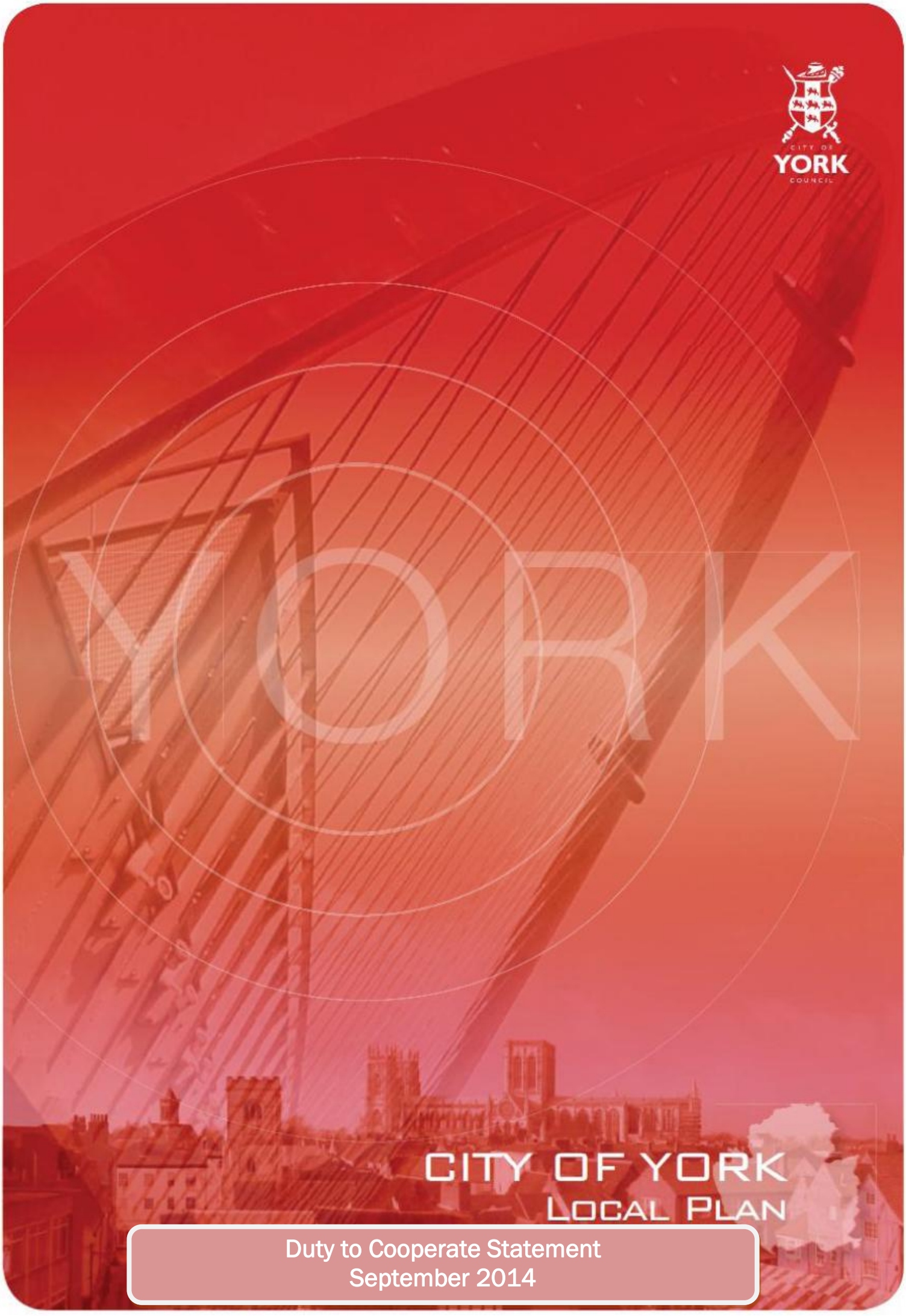



# Duty to Cooperate Statement
September 2014

# Contents

# Annexes

# 1 The Purpose of the Paper

1.1 This paper shows how the council has satisfied the current requirements of the Duty to Cooperate ("the Duty"), which became a statutory requirement on 15 November 2011, by continuing and improving the arrangements for joint working (initially in place between 2004 and 2011/12 for the Local Development Framework Core Strategy) through 2011/12 to 2014 in preparing the City of York Local Plan.

