensure attractive design.</p>
<p>Other (please state below)</p>						

<p>Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.</p>

<p>Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.</p>

The Catterick Garrison Levelling Up project was subject to comprehensive community consultation and incorporated the community's ideas including suggestions from young people from the neighbouring school. It will transform a run-down area of Catterick Garrison to create a high quality heart to the town centre and enable active travel and play in a transformed local park.

Sign off section

This climate change impact assessment was completed by:

Name	Carol Rehill
Job title	Head of Legal Major Projects
Service area	Economic Development Skills and Tourism / Legal
Directorate	Community Development / Legal & Democratic
Signature	
Completion date	22/11/2023

Authorised by relevant Assistant Director (signature):

Dave Caulfield, Assistant Director – Economic Development, Regeneration, Skills and Tourism

Date: 22/11/2023

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North Yorkshire Council

Executive Committee

12th December 2023

MALTKILN NEW SETTLEMENT – Delivery of the New Settlement (Maltkiln) Development Plan Document

Report of the Corporate Director of Community Development

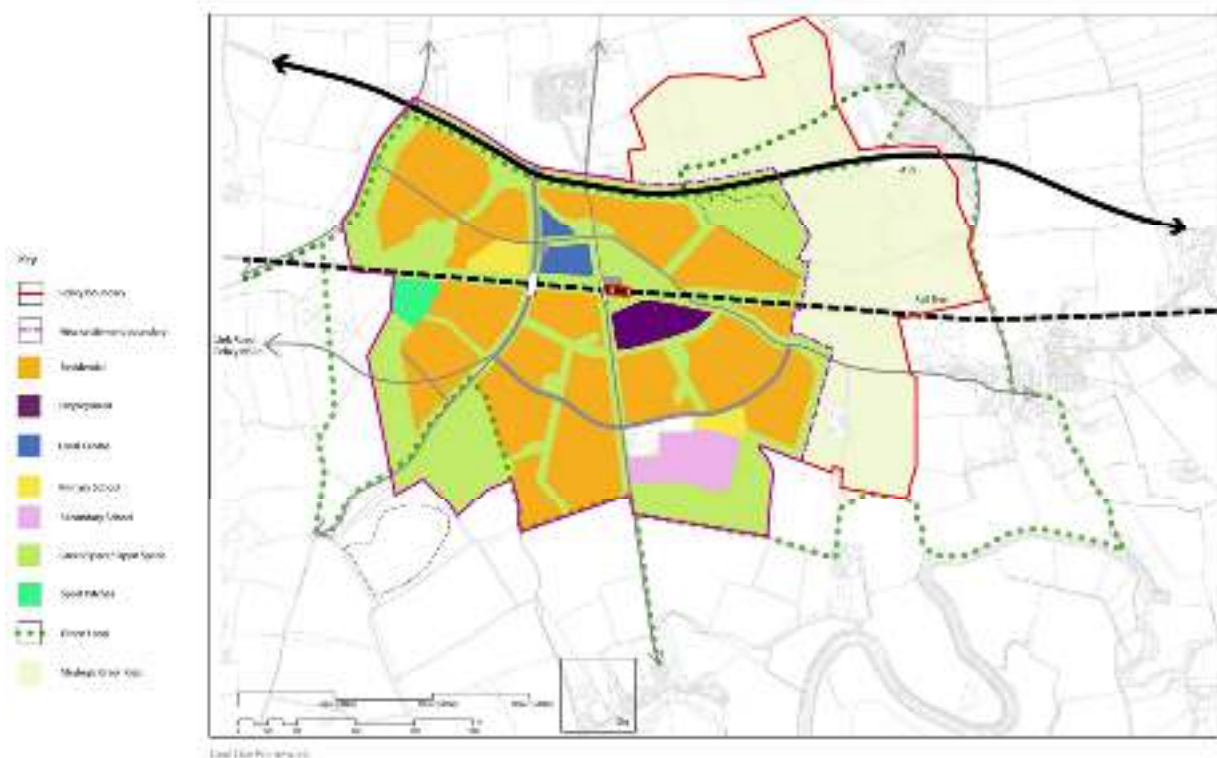
1.0 PURPOSE OF REPORT

- 1.1 To provide an update on the New Settlement (Maltkiln) Development Plan Document (DPD) following the withdrawal of previously available land within the proposed boundary and seek in principle approval to use of the Council's Compulsory Purchase Powers to support the delivery of Maltkiln if an agreement cannot be reached with the owners of the land outlined.

2.0 BACKGROUND

- 2.1 The principle of a new settlement in the Hammerton/Cattal area is established in the adopted Harrogate District Local Plan (2014-2035) ("the Local Plan") and forms part of the Plan's growth strategy to deliver homes, jobs and facilities in the most sustainable places. The Plan sets out the broad location for the new settlement as well as the quantum of development (a minimum of 3,000 homes) and guiding principles for its development. However, the Plan states that the detailed boundary and specific policies are to be determined in a separate Development Plan Document (DPD).
- 2.2 Following adoption of the Local Plan, work was undertaken which identified three possible locations for a new settlement within the 'broad location' and ultimately a preferred location which centred around Cattal Station. This preferred option was selected for a number of reasons, most importantly because it was centred on an existing rail station and provided a distinct new settlement separated from existing communities. All three options were consulted upon in October 2020 (Regulation 18 consultation). The consultation confirmed the Cattal Station focused option as the preferred option, and it was later re-named Maltkiln as the consultation responses also showed that communities wanted it to be given an identity as soon as possible.
- 2.3. Following the Regulation 18 consultation, officers and members worked with community representatives and specialist organisations to develop detailed policy requirements and a draft Development Plan was published in October 2022. Formal consultation on the draft (Regulation 19) was completed and no issues were raised that would prevent the DPD from progressing to an examination in public. It is also important to note that throughout the DPD process it was the Council's understanding (based on information going back to the Local Plan examination) that all of the land required for the preferred option and draft DPD was available.

2.4 The draft DPD sets a clear and ambitious thirty-year vision for Maltkiln and a policy framework to guide how it is developed. The policies and proposals in the draft DPD aim to create a mixed-use settlement, where people have access to homes, a range of employment types, local services and facilities, public transport and open spaces. This mix of uses is focused around the Cattal rail station and the new local centre enabling the residents to benefit from key walking, cycling and public transport corridors. Maltkiln will deliver as a minimum 3,000 homes and 5ha of employment land, plus additional employment opportunities within the local centre alongside supporting home working and flexible working, including the provision of flexible co-working space within the local centre. The broad locations of these uses are shown on the indicative Development Framework below:



2.5. The vision for Maltkiln as published in the Regulation 19 consultation draft is below:

Vision for Maltkiln

Maltkiln is a garden village with a distinctive identity where people want to live, work and spend time. Developed around convenient rail access to Harrogate, Leeds and York, the village set in an enhanced rural landscape of farmland, woodland and wetland; beyond which lies characterful historic villages and formal gardens.

The heart of the community is a vibrant new local centre, easily accessible to the community and provides convenient rail access and employment opportunities. With a range of shops, cafes, services and facilities, the local centre is an attractive place to spend time and caters for most day-to-day needs. It also provides additional services to nearby residents to complement those available in other villages.

Maltkiln is a desirable place to live, with characterful mixed neighbourhoods providing a wide range of house types and tenures along attractive village streets and tree-lined avenues. But it's also a great place to work, with workspaces and home-working supported by unrivalled connectivity.

It's a place where people are not dependent on a car. It has a network of safe and attractive walking and cycling routes which connect people, places and facilities, including nearby villages; while bus and train links enable longer journeys.

Attractive and accessible green spaces both within and around the village provide increased space for nature, as well as placing recreational opportunities close to the community and contributing to climate change resilience.

Maltkiln is a sustainable settlement designed to cope with the impacts of a changing climate where people can enjoy net zero carbon living.

- 2.6 The draft DPD was developed in consultation with community groups and specialist organisations, ensuring they are deliverable and as far as possible, reflect the aspirations of wider communities.
- 2.7 With the final stage of consultation (so-called Regulation 19 Consultation) completed in November 2022, the intention was to submit the DPD for independent examination by the Secretary of State in early 2023.
- 2.8 However, in January 2023, the Council were notified that an area of land included within the proposed boundary (See Appendix A) was no longer available as a result of one landowner deciding not to renew their agreement with the promoter (Caddick Group). The land that has been withdrawn forms a substantial part of the proposed new settlement area (approx. 128ha or 42% of the total area). Importantly, the land occupies a significant area around Cattal Rail Station which is intended to be the focal point of the settlement and provide a range of services to ensure that the settlement is an exemplar of sustainable development.
- 2.9 Following the withdrawal of the land, the Council paused submission of the DPD. One of the tests that DPDs need to meet during an examination in public is being "deliverable", i.e., that there is a reasonable prospect of the Plan being realised. Ordinarily, a Council can demonstrate this by providing evidence of willing landowners, so clearly the notification of the land withdrawal in January casts doubt

upon the Council's ability to meet this necessary test. The Council therefore paused submission of the DPD to consider the implications and look at potential ways forward.

- 2.10 The Council has had further communications with the landowner to discuss their position, however it was made clear to the Council that the entirety of the land was unavailable at present.

3.0 IMPLICATIONS AND OPTIONS FOR THE DPD

- 3.1 As outlined, the Council cannot submit the proposed DPD without a mechanism for delivery. Work has been undertaken to explore whether the objectives and policies of the proposed DPD could be met on remaining land within the proposed boundary, or other land in the broad location by amending the boundary. This work is summarised in Appendix B – New Settlement (Malkiln) DPD Options Paper.
- 3.2 The paper looks at the following options:
- Option A). Delivery of a new settlement on the remaining land within the proposed boundary;
 - Option B). Extend the boundary to include the land available and additional land to the north, south, east and west;
 - Option C). Deliver a new settlement on the previously discounted options (published for consultation in October 2020).
 - Option D). Keep the remaining DPD boundary and use CPO powers to acquire all or some of the unavailable land.
- 3.3 The paper demonstrates that the new settlement cannot be satisfactorily delivered within the available land, even with amendments to the proposed boundary. Following the adoption of the Local Plan, Malkiln was chosen as the preferred option because it was the most sustainable way of delivering a new settlement within the area of search, and this remains the case. Neither Option A or B could deliver the key principles of the DPD relating to the sustainable travel opportunities presented by the focus around an enhanced Cattal rail station, as well as the opportunity to cluster community facilities around Cattal station as a central community hub and create enhanced connectivity for existing villages. Significant extensions to the proposed boundary are problematic for a number of reasons, including the need to cross/re-route the A59 and well as undermining the extent of the strategic green gap which was proposed in order to ensure the new settlement was a distinct place, separate from existing communities, as well as a way to protect more sensitive landscape areas as well as heritage assets. Other options which were discounted following the consultation in October 2020 remain less sustainable.
- 3.4 The new settlement at Malkiln presents an opportunity to deliver a significant number of homes in a sustainable location on an existing railway line, and in a manner that ensures that infrastructure and facilities can be provided on site. The broad location has already been scrutinized and found sound through a recently adopted Local Plan and the proposed DPD provides a clear framework for bringing

forward a comprehensively planned new settlement. National planning policy makes clear that development should be genuinely plan-led and so halting the DPD, or “going back to the drawing board” would miss an opportunity to capitalise on the work (including community consultation) undertaken so far and deliver much needed homes in the area.

- 3.5 It is therefore recommended that the Council commit to pursue delivery of the DPD Maltkiln on the basis that, if an agreement cannot be reached with the owners of the land outlined, the Council would be willing to use its Compulsory Purchase Powers (CPO) to ensure delivery of the new settlement. In this regard, it will be noted that the landowners had previously made their land available and supported the DPD, and so the possibility that they may yet change their mind cannot be entirely excluded. As national guidance makes clear, the exercise of compulsory purchase powers should be a last resort, and the Council will continue to seek to encourage the landowners to make their land available by agreement. However, a decision that the Council is willing to use its compulsory purchase powers will assist in demonstrating that Maltkiln remains deliverable, even if agreement cannot be reached. This would allow the Council to progress the proposed Maltkiln DPD through the final stages of the development plan process, with the aim of achieving an adopted Plan to guide development of the new settlement.

COMPULSORY PURCHASE POWERS

- 3.6 CPO is a legal mechanism by which certain bodies (known as ‘acquiring authorities’) can acquire land without the consent of the owner. Compulsory purchase powers can support the delivery of a range of development, regeneration and infrastructure projects in the public interest. Further information and guidance can be found on the website of the Department for Levelling Up, Housing and Communities <https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-1-procedure>.
- 3.7 There are a number of different powers under which compulsory purchase orders can be made. Precisely which power the Council should use is a decision which would need to be addressed in the light of the circumstances as they exist at that time. However, the most likely power is s.226 of the Town and Country Planning Act 1990, under which the Council has the power of compulsory acquisition in cases where that is necessary in order to facilitate the carrying out of development/redevelopment or improvement on or in relation to land in its area, provide it thinks that development or redevelopment is likely to contribute to the achievement of the promotion of one or more of (a) the economic well-being of the area (b) social well-being of the area (c) environmental well-being of the area. Alternatively, the Council may acquire land which it thinks is required for a purpose which it is necessary to achieve in the interests of the proper planning of the area in which the land is situated.
- 3.8 National guidance makes it clear that a compulsory purchase order should only be made where there is a “compelling case in the public interest” and where any interference with human rights (such as those under Article 8 of, or Article 1 of the First Protocol to the European Convention on Human Rights) is justified. Local authorities are also required to take into account the Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010.

- 3.9 The Council have sought specialist legal advice which suggests that (for the reasons set out in section 5 below) acquisition of the land needed in order to deliver the Maltkirk new settlement would satisfy the statutory tests in s.226; and that, if agreement cannot be reached with the relevant landowners, there would be a compelling case (which was sufficient to justify any interference with human rights which might arise) that the exercise of compulsory purchase powers is justified in order to deliver sustainable development, given that a New Settlement is part of a growth strategy of a recently adopted Local Plan for the adopted Local Plan for the Harrogate District, the location for which was deemed to be the most sustainable when considered against all reasonable alternatives and subject to lengthy examination and consultation. As noted in section 9 below, issues relating to the PSED have already been considered in the adoption of the Local Plan and through the process of developing the DPD. It is unlikely that these conclusions will be materially altered by the need to use compulsory purchase powers in order to deliver the new settlement. In any event, as the PSED is a continuing duty, this is an issue which should be reviewed before any final decision is made to make a CPO.
- 3.10 The procedure to exercise compulsory purchase powers is guided by legislation and includes a number of stages, including consultation.
- 3.11 There are substantial costs involved with exercising CPO powers, including the costs to purchase the land, associated legal fees and resource to administer the process, including consultation. However, there are a variety of ways that the Council could seek to cover the costs, discussed at Section 7 of this report under “Financial Implications”. However, it is hoped that agreement can be reached with the landowners and that CPO would only be used as a last resort.

