

**North Yorkshire County Council**  
**Business and Environmental Services**

**Executive Members**

**21 January 2022**

**Proposal to provide Commons Registration Services to City of York Council**

**Report of the Assistant Director – Highways and Transportation**

**1.0 Purpose of Report**

- 1.1 To seek authorisation from the Corporate Director, Business and Environmental Services (BES), in consultation with the BES Executive Member for Access, to provide Commons Registration services to the City of York Council via a suitable Service Level Agreement.

**2.0 Background**

- 2.1 The County Council as Commons Registration Authority (CRA) was approached by the City of York Council (CYC) inviting NYCC to provide officer services to support the delivery of their common land and village green statutory duties.
- 2.2 Unlike NYCC, CYC is not a pioneer registration authority and is therefore subject to different legislation and guidance. Although some initial familiarisation of the relevant legislation would be required, the broad principles and approaches involved remain the same and many of the day-to-day duties are identical.
- 2.3 Through initial discussions with CYC it has been established that the additional workload for NYCC would not be too onerous and could be accommodated under existing staffing levels.
- 2.4 Initial discussions raised concern from Legal and Democratic Services about their capacity to absorb any additional service requests. The extent of service proposed in this report would not require any provision of legal support from NYCC which would continue to be provided through CYC.

**3.0 Proposal (Heads of Terms)**

- 3.1 CYC Services to be provided by NYCC's Commons Registration staff:-
- first point of contact for the public on matters relating to common land and village greens
  - process applications; coordinate associated notices and draft reports of recommendation
  - maintain registers and provide certified copies; prepare and share information held in the digital registers and records
  - attend site visits, committees and hearings
  - respond to Planning Authority consultations

- 3.2 Services retained by CYC:-
- Legal support
  - Final determination of applications
  - Maintenance and access to the definitive hard copies of the registers
  - Response to Land Charge searches

#### **4.0 Financial Implications**

- 4.1 The provision of this service would be chargeable and will generate income for NYCC. It is currently unknown how much will be generated as this service has not been offered before and City of York Council has indicated that any requests would be on a purely 'as required' basis. There is though assurance that it would be within the capacity available for NYCC to offer this service without compromising its own delivery. It is worth noting that this offer has the potential to expand the service to cover future provision for other commons registration authorities, which may increase income further.
- 4.2 As the provision of the service will be on an ad hoc basis and the expected initial workload will be quite low, it is proposed to charge at an hourly rate.
- 4.3 The proposed charge out rate would be the Commons Registration Officer's salaried, hourly rate of £19.53, plus on costs of £1.25 plus 20% (which covers all overheads), giving an hourly charge of £24.94.
- 4.4 This approach is in-line with other current NYCC service level agreements with CYC.
- 4.5 The provision of this service will not require additional staffing. There will be legal staff implications only to set up the service level agreement (SLA) as set out in paragraph 6.1.
- 4.6 There is not expected to be any specific impact due to Local Government Reorganisation as this would just form part of the SLA's that NYCC has with other authorities.

#### **5.0 Equalities Implications**

- 5.1 Consideration has been given to the potential for any adverse equality impacts arising from the recommendation and an Equality Impact Assessment screening form is attached as Appendix 1.

#### **6.0 Legal Implications**

- 6.1 As the final determination of applications and any associated legal reviews and advice is to be retained by CYC, there will be no NYCC legal implications in respect of this proposed service provision, other than in the creation of a service level agreement, in order to set up the arrangement between the two authorities. Initial discussions have already been held with NYCC legal services in this regards.

#### **7.0 Climate Change Impact**

- 7.1 Consideration has been given to the potential for any adverse climate change impacts arising from this proposal to provide officer services remotely via digital services. A Climate Change Impact Assessment is attached as Appendix 2.

**8.0 Recommendation**

- 8.1 It is recommended that the Corporate Director, BES in consultation with the BES Executive Member for Access authorise the proposal to provide officer services to CYC via a suitable Service Level Agreement as stated in this report.