1.2 In particular, this paper will provide the evidence to support the Local Plan when it is Examined to show the LPA have complied with the Duty to Co-operate pursuant to S33A "the Duty"), and that the Local Plan is positively prepared and effective in relation to the test of "soundness" set out in paragraph 182 of the NPPF:

- The National Planning Policy Framework (NPPF) "sound" means that it is:
  - positively prepared
  - justified
  - effective
  - consistent with national policy

# 2 Introduction

2.1 The City of York Council has a long history of joint working and co-operation with its neighbouring authorities and key stakeholders to achieve better spatial planning outcomes. The Local Plan is no exception. On-going and constructive engagement with neighbouring authorities and relevant organisations has taken place since work on the Local Development Framework Core Strategy (CS), as the antecedent to the Local Plan, began in 2004. It is important to note that this not only occurred locally between the City of York Council and individual neighbouring authorities and organisations, but also as part of wider planning arrangements at sub-regional and regional levels.

2.2 This paper supersedes the Duty to Cooperate papers that supported the CS submission in 2012 and the Local Plan Preferred Options in 2013. It shows that the council has continued comply with the first part of the Duty's legal test – engaging constructively, actively and on an ongoing basis. Furthermore, it shows that this engagement provides the foundation for proving that the relevant cross-boundary issues have been identified and addressed within the Local Plan, in line with the National Planning Policy Framework, once the Local Plan is examined.

# 3 The Duty to Cooperate and its context

## The Localism Act

3.1 Section 110 of the Localism Act transposes the Duty to Co-operate into the Planning and Compulsory Purchase Act 2004 and introduces section 33A, which sets out a duty to co-operate in relation to the planning of sustainable development ("the Duty"). The Duty requires a local planning authority to engage *constructively, actively and on an ongoing basis..... in the preparation of development plan documents, or the preparation of other local development documents,* with other local planning

authorities a county council in England that is not a local planning authority, or a prescribed body (or body of a prescribed description). The Duty to Cooperate also includes activities that prepare the way for or support the abovementioned activities, such as the preparation of the evidence base[1].

3.2 The Duty to Cooperate should be applied to any "strategic matter" related to the abovementioned activities. A strategic matter is defined as "sustainable development or use of land that has or would have a significant impact on at least 2 planning areas including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas" (section 33A (4) (a)). For York this comprises, principally, the local planning authority areas of Ryedale, Selby, Harrogate, Hambleton and the East Riding of Yorkshire, as well as recognising wider strategic issues at the Leeds City Region and North Yorkshire and York Sub Region levels. The aim of such cooperation is to maximise the effectiveness of the document.

3.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the prescribed bodies for the purposes of implementing section 33 A (1) of the 2004 Act. Of those listed in the regulations it is considered that bodies most relevant to the City of York Council are as follows:

- the Environment Agency,
- the Historic Buildings and Monuments Commission for England (known as English Heritage),
- Natural England,
- the Homes and Communities Agency,
- the Office of Rail Regulation,
- the Primary Care Trust (or successor organisation being the Vale of York Clinical Commissioning Group)
- the Highways Agency (where the Secretary of State is the Highway Authority)

3.4 The Local Enterprise Partnership (LEP) is also included as a prescribed body under clause 33A (9) of the 2004 Act. For York this includes the York, North Yorkshire and East Riding LEP and the Leeds City Region LEP. It should be noted, as illustrated at Annex 1, that both LEPs are intrinsically linked with the wider, ongoing governance structures.

## The National Planning Policy Framework (2012)

3.5 Paragraphs 178-181 of the National Planning Policy Framework (NPPF) sets out further details on how the provisions of the Localism Act should be implemented, in relation to the Duty. It states that public bodies should:

- Cooperate on planning issues that cross administrative boundaries, particularly those that relate to strategic priorities including:
  - the homes and jobs needed in an area;
  - the provision for retail, leisure, commercial development;

[1] A more complete description of the duty is contained at Section 110 Localism Act 2011

  - a wide range of infrastructure provision;
  - climate change mitigation and adaptation, and
  - conservation of the natural and historic environment, including landscape;
- undertake joint working on areas of common interest for the mutual benefit of neighbouring authorities;
- work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans;
- consider producing joint planning policies on strategic matters and informal strategies such as join infrastructure and investment plans;
- take account of different geographic areas, including travel-to-work areas. In two tier areas, county and district authorities should co-operate with each other on relevant issues. Local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable economic growth in consultation with Local Enterprise Partnerships and Local Nature Partnerships Authorities should also work collaboratively with private sector bodies, utility and infrastructure providers, and
- demonstrate the evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Co-operation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the infrastructure necessary to support current and projected future levels of development.