4.0 NEXT STEPS

- 4.1 If the Executive resolve to use the Council’s CPO powers if required, as recommended, this would provide clear evidence that the new settlement was deliverable notwithstanding the withdrawal of land by some of the landowners, and the Council would then be in a position to submit the DPD to Secretary of State for independent examination. Whilst a decision was taken by the former Harrogate Borough Council to submit the DPD for independent examination in September 2022, it is envisaged that a report to re-confirm this decision would be taken to Full Council in February 2024.
- 4.2 Upon submission, the Secretary of State appoints an Inspector to carry out an independent examination. This process is dealt with by the Planning Inspectorate.
- 4.3 Subject to a successful examination, i.e., an inspector is satisfied that the Plan has been prepared in accordance with legal and procedural requirements and if it is “sound”, the Council can resolve to adopt the Plan.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

5.1 Delivery of Maltkiln would make a significant contribution to a number of council priorities, specifically:

- Providing good quality, affordable and sustainable housing that meets the needs of our communities
- Creating a well-connected and planned place with good transport links and digital connectivity
- Providing economically sustainable growth that enables people and places to prosper
- Assisting new and existing businesses to thrive and grow
- People are supported to have a good quality of life and enjoy active and healthy lifestyles

6.0 ALTERNATIVE OPTIONS CONSIDERED

6.1 **Stopping progression of DPD and consider as part of the new Local Plan for North Yorkshire:**

This is not recommended as the principle of a new settlement in the Cattal area has already been rigorously tested through the local plan examination process and been found sound. Aside from the issue of land availability, there is no good reason to doubt that conclusion, or to presuppose that a later Local Plan would come to a different conclusion. As demonstrated in the Harrogate District Local Plan examination, this location represents a sustainable location on a railway line to serve demand in the housing market area. Additionally, a promoter is still in place to deliver the scheme. Therefore, re-opening debate on the merits of Maltkiln through a new Local Plan process would constitute unnecessary resource and delay. Stopping progression of the DPD would also undermine the ability of the Council to pursue a plan-led approach to the new settlement in the event of speculative planning applications in the area.

6.2 **Amend the DPD boundary to reflect available land within the Broad Location:**

As discussed in Appendix B: Options Paper, Officers are concerned that the land use and master planning principles illustrated in the DPD Development Framework plan are unachievable without the unavailable land. Other options which were discounted following the consultation in October 2020 remain less sustainable.

7.0 FINANCIAL IMPLICATIONS

7.1 In the event that using CPO becomes necessary, there would be substantial costs involved. These include the costs of any inquiry, if there are objections to the CPO (which could include paying the costs of any objector who is successful) as well as the costs of purchasing the land, associated legal fees and resource to administer the process, including consultation. However, there are a variety of ways that the Council could seek to cover the costs.

7.2 Caddick Group, the promoter of the scheme who control the majority of land within the proposed boundary, have agreed to discuss underwriting the costs of the CPO

(should the CPO become unavoidable and subject to satisfactory terms being agreed by both parties). There is also an option for the Council to pursue a more active role in development of the scheme or enter into agreement with other parties, such as Homes England, in which case the costs of the CPO would be recovered through any subsequent sale of the land. In all instances, further work and specialist advice will be needed to ensure any relevant agreements do not expose the Council to unacceptable risk and appropriate due diligence is undertaken.

- 7.3 However, these are matters which can and (in order to ensure that the decision is taken on the basis of the most up-to-date information) should be addressed at the time of the actual decision to make a CPO. At this stage, the decision sought is an in principle resolution and therefore this decision is cost neutral.

8.0 LEGAL IMPLICATIONS

- 8.1 Both Development Plans and Compulsory Purchase Powers are governed by legislation, specifically The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning Act 1990 (Section 226).
- 8.2 The Council has sought legal advice from its Planning Solicitor and Head of Legal Services in both the analysis of ways forward and the recommendation outlined in this report.
- 8.3 The Council has also sought independent specialist legal advice to ensure that any legal risks to the Council are minimised.

9.0 EQUALITIES IMPLICATIONS

- 9.1 Equality analysis has taken place alongside the development of the New Settlement DPD to understand the potential effects of emerging policies on people with protected characteristics and to use this information to seek to eliminate negative effects and maximise positive effects.
- 9.2 The analysis concludes that none of the policies have an overall negative effect and indeed many policies have positive effects for individuals and groups with protected characteristics, with the greatest number relating to the characteristics of age and disability. It also shows that, through a large number of policies, the DPD will advance the equality of opportunity in relation to most protected characteristics. To a lesser degree the DPD will also help to foster good relations between groups.
- 9.3 It is therefore considered that all reasonable and proportionate steps have been taken to maximise the positive equality benefits that will be realised through delivery of the DPD and that the plan will not lead to discrimination, harassment or victimisation but will help to eliminate such conduct. Implementation of the DPD will also advance the equality of opportunity for individuals and groups with protected characteristics and help to foster good relations between groups.
- 9.4 It is not considered that any of these conclusions would be altered by the use of compulsory purchase powers in order to deliver the new settlement.

10.0 CLIMATE CHANGE IMPLICATIONS

- 10.1 The adopted Harrogate Local Plan 2014-2035 included a new settlement in its growth strategy as a way to meet housing and economic development needs in a sustainable way, with services provided that reduce the need for travel. In addition, the broad location for the new settlement was chosen in order to maximise the opportunities for sustainable travel.
- 10.2 The New Settlement (Maltkiln) DPD has been developed with climate change mitigation and resilience at the forefront, and the former Harrogate Borough Council commissioned a Climate Change Strategy to explore the best ways to achieve its climate change ambitions in the DPD. This identifies four priority areas for action:
- Net zero carbon movement and active travel;
 - Net zero carbon energy supply and use;
 - Inclusive flexible living and working;
 - Climate resilience.
- 10.3 Taken together the climate change policies in the DPD seek to ensure that each of the four climate change priorities are secured.
- 10.4 It is important to note that the policies in the DPD require more ambitious action than the adopted Local Plan. Therefore, the recommendation to secure delivery and progression of the DPD will have a positive effect on the Council's climate change aspirations by ensuring that development is carbon net zero across all phases.

11.0 REASONS FOR RECOMMENDATIONS

- 11.1 To ensure that the Council can submit the proposed New Settlement (Maltkiln) Development Plan Document for examination in public and ultimately deliver sustainable development in North Yorkshire in line with the adopted Harrogate Local Plan 2014-2035.

12.0 RECOMMENDATION

- i) That the Executive Recommend to Full Council that a Compulsory Purchase Order is pursued as a mechanism to deliver a new settlement at Maltkiln if an agreement with landowners cannot be reached.

APPENDICES:

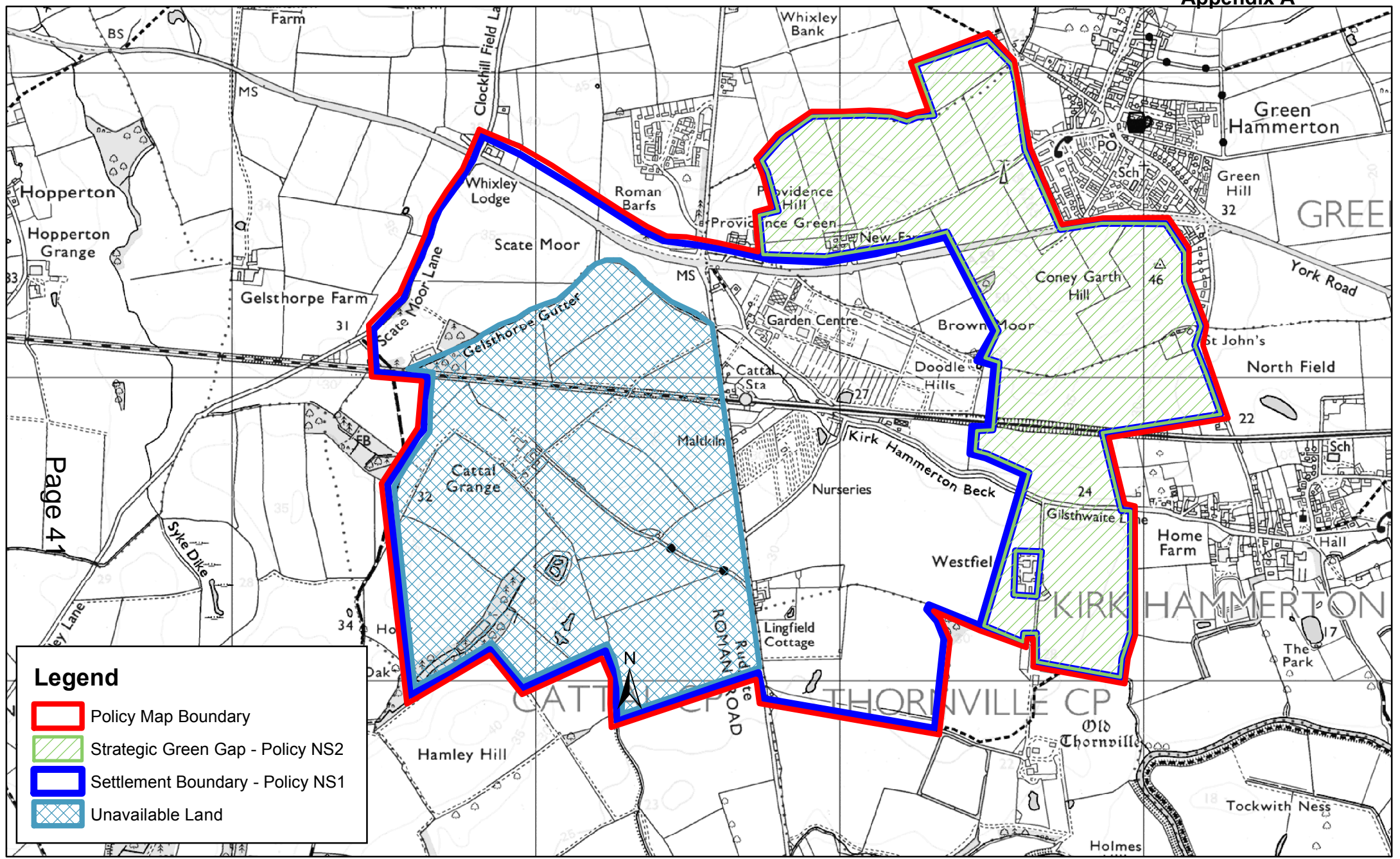
- Appendix A – Map of unavailable Land
Appendix B – New Settlement (Maltkiln) DPD Options Paper
Appendix C – Equalities Impact Assessment
Appendix D – Climate Change Impact Assessment

BACKGROUND DOCUMENTS:

New Settlement (Maltkiln) Development Plan Document: Regulation 19 Draft
<https://consult.harrogate.gov.uk/>

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Northallerton
November 2023

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



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Appendix B: New Settlement (Maltkiln) DPD Options Paper

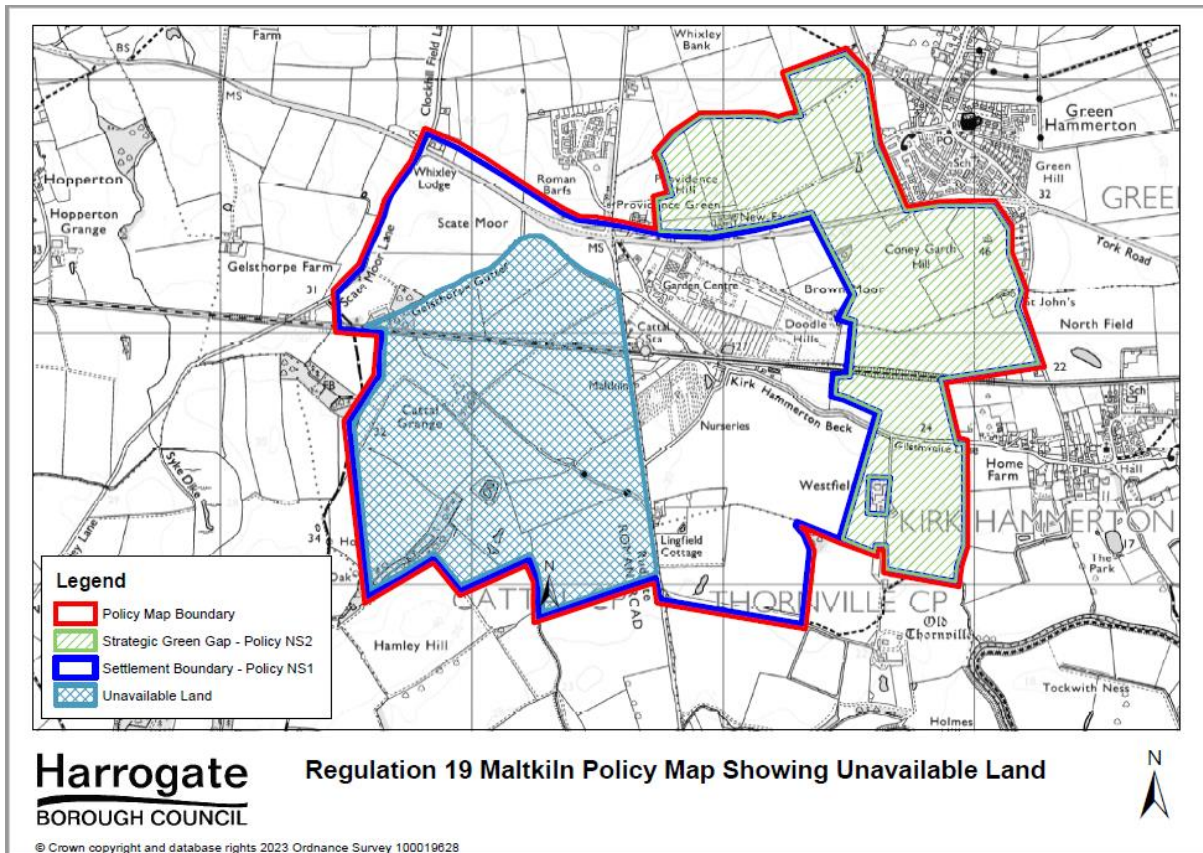
1. Introduction

- 1.1. This paper sets out the Council's analysis of options for the New Settlement (Maltkiln) Development Plan Document (DPD) following the withdrawal of previously available land within the proposed DPD boundary in January 2023. It considers to what extent the objectives of the emerging DPD can be made on available land within the broad location in the adopted Harrogate Local Plan 2014-35, including land outside of the proposed DPD boundary.