BARRIE MASON  
Assistant Director - Highways and Transportation

Author of Report: Jayne Applegarth

Backing Documents: None

**Provision of Common Registration services to City of York Council.**

<b>Initial equality impact assessment screening form</b> (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
<b>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.</b>			
<b>Directorate</b>	Business and Environmental Services		
<b>Service area</b>	Highways & Transportation		
<b>Proposal being screened</b>	Provision of Commons Registration services to City of York Council		
<b>Officer(s) carrying out screening</b>	Jayne Applegarth		
<b>What are you proposing to do?</b>	Establishment of a Service Level Agreement to provide officer services to City of York Council with regard to Commons Registration duties.		
<b>Why are you proposing this? What are the desired outcomes?</b>	The development of additional income to NYCC		
<b>Does the proposal involve a significant commitment or removal of resources? Please give details.</b>	No – the provision of officer services can be accommodated under existing staffing and therefore would not involve a significant commitment or removal of resources.		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristic</b>			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul>			
<b>If for any characteristic it is considered that there is likely to be a significant 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 <a href="#">Equality rep</a> for advice if you are in any doubt.</b>			
<b>Protected characteristic</b>	<b>Yes</b>	<b>No</b>	<b>Don't know/No info available</b>
Age		✓	
Disability		✓	
Sex (Gender)		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	

<b>NYCC additional characteristic</b>			
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	
<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (e.g. disabled people's access to public transport)? Please give details.	No, the proposals do not negatively affect any groups of people.		
<b>Will the proposal have a significant effect on how other organisations operate?</b> (e.g. partners, funding criteria, etc.). <b>Do any of these organisations support people with protected characteristics?</b> Please explain why you have reached this conclusion.	No, the proposal will have no effect on how other organisations work.		
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	✓	Continue to full EIA:
<b>Reason for decision</b>	The provision of officer services to the City of York Council will provide an income stream to NYCC and develop the Councils ability to develop this service to other non-pioneer councils in the future		
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason		
<b>Date</b>	11/01/22		

## 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](mailto: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](mailto:climatechange@northyorks.gov.uk) for advice.

<b>Title of proposal</b>	<b>Provide Commons Registration services to City of York Council</b>
<b>Brief description of proposal</b>	<b>To seek authorisation from the Corporate Director in consultation with the Executive Member for Access</b>
<b>Directorate</b>	<b>BES</b>
<b>Service area</b>	<b>Highways and Transportation</b>
<b>Lead officer</b>	<b>Jayne Applegarth</b>

<b>Names and roles of other people involved in carrying out the impact assessment</b>	
<b>Date impact assessment started</b>	<b>9/12/21</b>

**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.

As City of York Council do not have the skills and experience within their staff to carry out the function of Commons Registration Authority they have approached NYCC and asked if we are prepared to take on this role for a fee.

**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.

Provision of the service will be on an ad-hoc basis with officer time including on-cost recharged back to City of York. This will result in a small cost reduction to NYCC salary cost.

<p><b>How will this proposal impact on the environment?</b></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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>	
<p><b>Minimise greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel		*		<p><b>The only travel time will be for attending site visits (rarely requested).</b></p>	<p><b>Whether NYCC or CYC attend a site visit, there would be travel emissions. Travel can be by electric pool car when available.</b></p>	
	Emissions from construction		*		n/a		
	Emissions from running of buildings		*		n/a		
	Other		*		n/a		
<p><b>Minimise waste:</b> Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>			*		n/a		

<p><b>How will this proposal impact on the environment?</b></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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></p> <ul style="list-style-type: none"> <li>Changes over and above business as usual</li> <li>Evidence or measurement of effect</li> <li>Figures for CO<sub>2</sub>e</li> <li>Links to relevant documents</li> </ul>	<p><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>
Reduce <b>water</b> consumption		*		n/a		
Minimise <b>pollution</b> (including air, land, water, light and noise)		*		n/a		
Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers		*		n/a		
Enhance <b>conservation</b> and wildlife		*		n/a		
Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b>		*		n/a		

<p><b>How will this proposal impact on the environment?</b></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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>
Other (please state below)		*		n/a		

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

The only impact of this proposal is for vehicle emissions when travelling to and from site visits. Site visits are rarely required. Emissions will be mitigated by the use of an electric pool car whenever one is available.

### Sign off section

This climate change impact assessment was completed by:

<b>Name</b>	<b>Jayne Applegarth</b>
<b>Job title</b>	<b>Commons Registration Officer</b>
<b>Service area</b>	<b>Highways and Transport</b>
<b>Directorate</b>	<b>BES</b>
<b>Signature</b>	<b>J Applegarth</b>
<b>Completion date</b>	<b>09/12/21</b>

**Authorised by relevant Assistant Director (signature): Barrie Mason**

**Date: 11 January 2022**