3.6 Two elements of the test of soundness in the NPPF (para 182) relate directly to the Duty as follows:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is practical to do so consistently with the presumption in favour of sustainable development; and
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

## Guidance on meeting the requirements of the Duty

3.7 Government guidance on the Duty, contained in its Planning Practice Guidance (PPG), states that the '*duty to cooperate is not a duty to agree*.' But it adds that local planning authorities should make every effort to cooperate on strategic cross boundary matters before they submit their Local Plans for examination. Furthermore it makes it clear that cooperation is about more than just consultation, stating that *'LPAs should bear in mind that effective cooperation is likely to require sustained joint working with concrete actions and outcomes. It is unlikely to be met by an exchange of correspondence, conversations or consultations between authorities alone'*

3.8 Although PPG doesn't state how local planning authorities can satisfy themselves about whether they have complied with the duty, it makes it explicitly clear that If a local planning authority cannot demonstrate this then the Local Plan will not be able to proceed further in examination. Ultimately, cooperation should produce effective and deliverable policies on strategic cross boundary matters.

3.8 Although there is no definitive list of the activities that the Duty covers, and the actions that constitute effective cooperation under the duty, PPG states that:

- '*The activities that fall within the duty to cooperate include activities that prepare the way for or support the preparation of Local Plans and can relate to all stages of the plan preparation process. This might involve joint research and evidence gathering to define the scope of the Local Plan, assess policy impacts and assemble the necessary material to support policy choices. These could include assessments of land availability, Strategic Flood Risk Assessments and water cycle studies.', and*
- *'Cooperation should produce effective policies on cross boundary strategic matters. This is what local planning authorities and other public bodies should focus on when they are considering how to meet the Duty.'*

3.9 Planning Practice Guidance also provides useful information relating to an authority's plan that is reliant on cooperation by another local planning authority and which is not forthcoming, in that although any such lack of cooperation should not prevent a plan from being submitted, the authority submitting it will need to submit comprehensive and robust evidence of the efforts it has made to cooperate and any outcomes achieved.

3.10 Although the Local Enterprise Partnership (LEP) is a prescribed body under the 2004 Act, further information relating to LEPS and other organisations to cooperate with is contained in PPG which states '*Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, local planning authorities and the public bodies that are subject to the duty must cooperate with them and have regard to their activities when they are preparing their Local Plans, so long as those activities are relevant to local plan making. Local Enterprise Partnerships and Local Nature Partnerships are prescribed for this purpose.'*

3.11 The Planning Advisory Service (PAS) has released advice on its web-site as to the implementation of the Duty. This guidance is useful in helping to establish arrangements for strategic planning work and deliver positive outcomes and it contains ten golden rules for strategic planning which assist in setting up working arrangements in the absence of regional plan making. However the PAS guidance does not consider how the Duty to Co-operate may be applied retrospectively to a process where much of the co-operation between authorities and prescribed bodies was done under the auspices of the Regional Spatial Strategy (RSS).

3.12 In July 2013, PAS published a document entitled *'Doing your Duty Examples of early practice'*. This document draws on the experiences of officers and Members from some authorities who have had to demonstrate the Duty at examination, and the key messages within it include:

- Utilise existing mechanisms and governance structures if they are useful

- Engage early with neighbouring authorities and prescribed bodies to avoid last minute surprises
- Develop Memoranda of Understanding with local authorities and key prescribed bodies
- Ensure that neighbouring and other relevant local authorities and prescribed bodies are both aware of the key evidence base work that you are undertaking and that they play a role in inputting into it. For key strategic issues, look to produce joint evidence.
- Keep good and easily accessible (transparent) records of your engagement with neighbouring authorities and prescribed bodies so that it is easy to demonstrate co-operation.
- Good strategic planning is about working with neighbouring authorities, prescribed bodies and other stakeholders to achieve outcomes.
- It is important to remember that the Duty itself is a duty to co-operate and not a duty to agree.
- All authorities interviewed submitted some form of statement to the Inspector to address the requirements of the Duty and therefore help to avoid risk of the plan being found “unsound”. In doing so it provided a single point of reference to how the Duty had been satisfied, for consideration during the Examination.