2. Background

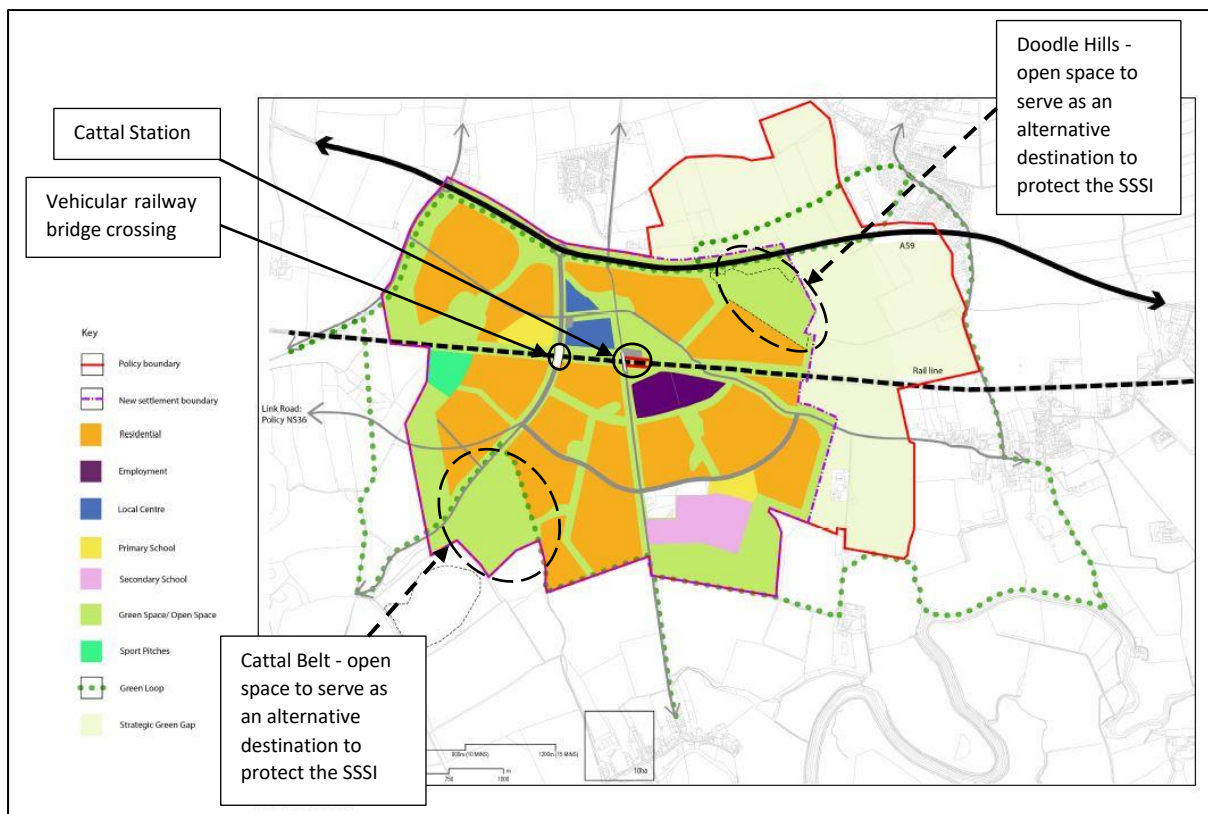
- 2.1. The Harrogate District Local Plan (adopted 2020) identifies a broad location for a new settlement in the Green Hammerton/Cattal area but stated that the boundary, form and nature of the new settlement would be established through the preparation of a New Settlement DPD.
- 2.2. Following adoption of the Local Plan, an Options Generation and Analysis report was prepared which identified three possible locations for a new settlement within the 'broad location' and ultimately a preferred location which centred around Cattal Station (later known as Maltkiln). One of the principal reasons for choosing this location for a new settlement was to maximise opportunities for sustainable travel, by placing the settlement within close proximity to the Leeds-Harrogate-York railway line; with Cattal station forming a focus for the local centre and employment purposes alongside enhancements to the station itself, including access and parking.
- 2.3. Work on the New Settlement (Maltkiln) DPD has progressed to an advanced stage and the final stage of consultation (Regulation 19 Consultation) was completed in November 2022 with the intention of submitting the Plan for independent examination by the Secretary of State soon after. The draft DPD includes an ambitious vision and objectives for Maltkiln, as well as detailed policies and requirements relating to climate change, access and movement and a local centre. These policies were developed in consultation with community groups and specialist organisations, ensuring they are deliverable and as far as possible reflect the aspirations of wider communities.
- 2.4. However, in January 2023, the Council were notified that an area of land included within the proposed boundary (See Map 1) was no longer available. The land that has been withdrawn forms a substantial part of the proposed new settlement area (approx. 128ha or 42% of the total area). Importantly, the land occupies a significant area around Cattal Rail Station which was intended to be the focal point of the settlement and provide a range of

services to ensure that the settlement is an exemplar of sustainable development.



Map 1: Regulation 19 Policy Map Showing Unavailable Land

- 2.5. The Regulation 19 DPD Development Framework below (Map 2) shows the indicative layout (as well as other important designations within the DPD) and illustrates the importance of the now unavailable land within the delivery of the new settlement.



Map 2: Annotated Regulation 19 DPD Development Framework Indicative Layout

2.6. In light of the withdrawal of the land as shown in Map 1 (the “the unavailable land”) the Council paused the submission of the DPD, whilst further work was undertaken to establish whether a scheme could be brought forward on the remaining land, that still met the vision and objectives set out in the DPD. The Council is now considering its position on the new settlement and this paper presents a number of options available.

3. The Baseline

3.1. The assessment undertaken for the Regulation 18 Options Generation and Analysis report and the accompanying Sustainability Appraisal (SA) Interim report 2020 concludes that all three site location options scored relatively closely, but the option at Cattal station presented positive factors which would create the most sustainable and attractive place. The key factors identified in support of the Cattal option were:

- The sustainable travel opportunities presented by the focus around an enhanced Cattal rail station, as opposed to a significant rerouting of the A59
- Opportunity to cluster community facilities around Cattal station as a central community hub and create enhanced connectivity for existing villages
- A sensitive arrangement of development and greenspace, minimising impact on nearby conservation area villages and the landscape setting

- In line with stakeholder emphasis on steering development away from the existing conservation area villages – as communicated in stakeholder events
- A land promoter is in place to support and progress delivery of an approach similar to this spatial option.

3.2. Whilst Harrogate District Local Plan Policy DM4 states that the boundary, nature and form of the new settlement will be established in the DPD, it does detail a number of principles and requirements with regard to the design, development and delivery of the settlement as follows:

Development

- At least 3,000 dwellings providing an appropriate mix of house types, sizes and tenures that achieves a balanced and inclusive community.
- Provision of about five hectares of employment land to provide a mix of employment uses.
- The relocation of the existing horticultural nursery as appropriate.
- The provision of on-site education, health, retail, community and other services and facilities and a local centre(s) of a suitable scale to meet residents' day to day needs.
- The creation of a connected network of green infrastructure, open spaces and informal and formal recreational facilities that respects and enhances the landscape qualities of the area and maximises opportunities to create and strengthen green infrastructure.
- The provision of supporting transport infrastructure including managing the impact of traffic on the strategic and local road network, provision of appropriate public transport (services and infrastructure) serving the new settlement including the enhancement and improvement of Cattal and Hammerton rail stations and a comprehensive network of walking and cycling routes linking residential areas to public transport and local centres, schools and employment areas and providing good connectivity with adjoining areas.

Design

- The new settlement will be an exemplar of sustainable design and resource efficiency. It will incorporate high design and layout standards. These should draw on local character, topography of the area and assets such as trees, hedgerows and streams and important features and characteristics of the area should be recognised and incorporated into the development design, ensuring protection and enhancement where necessary.
- An assessment of the potential impact of development on heritage assets within the area and an evaluation of the known and potential archaeological significance of the area. The findings of these should inform the final layout of the development which should seek to avoid any unacceptable adverse impacts.

- Appropriate measures to mitigate flood risk including the use of sustainable urban drainage systems.
- The provision of biodiversity enhancements and appropriate landscaping measures to provide a high-quality landscaped setting.

Delivery

- The phasing of development to ensure the provision of essential supporting infrastructure and facilities is provided ahead of or in tandem with the development it supports to address the impacts of the new settlement.

3.3. These DM4 policy requirements can be translated into land take estimates as follows:

Table 1: DM4 Requirements and Approx. Land Take

Requirements	Assumptions	Approx. Land Take
At least 3000 homes	30 dph average	100ha
Employment	Either adjoining or within walking distance of the Local Centre	5ha
Local Centre	Centred around Cattal Station	2ha
Education	420 place primary school 630 place primary school	2.42ha 3.51ha
Open Space	Policy HP7 requirements	48.15ha
Pitches	Based on Open Space SPD calculations	8.67ha
Surface Water attenuation	Based on Concept work	7ha
Car parking around station	Centred around Cattal Station	0.75ha
Pedestrian and vehicular bridge		0.19ha
Total		178ha

3.4. This figure however should not be taken as the amount of land needed to deliver a new settlement, but the minimum land needed to deliver certain land use requirements based on ‘technical’ calculations. It does not take account of land needed for essential infrastructure such as roads, green infrastructure, landscape/ heritage mitigation or indeed land to enable the master-planning and place-making principles to be met. The figure also does not take account of any of the constraints that the land presents which are summarised in the table below. A copy of the Regulation 18 Constraints map is included in Appendix 1.

Table 2: Constraints

Flooding/Drainage	<ul style="list-style-type: none"> • 7.12ha of land required for attenuation • Areas with high risk of surface water flooding • Flood zone 2 and 3 along Kirk Hammerton Beck which runs west to east across the study area • Other watercourses along Gilsthorpe Gutter and in SW part of site
Biodiversity	<ul style="list-style-type: none"> • Falls within impact zone of Aubert Ings Site of Special Scientific Interest (SSSI) • Kirk Deighton Special Area of Conservation (SAC) located 8km to the southwest • Deciduous woodland and traditional orchard priority habitats and key endangered species present within or in the vicinity (great crested newts, bats, badgers, breeding birds)
Topography	<ul style="list-style-type: none"> • Doodle Hill to the northeast of the site – an elevated and open parkland or heath in the northeast of the settlement which provides extended views over the new settlement and towards York Minster to the east.
Heritage	<p>15 Heritage assets affected either directly or their setting as follows:</p> <ul style="list-style-type: none"> • 4 Conservation Areas – Kirk Hammerton, Cattal, Green Hammerton and Whixley • Grade 1 Listed – St John the Baptist Church, Kirk Hammerton • Grade II* - Old Thornville • Grade II – St John the Baptist Church, Hunsingore, Providence House and Milepost • NDHS – Gelsthorpe Farm, Cattal Grange, Cattal Station, Westfield, Whixley Lodge • Scheduled Monument – Cattal Bridge
Highways	<ul style="list-style-type: none"> • A59 severance - A59 acts a barrier to movement • Key junctions at A59/Station Rd (Whixley), A59/Station Road (Kirk Hammerton), A59/Cattal Street, A59/Green Hammerton • Improvements required to Junction 47 of the A1(M)
Railway	<ul style="list-style-type: none"> • 4 level crossings (Scaite Moor Lane, Cattal, Kirk Hammerton, Parker Lane) act as barriers to land in the south • Number of existing pedestrian and vehicular underpasses
Utilities	<p>Existing utilities constraints:</p> <ul style="list-style-type: none"> • A National High-Pressure Gas Main bisects the westernmost portion of the study area • Several Northern Powergrid 11KV overhead cables pass through the site

	<ul style="list-style-type: none"> • A Yorkshire Water Public Water Main runs east to west across land to north of A59 • A Yorkshire Water Public Sewer (Foul) runs along Gilsthwaite Lane <p>Required infrastructure:</p> <ul style="list-style-type: none"> • Direct connections to high pressure gas mains are not possible and Maltkiln will instead be gas free, using electricity alone • Upgrades of the local foul sewerage infrastructure, including the Kirk Hammerton wastewater treatment works • Upgrades of the clean water supply infrastructure in the surrounding area • A new onsite primary substation connected to the National Grid at Boroughbridge Road in York
Landscape	Landscape impacts particularly to the East of the Settlement
Land ownership	Pockets of land not in the control of the land promoter due to existing residential/businesses properties including the land owned by Ptarmigan land. Does not affect overall DPD delivery of new settlement but may have impact if reduced area of land available.

4. Options for Delivery

- 4.1. As stated, a key consideration for the Council now is to understand whether it is possible to deliver the new settlement whilst maintaining the objectives and requirements of Policy DM4, the objectives identified in the Sustainability Appraisal work and the proposed policies within the Draft DPD.
- 4.2. The following options were identified as reasonable options to consider, i.e. using land within the Broad Location identified in the Local Plan:
- Option A: Use the remaining available land within the boundary proposed at Regulation 19.
 - Option B: Extend the proposed Regulation 19 boundary to include the available and additional land to the north, south, east and/or west.
 - Option C: Reconsider options considered at Regulation 18 which were previously discounted.
 - Option D: Pursue acquisition of some or all of the unavailable land through compulsory purchase powers, if agreement cannot be reached.

Option A - Use the remaining available land within the boundary proposed at Regulation 19

- 4.3. When assessing whether the remaining land is adequate there are three important considerations to take into account:

- Can the requirements of DM4 and the overall vision and objectives of the DPD still be achieved on this land?
 - Can the main reasons for choosing this option as per the sustainability appraisal work undertaken as part of the DPD process still be achieved on the remaining land?
 - Are there additional impacts that need to be considered?
- 4.4. Initial capacity work shows that approximately 3100 homes and 2 primary schools can be accommodated physically on the site without the unavailable land. However, officers are concerned that there is not enough land available to fully secure the remaining requirements and objectives of Policy DM4 or the DPD, in particular the remaining land is insufficient to deliver:
- any significant employment land,
 - sufficient outdoor sports facilities either in the form of a sports hub or individual pitches,
 - the full extent of the local centre and essential car parking,
 - any safeguarded land for a secondary school,
 - land needed to provide adequate landscape and heritage mitigation,
 - Appropriate site access (via a link road) to mitigate impacts on Junction 47 and Cattal Bridge,
 - flexibility to enable the master-planning and place-making principles to be adequately met, such as tree-lined streets, segregated cycleways etc.
- 4.5. Whilst the proposed development framework is indicative, key areas of open space are identified to protect the Aubert Ings SSSI to the south of the site, providing an alternative, semi-natural destination for recreational activities and dog walking in particular. Whilst these spaces could arguably be accommodated elsewhere within the site, and the open space could be potentially included within pockets of residential development, the principle of having accessible, useable and attractive open space to serve the needs of residents and mitigate impacts on the SSSI is an essential part of the development requirements and land is needed for this.



Map 3: Indicative Development Framework showing unavailable land around Cattal Station.

4.6. As shown in Map 3, under this option, only land to the northeast of Cattal station is available for the critical local centre development however there are some flooding constraints associated with a portion of this land. It would therefore be impossible to achieve the objective of developing a settlement that presents sustainable travel opportunities and is focused around an enhanced Cattal Station as a community hub.

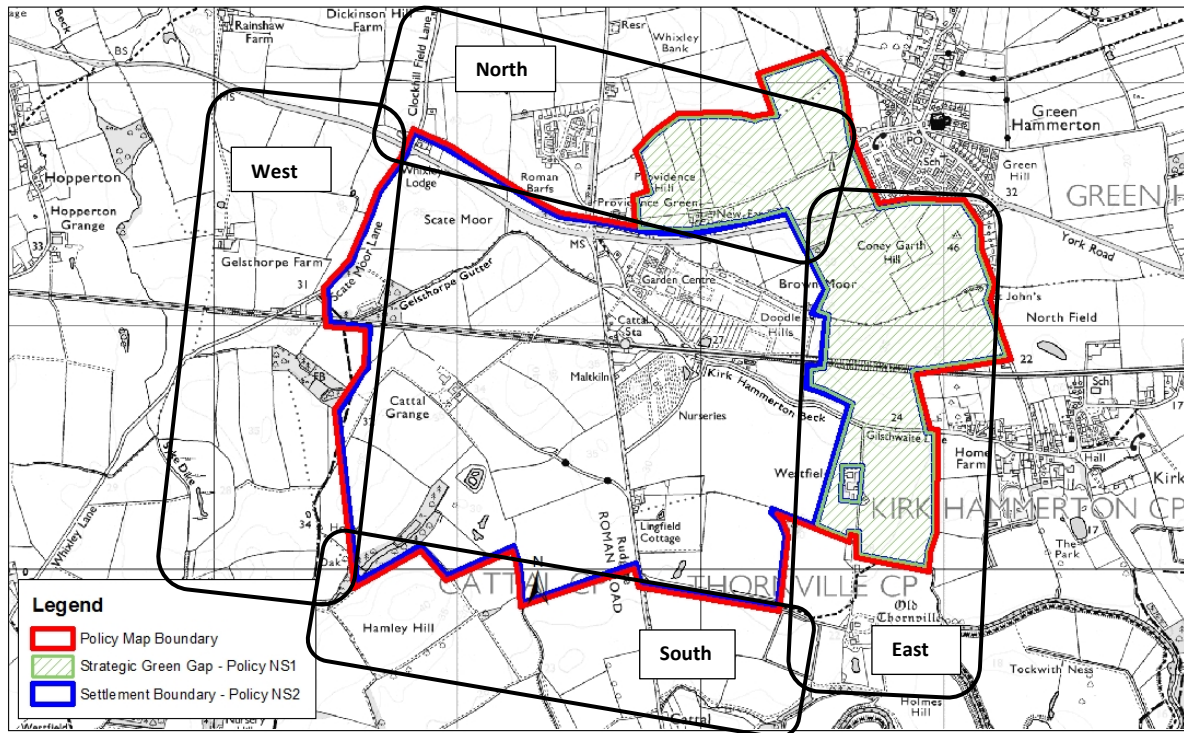
4.7. Conclusion for Option A:

It is therefore concluded that this option does not fully meet the requirements of DM4 and the overall vision and objectives of the DPD.

Option B - Extending the New Settlement Boundary

4.8. This section considers whether the requirements of Local Plan Policy DM4 and the overall vision, objectives and emerging policies of the DPD could be achieved through the extension of the proposed DPD boundary to the north, south, east and west respectively as shown in Map 4. This assessment has

been informed by specialist advice from the Council's Conservation and Landscape Officers.



Map 4: Areas of land around the existing boundary assessed for possible extension

Land to the North

4.9. This option would involve extension of the new settlement to the north of A59 towards Whixley and Green Hammerton. Built development in the form of housing or employment in this location would have the following impacts and would therefore not be considered an acceptable option.

4.10. Landscape Impact:

- an adverse impact on the Strategic Gap (outlined in draft Policy NS2) between the settlement and Green Hammerton creating encroachment and coalescence between the two which would not be in accordance with the principles of the proposed strategic gap.
- an adverse impact on views from the Public Right Of Way between Whixley and Green Hammerton which is on elevated land at Whixley Bank and with a rolling fold in the landscape before more elevated land immediately north of the A59.
- adverse visual effects likely from the adjacent Green Hammerton Sports Ground and from the edges of the Conservation Area.
- creates coalescence with Whixley Gate.

4.11. Master-planning principles:

- working against the fundamental principle of achieving a new settlement and vibrant new community within its own right which is distinct from neighbouring settlements.
- conflicts with the movement strategy as pedestrians would need to cross the A59 to access services.

4.12. Heritage Impact:

- Whixley Lodge (a Non-Designated Heritage Asset) – development would constitute encroachment of built form up to Whixley Lodge and adversely affect the rural setting of the Lodge.
- Providence House (Grade II Listed) – development would create harm to the setting of Providence House and encroach upon the grade II listed building.
- Impact on the Green Hammerton Conservation Area and proposed Strategic Green Gap (as outlined in draft Policy NS2).

Land to the South

- 4.13. The proposed Strategic Green Gap (see draft Policy NS2) does not extend to the south of the proposed Maltkiln boundary as the Council believe there to be no special landscape or heritage reasons to protect land to the south of the new settlement between Maltkiln and Cattal. Additionally, the risk of coalescence was limited by Cattal's designation as open countryside. However, extension of the proposed boundary to the south would result in an element of coalescence and likewise there are additional restrictions to the extent of any southern extension as a result of flood risk and Cattal Bridge's status as a Scheduled Ancient Monument.
- 4.14. The land to the West of the existing New Settlement boundary is significantly constrained by the presence of a Mains Gas pipeline and the associated development offset and this pipeline continues to affect land to the southwest of the settlement boundary, reducing the area of developable land.
- 4.15. Most importantly, extension of the boundary to the south / southwest (without the unavailable land) would not be logical or acceptable in place-making or permeability principles as would it involve the settlement looping round the southern edge leaving a significant 'hole' within the heart of the settlement. The important aim of creating walkable, 15-minute neighbourhoods would not be possible with easy non-car access to the station and the local centre unachievable.

Land to the West

4.16. This option involves extension of the new settlement to the west. Whilst the western edge is low-lying and less sensitive to development and therefore was not included within the Strategic Gap, there are some sensitivities. Built development in the form of housing or employment in this location would have the following impacts and would therefore not be considered an acceptable option.

4.17. Landscape Impact:

- Some potential impact on the higher and rising land to the north.
- Some impact on views along Skate Moor Lane including a view of Allerton Castle – development could have a harmful visual impact on the recreational potential of this route.

4.18. Heritage Impact:

- Potential harm to the setting of Whixley Lodge (NDHA) as development would alter the character of the surrounding farmland harm to the setting of Gilsthorpe Farm (NDHA) through the introduction of new development in close proximity.
- Potential impact on the views of Grade 1 listed Allerton Castle from Skate Moor Lane.

4.19. Other Constraints:

- the presence of the Mains Gas pipeline to the west significantly reduces the developable area available.

4.20. Importantly, the extension of the boundary to the west / southwest (without the unavailable land) would not be logical or acceptable in place-making or permeability principles as would it involve the settlement looping round the northern edge leaving a significant 'hole' within the heart of the settlement. The important aim of creating walkable, 15-minute neighbourhoods would not be possible with easy non-car access to the station and the local centre unachievable.

Land to the East

4.21. This option would involve extension of the new settlement to the east into land that is currently identified as a Strategic Green Gap (see draft Policy NS2) and therefore has an important role to play in ensuring there is no coalescence and reducing the impacts of development of the Conservation villages of Green and Kirk Hammerton. Built development in the form of housing or employment in this location would have the following impacts and would therefore not be considered an acceptable option

4.22. Landscape Impact:

- The land within the Strategic Gap provides separation between the new settlement and both Green Hammerton and Kirk Hammerton; forming part of the rural context of the existing settlements and their conservation areas.
- Land to the north and south of Gilsthwaite Lane provides a gap between the two settlements and forms part of their rural context. Land rises towards Doodle Hills to the north, which becomes visible when moving away from Kirk Hammerton to the west.

4.23. Heritage Impact:

- Impact on the setting of Kirk Hammerton Conservation Area due to development altering the existing views as described above, changing the rural setting.
- A key view is identified in the Conservation Appraisal which looks northwest from Parker Lane, over a field located to the north of the Conservation Area.
- Development on the southern part of the Strategic Green Gap (outlined in draft Policy NS2) would impact on the setting of the Old Thornville group of buildings. This would affect how the group is experienced in its rural setting, for example, when walking the footpath that leads from Gilsthwaite Lane to Old Thornville.

4.24. Conclusion for Option B:

Assessment of the various boundary extensions within Option B concludes that the principles of DM4, the objectives of the SA and the vision and objectives of the DPD cannot be achieved using substantial extensions beyond the proposed DPD boundary (without the unavailable land).

Option C: Reconsider options considered at Regulation 18 which were previously discounted

- 4.25. Initial work on the DPD showed three potential options to deliver a new settlement in the broad location. These are shown below and were consulted upon in October 2020 (Regulation 18 consultation).

Regulation 18 Option 1: Central Focus



Regulation 18 Option 2: North of Cattal Station Focus



Regulation Option 3: Cattal Station Focus



4.26. The Options assessment concluded that the three options scored relatively closely, but that the option which focussed on the existing railway station at Cattal would create the most sustainable and attractive place. The key factors identified in support of the Cattal Station Focus option were:

- Sustainable travel opportunities presented by proximity to the station;
 - Opportunity to cluster community facilities around station in a central community hub;
 - Opportunity to minimise impact on nearby conservation areas and the landscape setting;
 - Stakeholder feedback regarding impact on existing villages;
 - Land promoter in place.
- 4.27. The consultation undertaken at Regulation 18 in October 2020 confirmed Option 3 as the preferred option, and it was later re-named Maltkiln as the consultation responses showed that communities wanted it to be given an identity as soon as possible.
- 4.28. Officers have reconsidered the previously discounted options in the light of the withdrawal of land around the station and do not feel that the original assessment of the options has changed, in fact work on the DPD on the Strategic Green Gap policy, access and movement policies etc. has further confirmed that the Cattal station focus is the most favourable option to deliver sustainable development and maintain the objectives and requirements of Policy DM4, the SA and the proposed policies within the Draft DPD.
- 4.29. It is also important to note that there is no land promoter in place for Options 1 (Central Focus) and 2 (North of Cattal Station Focus) at this current time.
- 4.30. Finally, pursuing these options would contradict the consultation outcomes that stated that Option 3 (Cattal Station Focus) provided the most distinct option from existing communities.

Option D – Pursue acquisition of some or all of the unavailable land through compulsory purchase, if agreement cannot be reached

- 4.31. The work undertaken by Council officers concludes that the new settlement cannot be delivered satisfactorily without the unavailable land. Whilst the land is not under any option agreement with Caddick (the main promoter of the site) and the landowners confirmed in a meeting with the Council in January 2023 that the land was not available, another option for the Council to pursue is the acquisition of some or part of the land through other means, including further negotiation with the landowners and/or use of the Council's compulsory purchase powers if an agreement cannot be reached. In this regard, it is noted that the landowners had previously made their land available and supported the Maltkiln proposal up to this point so the possibility that they might yet change their minds cannot be entirely excluded. Compulsory purchase should be a last resort, and the Council would only exercise these powers if agreement could not be reached.

- 4.32. In order to inform if and how this option is taken forward, it is important to ascertain how much of the unavailable land is needed to deliver the key principles on which the DPD is based. The unavailable land is approx. 128 ha in area, and can usefully be divided into two parcels, to the north and south of the railway.
- 4.33. With regards to the indicative development framework, this land along with residential development and some open space is identified for the majority of the local centre and primary school provision. Capacity work undertaken shows that key residential requirements, as well as some employment, a sports hub and local centre could be met on the remaining land within the proposed boundary and the unavailable land north of the railway line. However, this would necessitate various compromises to be made such as residential development on more sensitive areas, including areas identified for open space and in order to achieve the minimum number of homes required in Local Plan Policy DM4 and make the site viable (as shown in viability work published in support of the Regulation 19 consultation).
- 4.34. Additionally, exclusion of the southern part of the unavailable land would jeopardise the following key elements of the new settlement:
- Link road access – in order to mitigate impacts on J47 and also to reduce the amount of traffic using the Cattal Bridge (a Scheduled Ancient Monument to the south of the new settlement), the DPD proposes a new link road connecting the new settlement with the A168. The unavailable land to the south of the railway is critical for achieving this important link see Map 2).¹
 - Railway crossing – as indicated on Map 2, the principal vehicular crossing of the railway is to be achieved through the provision of a new vehicular bridge within the unavailable land. Without this, access to the south-east quadrant of the site could only be achieved through the provision of an additional roundabout on the A59 and primary road access through the strategic gap.
 - Cattal Belt open space – this area of land along the settlement boundary to the Southwest is shown on Map 2 and intended to act as a destination point to protect Aubert Ings SSSI from recreational disturbance.
 - Safeguarded land for a secondary school.
- 4.35. Not only is the unavailable land critical to deliver the specific requirements required above, but the work also undertaken for the Regulation 18 and 19 consultations identified this option and the subsequent draft boundary and indicative planning framework to be the most sustainable approach to ensuring that the vision and following objectives of the DPD be achieved, namely:

¹ The precise route for the link road is not specified and the DPD requires further work to be undertaken to explore this.

- To promote high quality, locally distinctive design that creates a unique sense of place including a well-connected tree lined street network, village and linear greens and parkland.
 - To provide positive relationships with nearby villages including landscape buffers, convenient connections and services that complement the existing provision.
 - To create a community that enables a hierarchy of travel choices with walking and cycling ahead of public transport followed by private car use.
 - To create a mixed-use community with services and facilities in convenient and accessible locations
 - To respond positively to the challenges of climate change
 - To deliver a settlement that is resilient to a wide range of predicted climate change impacts, where development is not at risk of flooding now or in the future and contributes positively to the resilience of wider communities.
 - To provide a vibrant centre including shops, schools and services that forms a 'heart' for the community which is well connected to the rail station and provide services for nearby villages and parishes.
 - To create an accessible landscape framework that works with local topography, incorporates new distinctive parks and gardens, connects spaces to places and create places for nature and delivers biodiversity benefits
 - To provide a mix of homes in varied sustainable neighbourhoods that satisfy local needs and support economic growth.
 - To promote a planned and phased approach that is economically sustainable, commercially aware, engages with delivery / management bodies and involves cross sector collaboration.
 - To provide the potential to create local jobs and support skills development through traditional employment sites, finer grain opportunities in centres and home-working environments.
 - To provide long term involvement opportunities for growing local communities to guide place making and stewardship supported by effective governance.
- 4.36. The indicative land use framework (Map 2) has been developed in consultation with communities and specialist organisations to present a vision for a new settlement that achieves the aims and objectives set out in the adopted Local Plan.
- 4.37. The tables below provide a summary of the options against the Sustainability Appraisals objectives developed alongside the Draft DPD. This further concludes that the unavailable land is required in order to develop Maltkiln in the most sustainable manner.

Tables assessing the delivery options against the SA objectives of the New Settlement DPD.

Benefits Assessed from SA	Option A – Remaining Land	Option B – Extending Boundary				Option D – Pursue acquisition of Unavailable Land
		North	South	West	East	
<p>The sustainable travel opportunities presented by the focus around an enhanced Cattal rail station, as proposed to a significant rerouting of the A59</p> <p>Opportunity to cluster community facilities around Cattal station as a central community hub and create enhanced connectivity for existing villages</p>	<p>Only land to the north east of Cattal station is available. All the remaining land around the railway and Cattal Station is unavailable. This also compromises the ability to provide the required extent of land for both employment and sport.</p>	<p>Only land to the north east of Cattal station is available. All the remaining land around the railway and Cattal Station is unavailable.</p> <p>A59 causes significant barrier to pedestrian movement and access to community hub and station</p>	<p>Only land to the north east of Cattal station is available. All the remaining land around the railway and Cattal Station is unavailable.</p>	<p>Only land to the north east of Cattal station is available. All the remaining land around the railway and Cattal Station is unavailable.</p>	<p>Only land to the north east of Cattal station is available. All the remaining land around the railway and Cattal Station is unavailable.</p>	<p>Both acquisition options (land north and south of the railway) would deliver all the land needed to enable the Cattal station focus. Sufficient land would be available to provide the local centre, employment, sports hub and associated station facilities such as parking.</p>
<p>A sensitive arrangement of development and greenspace, minimising impact on nearby</p>	<p>Additional residential development would be required along the Eastern boundary in land</p>	<p>Heritage and landscape impacts on the setting of the Green Hammerton Conservation Area</p>	<p>Additional residential development would be required along the Eastern</p>	<p>Some unacceptable impacts on the landscape setting and on listed and</p>	<p>Unacceptable heritage and landscape impacts on the setting of the Green</p>	<p>This would only be achieved by the use of all of the unavailable land. This would give greater</p>

<p>conservation area villages and the landscape setting</p>	<p>required for the Strategic Gap. This will result in increased coalescence, increased impact on the landscape setting and heritage impact on the setting of the Conservation Areas of Kirk and Green Hammerton</p> <p>The reduction in the Strategic Gap would increase the impact of development on the conservation area villages and would be contrary to opinions of the local community.</p>	<p>and listed and non-designated assets. Adverse impact on the Strategic gap, including possible reduction, resulting in encroachment and coalescence impact.</p> <p>Additional residential development would be required along the Eastern boundary in land required for the Strategic Gap. This will result in increased coalescence, increased impact on the landscape setting and heritage impact on the setting of the Conservation Areas of Kirk and Green Hammerton</p>	<p>boundary in land required for the Strategic Gap. This will result in increased coalescence, increased impact on the landscape setting and heritage impact on the setting of the Conservation Areas of Kirk and Green Hammerton</p>	<p>non-designated assets.</p> <p>Additional residential development would be required along the Eastern boundary in land required for the Strategic Gap. This will result in increased coalescence, increased impact on the landscape setting and heritage impact on the setting of the Conservation Areas of Kirk and Green Hammerton</p>	<p>Hammerton and Kirk Hammerton Conservation Areas and listed and non-designated assets. Adverse impact on the Strategic gap, including possible reduction, resulting in encroachment and coalescence impact.</p> <p>The reduction in the Strategic Gap would increase the impact of development on the conservation area villages and would be contrary to opinions of the local community.</p>	<p>flexibility for the layout, density, design etc of the new settlement enabling exemplar development which minimised the impact on the nearby villages and the landscape setting and would avoid more intensive development in the more sensitive areas of the site to the east.</p> <p>The use of 'destination' points to decrease recreational disturbance on the SSSI could also be achieved by the use of all of the 'unavailable land'</p>
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<p>In line with stakeholder emphasis on steering development away from the existing conservation area villages – as communicated in stakeholder events</p>		<p>The reduction in the Strategic Gap would increase the impact of development on the conservation area villages and would be contrary to opinions of the local community.</p>				<p>This would only be achieved by the use of all of the “unavailable land’ as it would not involve encroachment into the Strategic Green Gap and would steer development away from the existing conservation area villages as supported by the local community</p>
<p>A land promoter is in place to support and progress delivery of an approach similar to this spatial option</p>	<p>Land promoter in place for this option.</p>	<p>The Council understands that some land in this extension area is potentially available to deliver this option.</p>	<p>The Council understands that some land in this extension area is potentially available to deliver this option.</p>	<p>The Council understands that some land in this extension area is potentially available to deliver this option.</p>	<p>The Council understands that some land in this extension area is potentially available to deliver this option.</p>	<p>If acquisition was achieved, there are various options available to the Council to ensure delivery.</p>

Option C

Sustainability Appraisal scoring for Regulation 18 consultation options 1 and 2

SA Objective (Reg 18 Consultation)	Option 1	Option 2
Protect, conserve and enhance air quality	Potential to affect air quality through the creation of new and/or busier road networks in a predominantly rural area. Also includes the re-routing of the A59 which may have a greater impact on air quality during the construction stage and through potential phasing	Potential to affect air quality through the creation of new and/or busier road networks in a predominantly rural area
Protect and enhance the function and connectivity of biodiversity habitats and species	Unlikely that any disturbance to protected species cannot be mitigated. Doesn't result in substantial loss of woodland and has potential to incorporate substantial amounts of new natural green space. Not likely to impact on the Kirk Deighton SAC.	
Support the resilience of the Green Hammerton/Cattal area to flood risk	Low risk of fluvial flooding and a well-designed and managed drainage system may contribute to managing flood risk downstream.	
Contribute to climate change mitigation	Likely to make a significant positive contribution towards this objective. Capable of incorporating measures to improve the efficiency of the built environment and have the potential to incorporate low carbon and renewable energy schemes.	
Protect, enhance and manage the distinctive character and appearance of the historic environment	Will impact on the setting and significance of a wide range of heritage assets. Housing and employment development to the SE of Green Hammerton and the north of the railway line which is sensitive in relation to the Conservation Areas.	Will impact on the setting and significance of a wide range of heritage assets
Ensure the development protects and complements important landscape features whilst retaining a rural character	Significant impact on local landscape character due to the area being largely rural and undeveloped. Option has the potential to create new quality landscape and townscapes and opportunity to explore ways of softening their impact.	
Minimise the avoidable loss of the most valuable soils and agricultural land	Result in a permanent loss of best and most versatile agricultural land.	

Protect and enhance the quality of watercourses ground and surface water quality	Potentially positive effects as potential for a reduction in the amount of pollutants that are washed into watercourses from agricultural land. SUDs will form an important part of the option, as well as appropriate infrastructure to manage increased demands for waste water and drainage.
Provide everyone with the opportunity to live in good quality, affordable housing which meets the needs of occupiers throughout their life	Make a significant positive contribution to the provision of housing opportunities including affordable and adaptable.
Protect and improve the health and wellbeing of residents by enhancing the quality and accessibility of open space, facilities for recreation and health	Significant positive effects are predicted for all options as they all have potential to include substantial areas of green space, sports facilities and parks which would benefit the new and existing communities.
Reduce the need to travel and support modal shift to active and sustainable modes of travel such as walking, cycling and public transport	Positive effects from being situated on the rail corridor and have potential to increase the range, availability and affordability of sustainable travel choices. Presents less concentrated approach however than option 3.
Support and maintain a strong and sustainable local economy	Significant positive effects anticipated as development has the potential to support investment in the area and provide accommodation for a growing workforce.

Appendix 1 – Constraints map from the Regulation 18 Concept Framework Assessment

3.2 KEY CONSTRAINTS

KEY	
	BROAD LOCATION FOR GROWTH BOUNDARY
	NETWORK RAIL RAILWAY TRACK
	ENVIRONMENT AGENCY FLOOD ZONE 3
	ENVIRONMENT AGENCY FLOOD ZONE 2
	AREAS WITH HIGH RISK OF SURFACE WATER FLOODING
	WATERCOURSE / TRIBUTARY
	YORKSHIRE WATER PUBLIC SEWER (FOUL)
	YORKSHIRE WATER PUBLIC WATER MAINS
	CADENT GAS LTD STRATEGIC HIGH PRESSURE GAS MAIN
	NORTHERN POWERGRID 11KV OVERHEAD ELECTRICITY CABLES - MAIN LINE SHOWN ONLY

TABLE A. SOIL DETAILS TAKEN FROM THE CRANFIELD SOIL AND AGRIFOOD INSTITUTE.	
SOILSCAPE REF	DESCRIPTION
6	FREELY DRAINING, SLIGHTLY ACID LOAMY SOILS.
8	SLIGHTLY ACID, LOAMY AND CLAYEY SOILS. IMPEDED DRAINAGE.
18	SLOWLY PERMEABLE, SEASONALLY WET, SLIGHTLY ACID BUT BASE-RICH LOAMY AND CLAYEY SOILS. IMPEDED DRAINAGE.

TABLE B. AREA SPECIFIC CONSTRAINTS.	
CONSTRAINT REFERENCE	DESCRIPTION
1	ANY DISCHARGE INTO POOL BECK WILL REQUIRE LIAISON WITH THE YORK CONSORTIUM DRAINAGE BOARD AS WELL AS LEAD LOCAL FLOOD AUTHORITY LIAISON.
2	ANY DEVELOPMENT SITE CONTAINING AREAS OF FLOOD ZONE 3 WILL NEED TO CONSIDER THESE ZONES WHEN CREATING THE MASTERPLAN.
3	THIS AREA CONTAINS AN AREA OF HIGH RISK SURFACE WATER FLOODING, PLUS IS IN CLOSE PROXIMITY OF THE RAILWAY LINE, CATTAL TRAIN STATION AND KIRK HAMMERTON BECK. THESE CONSTRAINTS MAY MAKE SETTING SITE LEVELS IN THIS AREA A CHALLENGE
4	THERE ARE SERVICES RUNNING THROUGH NETWORK RAILS TROUGHING ROUTE, IN LINE WITH THE RAILWAY TRACK. THIS CONSTRAINT IS REPRESENTED BY AN INDICATIVE 10m EASEMENT (5m EACH SIDE OF APPROXIMATE LOCATION OF TROUGHING ROUTE)
5	EXISTING STRATEGIC GAS MAIN WITHIN PART OF THE STUDY AREA. EASEMENT WIDTH UNKNOWN. EXISTING PLANS OF THE GAS MAIN SHOW A 40m CORRIDOR AROUND THE GAS MAIN WHICH MAY BE THE EASEMENT. THIS CORRIDOR IS SHOWN ON THIS DRAWING. IF THE PROPOSED DEVELOPMENT FALLS WITHIN 400m OF THE GAS MAIN, CADENT GAS MUST BE INFORMED. CONFIRMATION OF APPROXIMATE LOCATION OF GAS MAIN & CONFIRMATION OF EASEMENT WIDTH TO BE

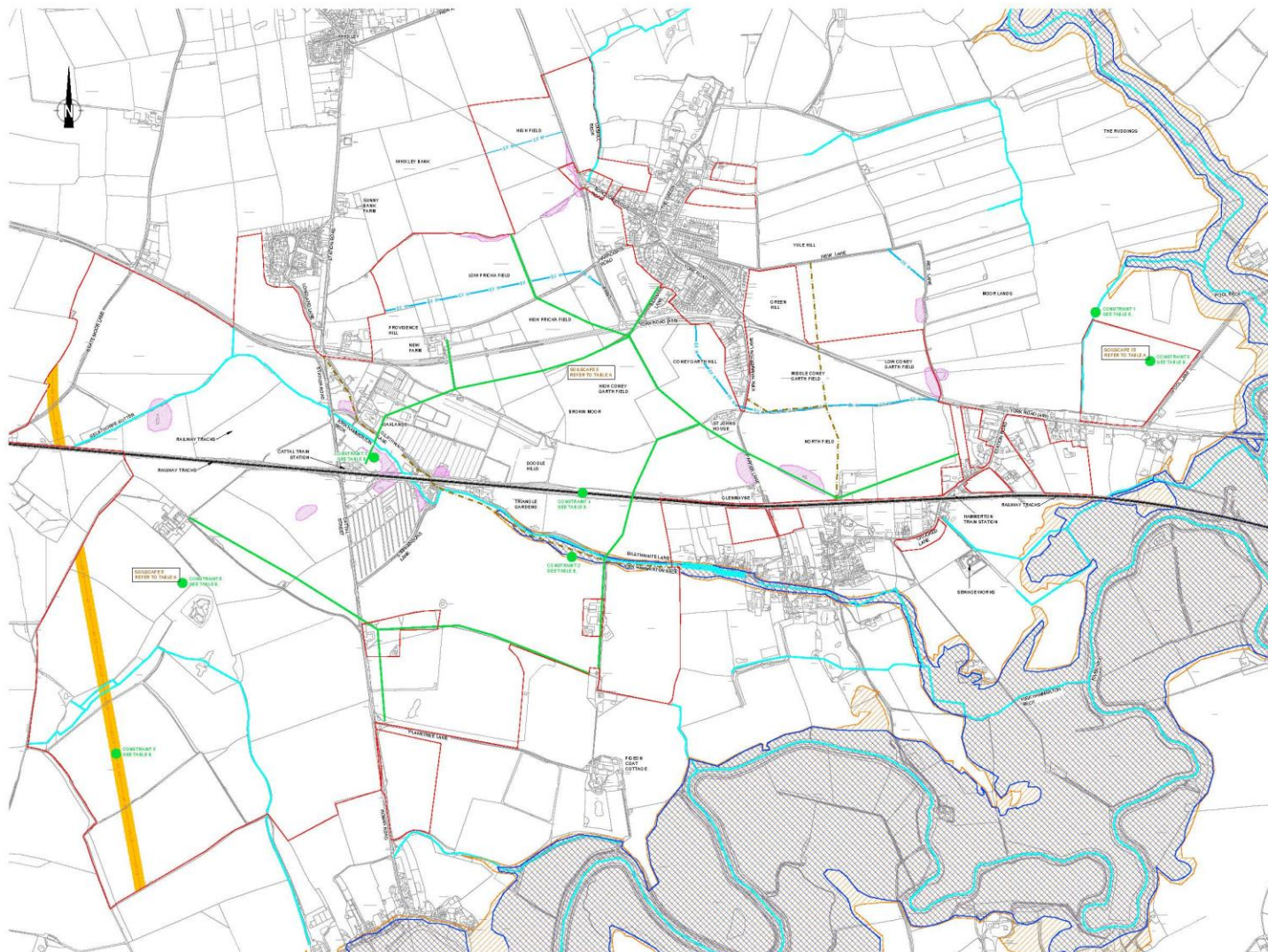


Fig. 3: Emerging Constraints Plan (Source: Vectos)

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Community Development		
Service area	Planning		
Proposal being screened	Delivery Options for New Settlement (Maltkiln) Development Plan Document (DPD)		
Officer(s) carrying out screening	Natasha Durham (Planning Manager, Policy)		
What are you proposing to do?	To provide an update on the New Settlement (Maltkiln) Development Plan Document (DPD) following the withdrawal of previously available land within the proposed boundary and seek "in principle" approval to use of the Council's Compulsory Purchase Powers to support the delivery of Maltkiln if an agreement cannot be reached with the owners of the land outlined		
Why are you proposing this? What are the desired outcomes?	To ensure that the Council can submit the proposed New Settlement (Maltkiln) Development Plan Document for examination in public and ultimately deliver sustainable development in North Yorkshire in line with the adopted Harrogate Local Plan 2014-2035.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	The decision sought is an "in-principle" resolution and therefore is cost neutral at this stage.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		✓	
Disability		✓	
Sex		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	

Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	The proposal does not relate to an area where there are known inequalities /probable impacts			
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	The proposal will have no effect on how other organisations operate.			
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	x
Reason for decision	<p>Whilst the assessment above concludes that there is no need for an EIA for this individual decision, an Equality Impact Assessment has taken place alongside the development of the New Settlement DPD to understand the potential effects of emerging policies on people with protected characteristics and to use this information to seek to eliminate negative effects and maximise positive effects.</p> <p>The analysis concludes that none of the policies have an overall negative effect and indeed many policies have positive effects for individuals and groups with protected characteristics, with the greatest number relating to the characteristics of age and disability. It shows that through a large number of policies, the DPD will advance the equality of opportunity in relation to most protected characteristics. To a lesser degree the DPD will also help to foster good relations between groups.</p>			
Signed (Assistant Director or equivalent)	Trevor Watson (Assistant Director Planning)			
Date	20/11/23			

Appendix D Initial Climate Change Impact Assessment

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Delivery of the New Settlement (Maltkiln) Development Plan Document
Brief description of proposal	To provide an update on the New Settlement (Maltkiln) Development Plan Document (DPD) following the withdrawal of previously available land within the proposed boundary and seek “in principle” approval to use of the Council’s Compulsory Purchase Powers to support the delivery of Maltkiln if an agreement cannot be reached with the owners of the land outlined.
Directorate	Community Development
Service area	Planning
Lead officer	Tracey Rathmell, Head of Delivery and Infrastructure
Names and roles of other people involved in carrying out the impact assessment	Rachael Hutton, Principal Policy and Delivery Officer

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	Negative impact on ecology	Negative impact on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full CCIA:	
Reason for decision	<p>Plan making presents a key opportunity to set out and deliver a county-wide approach to reduce carbon emissions and mitigate the impact of climate change. The adopted Harrogate Local Plan 2014-2035 included a new settlement in its growth strategy as a way to meet housing and economic development needs in a sustainable way, with services provided that reduce the need for travel. In addition, the broad location for the new settlement was chosen in order to maximise the opportunities for sustainable travel.</p> <p>Decisions on Plan-making in North Yorkshire have already been taken and so there are no additional impacts that require Full CCIA.</p> <p>However it is important to note that the New Settlement (Maltkiln) DPD has been developed with climate change mitigation and resilience at the forefront, and the former Harrogate Borough Council commissioned a Climate Change Strategy to explore the best ways to achieve its climate change ambitions in the DPD. This identifies four priority areas for action:</p> <ul style="list-style-type: none"> • Net zero carbon movement and active travel • Net zero carbon energy supply and use • Inclusive flexible living and working • Climate resilience <p>Taken together the climate change policies in the DPD seek to ensure that each</p>			

	<p>of the four climate change priorities are secured. These will be further examined by the secretary of state during independent examination and assessed against national planning policy for climate change.</p> <p>It is important to note that the policies in the DPD require more ambitious action than the adopted Local Plan. Therefore, the recommendation to secure delivery and progression of the DPD will have a positive effect on the Council's climate change aspirations by ensuring that development is carbon net zero across all phases.</p>
Signed (Assistant Director or equivalent)	Trevor Watson (Assistant Director Planning)
Date	20/11/2023

North Yorkshire Council

Executive

12 December 2023

Devolution Deal Net Zero Fund: Acceptance of Grant Funding

Report of the Corporate Director – Environment

1.0 PURPOSE OF REPORT

- 1.1 To update the Executive on the Joint Devolution Committee recommendations for funding under the DLUHC Devolution Deal Net Zero Fund for North Yorkshire Council
- 1.2 To delegate approval to the Corporate Director of Resources in consultation with the Assistant Chief Executive (Legal and Democratic Services) to accept the DLUHC Devolution Deal Net Zero Fund subject to acceptable terms and conditions being received.

2.0 BACKGROUND

- 2.1 The £7million competitive funding programme was announced by the York and North Yorkshire Local Enterprise Partnership (LEP) on 03.01.23 with a bid submission date of 06.02.23. The fund is subject to the proposed Mayoral Combined Authority being created in and originates from Department Levelling Up Housing, and Communities (DLUHC). The purpose of the York and North Yorkshire Net Zero Fund is to enable the development and delivery of net zero projects, aligned with York and North Yorkshire's Routemap to Carbon Negative, that provide wider community benefit. It included £1m of revenue funding and £6m of capital funding. The revenue funding is to support the development of net zero projects and the capital funding will enable the delivery of net zero projects.
- 2.2 Following a 'request to bid' report in January 2023 for NYCC and District / Borough Councils approval processes, North Yorkshire local authorities submitted 10 Development Fund (revenue) projects requesting £1,147,864 and 9 Delivery Fund (capital) bids requesting £12,246,743 by the 06.02.23 submission deadline.

3.0 REPORT

- 3.1 Following invitation from the LEP for applicants to submit full business cases and additional information in May 2023, 4 Development Projects and 6 Delivery projects were submitted from NYC. A review and external appraisal of the projects was undertaken by the LEP and recommendations were presented to the York and North Yorkshire Joint Devolution Committee. On 23 October 2023, the York and North Yorkshire Joint Devolution Committee made recommendations to the DLUHC for funding from the Devolution Deal Net Zero Fund for 23 projects across the York and North Yorkshire region. A review and external appraisal was undertaken by the LEP which concluded with a recommendation to the York and North Yorkshire Joint Devolution Committee on 23 October 2023. (More detail in the background papers referenced.)
- 3.2 Of the bids submitted by the former North Yorkshire local authorities, the York and North Yorkshire Joint Devolution Committee made recommendations for 5 Development projects (a total grant request of £379,734) and 4 Delivery projects (a total grant request of £2,206,292). These are part of the overall programme which includes 23 projects from York and North Yorkshire.

3.3 The NYC projects are:

Project Development:

- Shore Power at Scarborough and Whitby Harbours
- Green Energy Park at Seamer Carr and Decarbonising Allerton Waste Recovery Park
- District Heat Network – Potto
- Whitby and Scarborough Park and Ride EV Hyperhub Business Case Development
- Electric Vehicle Public Charging Infrastructure Rollout Strategy, next steps.

Project Delivery:

- Solar PV and Battery Storage installation to Council Commercial Assets
- Community Building Decarbonisation
- Kildwick to Silsden Active Travel Link
- Community Transport Decarbonisation

3.4 A description and costs of each project are outlined in Annex A and the totals summarised below:

	DDNZF	Match fund	Project total
Development / Revenue	£379,734	£90,200	£469,934
Delivery / Capital	£2,206,292	£399,054	£2,605,346
Total	£2,586,026	£489,254	£3,075,280

3.5 Each of the projects has an assigned manager that is leading on implementation. Individual projects are being managed within the appropriate service areas from existing resources and in some cases this is utilised as match funding.

3.6 DLUHC will now consider the recommendations and Funding Agreement Letters detailing the grant offer, including terms and conditions, are anticipated in late December 2023.

3.7 Delivery of projects must be completed by March 2025, with some expenditure planned for the January to March 2024 period.

4.0 CONSULTATION

4.1 No additional consultation has taken place since the bids were made in January 2023.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

5.1 Council Plan: A carbon neutral council

5.2 North Yorkshire Council Climate Change Strategy: Mitigation

6.0 ALTERNATIVE OPTIONS CONSIDERED

6.1 Not to accept the funding: this was rejected as the funding scheme provides external funding which provides the opportunity for the Council to deliver on multiple objectives.

7.0 FINANCIAL IMPLICATIONS

7.1 This is an external fund from HM Government DLUHC. Match funding for each of the 9 projects has been identified and secured. Details of the match funding is included in annex A.

- 7.2 The recommendation from the York and North Yorkshire Joint Devolution Committee enables projects to proceed 'at risk' to the Council. Consequently, projects have commenced project management activity including procurement (no contracts are entered into until funding is secured) to ensure they are able to deliver within the timeframe. There is therefore a risk of abortive work if the grant cannot be accepted by the Council, if, for example, terms and conditions, once received, are not acceptable.
- 7.3 There is no additional funding available over that included in this report and so there is a risk that any additional costs will need to be met by the Council. This will be managed by each project manager and if project costs increase the project manager will determine if acceptable to proceed, within the relevant service budgets. Some projects could potentially be descoped if costs increase in order to remain within the funding envelope.

8.0 LEGAL IMPLICATIONS

- 8.1 In order to accept the funding North Yorkshire Council will be required to enter into a formal grant agreement with the DLUHC. The draft terms and conditions have not yet been received. Once received, they will be reviewed by Legal Services. If any of the final terms and conditions present an unacceptable risk for the Council then the grant offer would be declined.
- 8.2 Any expenditure of the grant will be in line with the Subsidy Control Act 2022.
- 8.3 Any contracts entered into in respect of the grant funding will be in accordance with the Council's Procurement and Contract Procedure Rules and, if relevant, the Public Contracts Regulations 2015.

9.0 EQUALITIES IMPLICATIONS

- 9.1 An Equalities Impact Assessment Screening report has been undertaken there are no anticipated impacts. It is in Annex B.

10.0 CLIMATE CHANGE IMPLICATIONS

- 10.1 A Climate Change Impact Assessment was undertaken as part of the request to bid report in January 2023 and there are no substantial changes.

11.0 REASON FOR RECOMMENDATIONS

- 11.0 The North Yorkshire Council projects will deliver a range of outcomes to support delivery of the Council Plan and the North Yorkshire Council Climate Change Strategy specifically with associated co benefits for communities, public health and economic development. The recommendations will enable the Funding Agreements to be reviewed and the grant accepted if these are acceptable to the Council.

12.0 RECOMMENDATIONS

- 12.1 That the Executive note the Joint Devolution Committee recommendations for funding under the DLUHC Devolution Deal Net Zero Fund for North Yorkshire Council
- 12.2 That the Executive delegate authority to the Corporate Director of Resources, in consultation with the Assistant Chief Executive (Legal and Democratic Services), to accept the DLUHC Devolution Deal Net Zero Fund subject to acceptable terms and conditions being received

APPENDICES:

Annex A North Yorkshire Council DDNZF recommended projects
Annex B Equalities Impact Assessment

Background papers:

Paragraph 3.1 Devolution website: <https://www.ynydevolution.com/post/green-light-to-fund-7-million-net-zero-projects>)
<https://edemocracy.northyorks.gov.uk/documents/s23853/Report%20-%20Net%20Zero%20Funding.pdf>

Karl Battersby
Corporate Director Environment
County Hall
Northallerton

Date 29.11.23

Report Author and Presenter – Jos Holmes, Climate Change Policy Officer, Strategy and Performance.

Project Name	Description	Key Outputs	Match Funding	NZF 2023-2024	NZF 2024-2025	TOTAL NZF	Total Project Costs
ENERGY PROJECTS							
Solar PV & Battery Storage installation to Council Commercial Assets	Installing PV panels on various business units across the district to enable low-carbon power. Match funding secured from existing NYC Economic Development budgets.	Site 1: 17.44 tonnes CO2 reduction; 158,352.2kWh renewable energy generation Site 2: 12.8 tonnes CO2 reduction; 108323.2kWh energy generation Site 3: 30.2 tonnes CO2 reduction; 386,609.3 kWh 14 commercial units retrofitted 9 commercial units (may be reduced to 7) of new businesses premises built with Solar PV and battery storage	£135,904	£74,021	£178,373	£252,394	£388,298
Community Building Decarbonisation	Providing match funding to community buildings across North Yorkshire to enable decarbonisation. NZF is matched with community sector funding from each building retrofitted.	80 tonnes per year GHG emission reduction / savings (average 6 tonnes per building) Reductions in energy demand: an average of 10% per building / estimated 8,307kWh p.a. 10 community buildings retrofitted to at least EPC C rating Deployment of solar PV on buildings: 69,996kWh (based on an average) / 10	£200,000	£110,000	£440,000	£550,000	£750,000
TRANSPORT							
Kildwick to Silsden Active Travel Link	Improving a 3km stretch of towpath to enable active travel.	2000m of improvements to canal towpath, including widening and surface improvements 1363 additional walking, wheeling and	£0	£75,487	£896,561	£972,048	£972,048
Community Transport Decarbonisation	Provision of multi-person EVs to enable low-carbon community transport. Match funding is secured from the participating Community Transport Organisations.	46.41 CO2e p.a. GHG emission reductions / savings 347,618 km p.a. reduction in private car journeys 17 increased number of battery electric vehicles	£63,150	£0	£431,850	£431,850	£495,000
TOTALS:			£399,054	£259,508	£1,946,784	£2,206,292	£2,605,346

Project Name	Description	Match Funding	NZF 2023-2024	NZF 2024-2025	TOTAL NZF	Total Project Cost
ENERGY PROJECTS						
Shore Power at Scarborough & Whitby Harbours	Feasibility study to investigate potential to deliver shore side power to support marine traffic decarbonisation Match funding secured from NYC project management.	£4,280	£0	£47,084	£47,084	£51,364
Green Energy Park at Seamer Carr & Decarbonising Allerton Waste Recovery Park	Study leading to a business plan to review options to decarbonise AWRP and establish a green energy park at Seamer Carr closed landfill and investigate the generation and end use of green hydrogen for NYC fleet Match funding secured from existing NYC Waste Management budget.	£62,500	£20,000	£167,500	£187,500	£250,000
HEAT AND BUILDING PROJECTS						
District Heat Network - Potto	Study to support community energy development in the village of Potto, with regard to a District Heating System. Match funding secured from NYC Project Management.	£6,000	£30,000	£30,000	£60,000	£66,000
TRANSPORT PROJECTS						
Whitby and Scarborough Park and Ride EV Hyperhub Business Case Development	Business plan development to install an EV Hyperhub at two park and ride sites. Match funding secured from NYC Project Management.	£2,840	£0	£45,000	£45,000	£47,840
Electric Vehicle Public Charging Infrastructure Rollout Strategy Next Steps	To further develop the EVCP Strategy to build on our successful LEVI bids. Match funding secured from existing NYC Transport Planning budget.	£14,580	£20,150	£20,000	£40,150	£54,730
TOTAL		£90,200	£70,150	£309,584	£379,734	£469,934

Initial equality impact assessment screening form This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Central Services		
Service area	Strategy and Policy		
Proposal being screened	Request to submit applications and expressions of interest to the Devolution Deal Net Zero Fund		
Officer(s) carrying out screening	Jos Holmes		
What are you proposing to do?	A range of projects across NY to reduce greenhouse gas emissions from waste management, travel and transport and property.		
Why are you proposing this? What are the desired outcomes?	To tackle the causes of climate change.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	It seeks external funding to implement the projects.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.</p>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the armed forces community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No. Some of the proposals aim to improve access to services for people with disabilities or on low incomes through improving transport and travel options.		

Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No		
Decision (Please tick one option)	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:
Reason for decision	There are not adverse impacts anticipated.		
Signed (Assistant Director or equivalent)	Michael Leah		
Date	29/11/2023		

North Yorkshire Council

Executive Meeting

12 December 2023

Approval for Grant Acceptance – Department for Education (DfE) Skills Bootcamps (Wave 5) 2024-25

Report of the Corporate Director Community Development

1.0 PURPOSE OF REPORT

- 1.1 To recommend that the Executive approves the acceptance of a grant from the Department for Education for Skills Bootcamps (Wave 5) 2024-25 of £2,487,974 (as proposed in the application)

2.0 BACKGROUND

- 2.1 The York and North Yorkshire Local Enterprise Partnership (YNY LEP) have delivered Skills Bootcamps in 2022-23 (Wave 3) and 2023-24 (Wave 4) across the York and North Yorkshire area under contract between North Yorkshire Council (as Accountable Body for the LEP) and the Department for Education. The programme contributes to delivery of the Skills Strategy for York & North Yorkshire.
- 2.2 Skills Bootcamps are an initiative led by Government, delivered through the Department for Education, and are now nationally in their fourth round. They aim to secure economic benefits for adults by giving them access to in-demand skills training and a guaranteed interview for a more sustainable, higher-skilled job and higher wages over time. Courses are available for both employed (part funded) and unemployed or self-referred adults (fully funded). The benefits for employers include opportunity for them to refer existing workers to develop new skills, or to help them fill specific skills shortage vacancies via direct referrals for interview, enabling increased business productivity.
- 2.3 The overall aims of the Skills Bootcamps are:
- flexible training programmes lasting up to 16 weeks, based on the needs of employers and sector skills that are 'in-demand';
 - to address the needs of adults (19+) who are full-time and part-time employed, unemployed, returning to work after a break or self-employed, providing individuals with opportunity to retrain, update or formalise their skills or acquire recognition for specialist skills;
 - to address the needs of employers and the wider economy, to deliver targeted interventions to meet short-medium term demand for skills that will help to fill vacancies and drive productivity.

3.0 CURRENT ISSUE

- 3.1 YNY LEP submitted proposals during September 2023, through North Yorkshire Council, for a further year of Skills Bootcamps activity (April 2024 to March 2025) to be funded by Department for Education (DfE). The approval for application was confirmed by the Executive Member Open for Business on 15 September 2023 based on an application of circa £2.6million.

- 3.2 Development work had been carried out to quantify the amount of funding to be requested in the application to reflect local need and demand based on intelligence from both learning providers through their engagement with employers across the area, and with learners to understand the skills that are in demand at a local level. Direct engagement with employers has also been an increasing part of the programme design, to ensure a responsive programme that is agile in meeting labour market demands. The application submitted in September 2023 was for £2,487,974 which is a similar scope and scale to the current year (2023-24) contract.
- 3.3 The broad areas of provision that were included in Skills Bootcamps application to the DfE were:
- Health and Social Care
 - Construction
 - Digital
 - Creative/Technical
 - Green Skills for Business, Power, Transport, Construction, Natural Environment
 - HGV Driving
 - Leadership and Management (for businesses in key growth sectors)
 - Entrepreneurship (for start-up and scale up, self-employment)
 - Bespoke (to address emerging need throughout 2024-25 and specified by sector organisations and specific employers)
- 3.4 Following appraisal of the application by DfE, it is expected that the grant award for 2024-25 will be confirmed before the end of 2023.

4.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 4.1 The York and North Yorkshire LEP will procure, through North Yorkshire Council, learning providers to deliver the identified programme of Skills Bootcamp delivery enabled by the grant from DfE that will contribute towards:

Economy

- economically sustainable growth that enables people and places to prosper
- new and existing businesses can thrive and grow
- North Yorkshire has a high profile, is influential nationally and receives its fair share of resources

5.0 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 The Skills Bootcamps programme has developed during Wave 3 and Wave 4 and has become more tailored to meet the local employment need. Therefore, the alternative “Do Nothing” would lose the momentum gained to date. A smaller scale programme would be less impactful and would limit the scope and scale of the programme. Therefore, the application for 2024-25 as submitted in September reflects a similar level to the current year (£2.6m). It is expected that the offer will be for the full amount, and it is recommended that the grant award be accepted in full.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The grant award will include an allowance for management costs for the delivery of the programme in the sum of £243,957, which approximately represents the 10% fee permitted by DfE. This enables dedicated staff to be committed to the rigorous management of the DfE systems and processes for payments, monitoring and reporting. Performance of the contract management undertaken by the YNY LEP staff for Wave 3 and Wave 4 has met the DfE standards.
- 6.2 The financial risks of the programme to the Council are limited as the programme is based on performance-based payment to the learning providers that are contracted to sign up and deliver learners. Staged payments are made based on milestone stages being met for the learner journey through the Skills Bootcamp programme. If the learners do not meet the prescribed stages, then the provider of the learning does not receive payment.
- 6.3 For Wave 3 and Wave 4 DfE has provided 50% of the programme grant award plus the full management fee (approx. 10% of the total programme value) at the start of the programme, with the balance to be claimed at a later stage in the programme. This has enabled the cash flow of the programme to be met without the Council being in arrears.

7.0 LEGAL IMPLICATIONS

- 7.1 Once the grant terms and conditions are available a review will be requested from NYC Legal Services at grant offer stage to ensure that the terms and conditions for Wave 5 will be acceptable to the Council prior to grant acceptance. If any of the grant terms and conditions present unacceptable risk for the Council, then the grant offer would be declined.

8.0 EQUALITIES IMPLICATIONS

- 8.1 An Equalities Impact Assessment has been completed (Appendix A). No equalities implications have been identified.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 A Climate Change Impact Assessment has been completed (Appendix B) and no climate change implications have been identified.

10.0 REASONS FOR RECOMMENDATIONS

- 10.1 It is recommended that approval is given for acceptance of the grant award in the sum of £2,487,974, from Department of Education (DfE), through North Yorkshire Council, for Skills Bootcamps (Wave 5) 2024-25.
- 10.2 The recommendation is based on the significant contribution that the Skills Bootcamps programme can make to the local economy in addressing local skills needs for employers and to support the local labour market.

11.0 RECOMMENDATION

11.1 It is recommended that:

- the Executive approves acceptance of the grant from the Department for Education for Skills Bootcamps (Wave 5) 2024-25 based on the pending application for grant funding of £2,487,974.

APPENDICES:

Appendix A – Equalities Impact Assessment

Appendix B – Climate Change Impact Assessment

BACKGROUND DOCUMENTS: NONE

Nic Harne
Corporate Director – Community Development
County Hall
Northallerton
29 November 2023
Report Author – Liz Philpot, Head of Delivery
Presenter of Report – Liz Philpot, Head of Delivery

APPENDIX A

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Community Development Directorate		
Service area	The York and North Yorkshire Local Enterprise Partnership (YNY LEP)		
Proposal being screened	Recommendation of proposal for York and North Yorkshire Local Enterprise Partnership to submit an application to the Department for Education (DfE) for Skills Bootcamps (Wave 5) 2024-2025		
Officer(s) carrying out screening	Liz Philpot/Paul Clark		
What are you proposing to do?	<p>This screening concerns the YNY LEP proposal to submit an application to the Department for Education (DfE) for Skills Bootcamps (Wave 5) 2024-2025.</p> <p>The programme will involve YNY LEP offering a range of grant funded training programmes (via procured learning providers) to improve local skills and meet employer needs.</p>		
Why are you proposing this? What are the desired outcomes?	<p>This will support priorities identified in the YNY LEP published 'Covid-19 A Plan to Reshape our Economy plan' published in October 2020; also the YNY LEP Skills Strategy.</p> <p>Desired outcomes for the programme : To improve local employment prospects and meet employer needs for a suitably skilled workforce to improve productivity and support economic growth.</p>		
Does the proposal involve a significant commitment or removal of resources? Please give details.	N/A		
<p>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics</p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? <p>All programmes will promote equality and diversity through the support provided and offer appropriate, timely and impartial information, advice and guidance. In delivering the programmes, a range of measures will be put in place that will prevent any unlawful discrimination relating to discrimination (whether in race, gender, religion, disability, sexual orientation, age or otherwise) in employment.</p> <p>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.</p>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	No	No	
Age		✓	
Disability		✓	

Sex		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
NYCC additional characteristics			
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)			N/A
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	NO		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	All the programmes may be delivered in partnership with a range of external delivery partners. These organisations will ensure that all activities will be fully accessible and inclusive to all learners thus ensuring equal access to support, in accordance with the Equality Act 2010 and NYCC Equality and Diversity policies.		
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:
Reason for decision	<p>There are no equality impacts as all activities will be fully accessible and inclusive to all relevant target groups ensuring equal access to support, in accordance with the Equality Act 2010 and NYCC Equality and Diversity policies.</p> <p>The Local Enterprise Partnership operates in accordance with the National Local Growth Assurance Framework, and its own Local Assurance Framework, which contains a Diversity Statement setting out its commitments to fairness and inclusivity in its procurement and partnership arrangements.</p> <p>Screening exercises will continue throughout the project and where necessary and proportionate, an Equality Impact Assessment will be undertaken.</p>		
Signed (Assistant Director or equivalent)	James Farrar		
Date	27 November 2023		

APPENDIX B

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Recommendation of proposal for York and North Yorkshire Local Enterprise Partnership to submit an application to the Department for Education (DfE) for Skills Bootcamps (Wave 5) 2024-2025
Brief description of proposal	<p>This Climate Change Impact Assessment concerns the YNY LEP proposal to submit an application to the Department for Education (DfE) for Skills Bootcamps (Wave 5) 2024-2025.</p> <p>The programme will involve YNY LEP offering a range of grant funded training programmes (via procured learning providers) to improve local skills and meet employer needs.</p>
Directorate	Community Development Directorate
Service area	York and North Yorkshire Local Enterprise Partnership
Lead officer	Liz Philpot, Head of Delivery
Names and roles of other people involved in carrying out the impact assessment	Paul Clark, Governance and Assurance Manager

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	✓	Continue to full CCIA:	(Not required)
Reason for decision	All environmental factors are considered to be neutral – there may be a positive impact as some of the skills training to be delivered will support new technologies that contribute to Net Zero and Green Skills.			
Signed (Assistant Director or equivalent)	James Farrar			
Date	27 November 2023			

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FORWARD PLAN

The decisions likely to be taken by North Yorkshire Council in the following 12 months are set out below:

Publication Date: 27 November 2023

Last updated: 27 November 2023

Period covered by Plan: 30 November 2024

PLEASE NOTE:-

In accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to information)(England) Regulations 2012, at least **28 clear days' notice**, excluding the day of notification and the day of decision taking, must be published on the Forward Plan of any intended key decision. It is also a requirement that **28 clear days' notice** is published of the intention to hold an Executive meeting or any part of it in private for the consideration of confidential or exempt information. For further information and advice please contact the Democratic Services and Scrutiny Manager on 01609 533531.

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 01609 780780) unless specified otherwise)	Relevant documents already submitted to Decision Taker
12 Dec 2023	Executive		Levelling Up Fund – Catterick Garrison Town Centre Regeneration Project – Completion of Heads of Terms	Yes	<ul style="list-style-type: none"> •To allow completion of Heads of terms between NYC, DIO and MOD •To finalise the governance around the collaborative working and Land Transfer of the LUF boundary to NYC control/ownership. •Sign off and agreement by Executive member required to facilitate the completion of these documents. 	NYC Legal, Finance, Climate and Equalities	Consultation will be via email	David Caulfield, AD Economic Development, Regeneration, Tourism & Skills david.caulfield@northyorks.gov.uk	Levelling Up Fund – Catterick Garrison Town Centre Regeneration Project – Completion of Heads of Terms
12 Dec 2023	Executive		Acceptance of Grant Funding – Department for Education (DfE) Skills Bootcamps (Wave 5) 2024-25	Yes	To consider acceptance of grant funding from the Department for Education Skills Bootcamps for delivery of the Skills Boot (Wave 5) 2024-25 programme across York and North Yorkshire. The grant amount is due to be confirmed in November and is expected to be £2.6 million.	<p>Councillor D. Bastiman – Executive Member for Open to Business</p> <p>Councillor A. Wilkinson - Executive Member for Education, Learning and</p>	<p>Briefing will be offered to Executive Members</p> <p>Report to be consulted with relevant Senior Officers of the Council Senior Officers acting on behalf of the York and North</p>	Liz Philpot, Head of Delivery, LEP liz.philpot@ynyl.ep.com	Acceptance of Grant Funding – Department for Education (DfE) Skills Bootcamps (Wave 5) 2024-25

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 01609 780780) unless specified otherwise)	Relevant documents already submitted to Decision Taker
Page 91					The programme will be delivered by York and North Yorkshire Local Enterprise Partnership, for whom North Yorkshire Council acts as Accountable Body, therefore NYC process will be followed.	<p>Skills</p> <p>Senior Officers of the Council as required by the Key Decision process (Finance, Legal and Service Dept.)</p> <p>Senior Officers acting on behalf of the York and North Yorkshire Mayoral Combined Authority, to whom the contractual arrangements will be novated at the appropriate time.</p>	Yorkshire Mayoral Combined Authority.		

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 01609 780780) unless specified otherwise)	Relevant documents already submitted to Decision Taker
12 Dec 2023	Executive		Delivery of the New Settlement (Maltkiln) Development Plan Document	Yes	To provide an update on the New Settlement (Maltkiln) DPD following the withdrawal of land within the proposed boundary, and set out recommended next steps	Executive Member Open to Business Management Board	Correspondence and meetings	Tracey Rathmell, Head of Delivery and Infrastructure tracey.rathmell@northyorks.gov.uk	Delivery of the New Settlement (Maltkiln) Development Plan Document
12 Dec 2023	Executive		Devolution Deal Net Zero Fund: Acceptance of grant funding	Yes	The York and North Yorkshire Joint Devolution Committee approved a number of North Yorkshire Council bids to the Devolution Deal Net Zero Fund. The total bid amount is £2,586,026. Funding is still subject to Dept Levelling Up, Housing and Communities the programme-level business case and the Mayoral Combined Authority being established. Executive is asked to accept the final funding agreement.	Services in receipt of recommended bids: Highways & Transportation Environmental Services & Climate Change Harbours Economic Development	A team has been established to ensure engagement.	Jos Holmes jos.holmes@northyorks.gov.uk / 07929 848259	Devolution Deal Net Zero Fund: Acceptance of grant funding

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 01609 780780) unless specified otherwise)	Relevant documents already submitted to Decision Taker
9 Jan 2024	Executive		Shaping the future of Leisure Services in North Yorkshire: Outcomes of the Strategic Leisure Review	Yes	To consider and agree the outcomes and recommendations from the Strategic Leisure Review.	<p>There is a Members Working Group already established.</p> <p>Internal engagement (not formal consultation)</p> <ul style="list-style-type: none"> • within the service • affected services e.g. public health, HAS, CYPS • Leisure operators <p>External</p> <ul style="list-style-type: none"> • Stakeholders and partners (e.g. Sport England, National Governing Bodies, health organisations, local sports groups) 	<p>Engagement and consultation taking place with stakeholders to inform the findings and recommendations of the review. This includes individual discussions, focus groups, webinars, webpage, workshops and a survey</p>	Jo Ireland, AD Culture, Arts & Leisure jo.ireland@north.yorks.gov.uk	Shaping the future of Leisure Services in North Yorkshire: Outcomes of the Strategic Leisure Review

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 01609 780780) unless specified otherwise)	Relevant documents already submitted to Decision Taker
9 Jan 2024	Executive		2024/25 Mainstream School and Special School Budgets	Yes	To approve final details of the Schools Block/DSG budgets for 2024/25 for submission to the Department for Education including Minimum Funding Guarantee (MFG) and, if applicable, a 0.5% funding transfer from the 2024/25 Schools Block DSG to the 2024/25 High Needs budget To approve final details of the Special Schools Budgets 2024-25 including: • The level at which the minimum funding guarantee (MFG) protection is set for special schools. • Banded values for Element 3 top up funding	All mainstream school and academy leadership and Governing Bodies / Trust Boards All special school and academy leadership and Governing Bodies / Trust Boards North Yorkshire Schools Forum, North Yorkshire special schools	Consultation with all mainstream schools and mainstream academies, Consultation and discussion with special schools and special academies Discussion at North Yorkshire Schools Forum	Howard Emmett howard.emmett@northyorks.gov.uk	2024/25 Mainstream School and Special School Budgets
9 Jan 2024	Executive		Housing Assistance and Disabled Adaptations Policy	Yes	Due to the variations in approach towards the method of delivery of the disabled facilities	Health	A draft policy was submitted to the LGR Housing board post vesting	Lynn Williams, Head of Housing Renewal	Housing Assistance and Disabled

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 01609 780780) unless specified otherwise)	Relevant documents already submitted to Decision Taker
Page 95					grant, there were also some subtle variations between the legacy areas in relation to their policy approach and their interpretation and implementation of legislation. Whilst all areas are using the powers and flexibilities given within the legislation, there has been some variation in terms of scope of works undertaken along with differences in financial thresholds and parameters adopted. The report will outline how the policy seeks to draw together an interpretation of the mandatory elements of Disabled Facilities Grant (DFG) legislation and the discretionary elements of the RRO into a single published document. The report will therefore sets out the key recommendations for the policy and seek		day. As part of the LGR work, consultation had taken place with representatives from the LGR Housing work stream. A further task	lynn.williams@northyorks.gov.uk	Adaptations Policy

FUTURE DECISIONS

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					agreement to adopt the North Yorkshire Housing Assistance and Disabled Facilities Grant Policy for the new authority.				
Jan 2024	Executive		Provision of Internal Audit, Counter Fraud and Related Governance Services	Yes	To approve a new long term service agreement (10 years with 5 year extension) for internal audit and related services	Audit Committee	A report is scheduled for presentation to Audit Committee on 10 December 2023	Karen Iveson, AD Finance incl. Pension Fund karen.iveson@northyorks.gov.uk	Provision of Internal Audit, Counter Fraud and Related Governance Services
9 Jan 2024	Executive		Review of Car Park Tariff 2024	Yes	To consider the outcome of a review of existing parking tariffs across the county.	N/a	N/a	Steve Brown, Head of Parking Services steve.brown1@northyorks.gov.uk	Review of Car Park Tariff 2024
9 Jan 2024	Executive		Acquisition of Property to Meet Identified Need	Yes	To work with Children and Young Peoples Services to provide accommodation to meet an identified need for temporary/move on accommodation. To agree a capital budget and delegated authority in order to	Community Development : Housing, Resources Legal and Democratic Services: Legal Resources: Property, Procurement and	Email and briefing	Hannah Heinemann, Head of Housing Delivery and Partnerships hannah.heinemann@northyorks.gov.uk	Acquisition of Property to Meet Identified Need

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					acquire property to meet this need.	Commercial Children and Young Peoples Service: Children and Families			
Jan 2024	Executive		Development of temporary accommodation and housing options for the homeless	Yes	To inform Members of the current situation regarding the need for temporary accommodation and the housing options for the homeless in North Yorkshire. To agree a capital budget and delegated authority in order to provide additional accommodation across the County to meet this need.	Community Development : Housing, Resources Legal and Democratic Services: Legal Resources: Property, Procurement and Commercial	Email and briefing	Hannah Heinemann, Head of Housing Delivery and Partnerships hannah.heinemann@northyorks.gov.uk	Development of temporary accommodation and housing options for the homeless
23 Jan 2024	Executive		Revenue Budget 2024/25 and Medium Term Financial Strategy - To make recommendation to Full Council	Yes	To consider and recommend to Council the Revenue Budget for 2024/25 and the Medium Term Financial Strategy (MTFS) including the: • Revenue Plan	Management Board	Budget consultation process	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Revenue Budget 2024/25 and Medium Term Financial Strategy - To make

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					<ul style="list-style-type: none"> • Capital Plan • Treasury Management • Prudential Indicators 				recommendation to Full Council
23 Jan 2024	Executive		Council Plan 2024- 2028	Yes	To consider and recommend to council the Council Plan for 2024-2028	Corporate and Partnerships Overview and Scrutiny Committee Management Board	Meetings	Simon Moss, Strategy & Performance Team Leader simon.moss@northyorks.gov.uk	Council Plan 2024- 2028
23 Jan 2024	Executive		Proposed Selective Licensing scheme in Scarborough	Yes	To report on the findings of the consultation on the proposed Selective Licensing scheme for private rented properties in parts of Scarborough and subject to these findings, recommend the designation of a Selective Licensing scheme within parts of the Castle, Northstead and Falsgrave and Stepney divisions within Scarborough.	The consultation on the proposal to introduce a Selective Licensing scheme was with residents within the proposed area, private landlords and agents with properties in the proposed area and all	By means of both a paper and on-line survey to residents and landlords. Community-in drop sessions for residents and landlords Stakeholder meeting and meetings with individual stakeholders	John Burroughs, Housing Strategy and Development Officer john.burroughs@northyorks.gov.uk	Proposed Selective Licensing scheme in Scarborough

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						relevant stakeholders.			
23 Jan 2024	Executive		Allocations scheme for the provision of social housing – approval of the proposed North Yorkshire Council allocations policy for social housing following public consultation	Yes	To seek approval to adopt the revised Housing allocations policy for social housing.	<ul style="list-style-type: none"> •All tenants of North Yorkshire Council •All applicants of the Harrogate locality housing register and who are not already tenants of North Yorkshire Council •All applicants of the North Yorkshire Home Choice allocation scheme (the draft allocation policy will serve as both the policy for 	<ul style="list-style-type: none"> •Primarily through an online survey with the option of a paper version for those who require this •A more detailed programme of events will be carried out in the Harrogate locality in recognition of the fact the new council proposes to adopt the system of choice-based lettings for the allocation of social housing •Meeting of the Executive 23 January 2024c 	Carl Doolan, Housing Services Manager carl.doolan@northyorks.gov.uk	Allocations scheme for the provision of social housing – approval of the proposed North Yorkshire Council allocations policy for social housing following public consultation

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Page 100						North Yorkshire Council and the North Yorkshire Home Choice partnership) •Relevant Executive Member, officers and stakeholders			
23 Jan 2024	Executive		Admission Arrangements 2025/2026	Yes	To report on the consultation response to the proposed admission arrangements for Community and Voluntary Controlled schools for the school year 2025/2026, and to seek Executive approval to recommend the proposed arrangements to the Council for determination.	Statutory consultation – public and schools	Posted on Council website and emailed to primary and secondary schools and other stakeholders including diocesan directors for education and neighbouring authorities. Dates of consultation 27th October 2023 to 15th December 2023.	Lisa Herdman, Lead for Admissions, Education and Skills lisa.herdman@northyorks.gov.uk	Admission Arrangements 2025/2026
23 Jan 2024	Executive		Director of Public Health Annual Report	No	Under the National Health Service Act 2006, Directors of	A review of relevant engagement	Growing up in North Yorkshire survey 2022 -	Shanna Carrell, Equalities Manager	Director of Public Health

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Page 101					Public Health 'must prepare an annual report on the health of the people in the area of the local authority'. Executive are being asked to consider and note the report.	already completed was undertaken and new engagement carried out to inform the report. Key groups engaged with included children, young adults, families and professionals working with children and families.	analysis Qualitative engagement with individuals and small groups	shanna.carrell@northyorks.gov.uk 01609532992	Annual Report
	23 Jan 2024	Executive		Approval of criteria and fee for entry on to the Self-build and Custom Housebuilding register	Yes	The purpose of the report is to consider responses to the consultation on the proposed criteria and fee for entry onto the Self-build and Custom Housebuilding register and adopt the measures set out in the report. The report also seeks delegated authority to	Consultation has already taken place on the proposed restrictions to limit access to the register for self-build to residents or those with a connection to North	As above. Consultation has already taken place prior to this report being brought before Executive.	Steve Wilson, Planning Policy and Conservation Manager steve.wilson1@northyorks.gov.uk

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Page 102					the Executive Member for Open for Business to consider and approve any future amendments to the current restrictions and/or fees.	Yorkshire and the proposed fee. All existing persons or groups on the former district's registers were consulted as were all town and parish councils across North Yorkshire.			
	23 Jan 2024	Executive		Yes	Decision whether or not to publish statutory proposals and notices for the closure of Fountains Earth, Lofthouse CE Endowed Primary School with effect from 31 March 2024.	Parents, Staff, Governors, Local Elected Members, Parish Council, Diocese Board, MP and other local stakeholders.	Consultation ran from 17 November 2023 to 22 December 2023. Consultation document issued to consultees and available on NYC website. If approved statutory proposals would	Andrew Dixon, Strategic Planning Manager, Education & Skills Andrew.Dixon@northyorks.gov.uk	Fountains Earth, Lofthouse, Church of England Endowed VC Primary School – School Closure Proposal

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Page 103							<p>be published on NYC website, in a local newspaper and placed on the school gate. Statutory proposals representation period would be from 1 February to 29 February 2024.</p> <p>How representations may be made: In writing to the Corporate Director- Children and Young People’s Service, County Hall, Northallerton, DL7 8AE, or by email to schoolorganisaⁿ@northyorks.gov.uk by 29 February 2024</p>		
	23 Jan 2024	Executive		Provision of accommodation for Unaccompanied	Yes	To work with Children and Young Peoples Services to provide accommodation to	Community Development : Housing, Resources	Email and briefing	Hannah Heinemann, Head of Housing

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Page 104			Asylum Seeking Children & move on accommodation for looked after children		meet the needs of Unaccompanied Asylum Seeking Children and move on accommodation for existing placements. To agree a capital budget and delegated authority in order to provide additional accommodation across the County to meet this need.	Legal and Democratic Services: Legal Resources: Property, Procurement and Commercial Children and Young Peoples Service: Children and Families		Delivery and Partnerships hannah.heineman@northyorks.gov.uk	nied Asylum Seeking Children & move on accommodation for looked after children
	6 Feb 2024	Executive	Managing Adult Social Care Pressures	Yes	To update Members on actions being taken to address adult social care waiting times and workforce pressures and to set out the evaluation of the Ethical Decision-Making Framework that was put in place in January 2022			Richard Webb, Corporate Director of Health and Adult Services richard.webb@northyorks.gov.uk	
	6 Feb 2024	Executive	Proposed extra care housing scheme	Yes	To approve funding to support the development of an extra care housing			Michael Rudd, Head of Housing Marketing Development	

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					scheme in Whitby. To review the proposed scheme and outcome of the procurement.			(Commissioning), Health and Adult Services michael.rudd@northyorks.gov.uk	
20 Feb 2024	Executive		Q3 Performance Monitoring and Budget Report	Yes	Q3 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q3 Performance Monitoring and Budget Report
19 Mar 2024	Executive		Future arrangements for the Harrogate and Rural Alliance	Yes	To seek approval for the continuation of the Harrogate and Rural Alliance. To approve the updated operating model. To agree the proposed legal agreement (S113) and the updated partnership agreement.	NHS Commissioners and Providers	Correspondence, meetings and Council website	Chris Watson chris.watson@northyorks.gov.uk	
19 Mar 2024	Executive		Housing Strategy 2024 to 2029	Yes	To seek approval from the Executive to adopt the Housing Strategy 2024 to 2029.	The Housing Strategy has been subject to a broad consultation from 2	Has been completed in line with above.	Hannah Heinemann, Head of Housing Delivery and Partnerships	Housing Strategy 2024 to 2029

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Page 106						October to 11 December 2023. A programme of consultation has been undertaken with key partners and stakeholders, Registered Providers, Government agencies (such as Homes England) the Council's tenants and residents, and other key Council services so that the Strategy can be honed to ensure that it is relevant, ambitious and deliverable.		hannah.heinmann@northyorks.gov.uk	

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19 Mar 2024	Executive		Redeployment of land to the north and south of Crosshills Lane, Selby	Yes	To approve the proposed redeployment of the property	Executive members and Management Board at the informal Executive meeting held on 8 June 2021		Philip Cowan, Non-Operational Property Manager, NYCC Property Services Philip.Cowan@northyorks.gov.uk	
16 Apr 2024	Executive		Annual Review of Member Champions	No	Annual Review of Member Champions	Leader	Emails	Daniel Harry, Democratic Services and Scrutiny Manager daniel.harry@northyorks.gov.uk	Annual Review of Member Champions
28 May 2024	Executive		Q4 Performance Monitoring and Budget Report	Yes	Q4 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan/ Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q4 Performance Monitoring and Budget Report
18 Jun 2024	Executive		North Yorkshire Joint Health and Wellbeing Strategy	Yes	To consider the proposed North Yorkshire Joint Health and Wellbeing Strategy and recommend it for adoption to the Council. NOTE: The North	•The public and partners •North Yorkshire Health and Wellbeing Board (finalised	In terms of the public and partners, a period of public consultation is planned for autumn/winter 2023.	Louise Wallace, AD Health and Integration louise.wallace@northyorks.gov.uk	North Yorkshire Joint Health and Wellbeing Strategy

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Page 108					Yorkshire Health and Wellbeing Board's Terms of Reference state that "The Joint Health and Wellbeing Strategy will be referred to the Council for approval as part of the Council's Policy Framework."	draft) in May 2024 •Executive on 18 June 2024 •Council on 24 July 2024 NOTE: There is on-going liaison with the North Yorkshire Health and Wellbeing Board, who will be asked to approve a draft Strategy to be consulted on, at its meeting on 29 November 2023.	In terms of the formal meetings referred to above, the process will be via presentation and discussion of the proposed Strategy at the relevant Committee meetings.		
	20 Aug 2024	Executive		Yes	Q1 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q1 Performance Monitoring and Budget Report

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19 Nov 2024	Executive		Q2 2024/25 Performance Monitoring and Budget Report	Yes	Q2 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q2 Performance Monitoring and Budget Report

Should you wish to make representation as to the matter being discussed in public please contact Daniel Harry
Email: (daniel.harry@northyorks.gov.uk) Tel: 01609 533531.

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