### Fulfilling the requirements of the Duty to Cooperate

3.13 The Council considers that the requirements of the Duty can be split into two main components: the process of co-operation and the outcomes of co-operation. The Council therefore considers that there is a need to demonstrate two things:

- That it has striven to co-operate with neighbouring authorities and prescribed bodies (i.e. that constructive engagement has occurred, actively and on an on-going basis in line with section 33A of the Planning Act 2004. In other words the process of co-operation, covered in Section 7.0 of this paper)
- That the basis and results of this co-operation have been positively prepared and are effective (i.e. that the relevant cross-boundary issues have been identified and addressed within the Local Plan, in line with the National Planning Policy Framework. In other words the outcomes of co-operation, covered in Section 8.0).

## 4 Review of Inspector’s decisions at Examination

4.1 Evidence from recent Inspector’s decisions indicates that many councils are finding the duty to cooperate a challenge to meet, with regards to housing numbers. Some planning experts view the duty as being "designed to fail", because the National Planning Policy Framework requires councils to meet the housing needs of the whole Housing Market Area (HMA), but authorities are finding it difficult to get neighbours to accept their unmet housing need, particularly "Where some authorities have an adopted plan in place, there is no incentive for them to help other authorities down the line."

4.2 Other experts have stated it is critical that authorities show "genuine cooperation" as "It's not enough to have a joint discussion on issues. You have to show how issues were jointly considered and solutions found." A summary of how some authorities have tackled this is contained in Table 4.1.

•

**Table 4.1 Examples of how local authorities have presented their case for demonstrating compliance with the Duty**

| Authority | How the evidence of compliance is presented |
|---|---|
| Winchester City Council and South Downs National Park Authority | • Fairly simple and short statement (26 pages)<br>• Refers to formal partnerships and working with other organisations<br>• Showed the strategic implications of the Objectively Assessed Need<br>• Referred to Winchester City's Strategic Allocations, Large Scale Developments in Neighbouring Authorities and LDF evidence. |
| East Hampshire District Authority and South Downs National Park (SDNPA) | • Fairly simple and short statement (13 pages)<br>• Refers to joint working with the East Hampshire Community Partnership, SDNPA and the Partnership for Urban South Hampshire, and cooperation with neighbouring local planning authorities and other organisations.<br>• Contains a table showing dates of each meeting with a neighbouring local authority followed by a summary of the key DtC issues with each of them. |
| Erewash Borough Council | • Very simple and short statement (3 pages)<br>• Eight questions posed with short explanatory statements following each one. |
| Vale of Aylesbury District Council* | • Fairly long statement (42 pages, excluding appendices)<br>• Contained two thematic maps:<br>o Duty to Cooperate Issues<br>o Duty to Cooperate – Administrative Areas<br>• Detailed commentary on what the strategic issues are and how they have been resolved through cooperation with 12 local authorities and 16 other organisations<br>• No details of when specific meetings took place |
| Hart District* | • Local Plan withdrawn. Unable to obtain DtC Statement |

**Note** Local authorities denoted thus (*) failed to show compliance with the duty

## Inspectors' key comments relating to plans that have demonstrated compliance with the Duty

**Winchester City Council and South Downs National Park Authority**

- The Council has satisfactorily documented where and when co-operation has taken place, with whom and on what basis, as well as confirming that such positive engagement will continue.

***I am satisfied that the duty to co-operate has been met***

**East Hampshire District Authority and South Downs National Park**

- The Authorities' 'Statement of Duty to Co-operate' outlines engagement with other local planning authorities and public bodies throughout the preparation of the Plan.
- The duty to co-operate is not a requirement to agree. There is nothing in the NPPF which requires local planning authorities to provide for unmet need elsewhere if not requested to do so.
- The differences between the authorities relate to the delivery and the soundness of the strategic allocation rather than a failure to meet the duty to co-operate.

***The evidence contained in the Statement of Duty to Co-operate demonstrates that the Authorities complied with the duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.***

**Erewash Borough Council**

- Statement of Compliance with the Duty to Co-operate document produced.
- A Joint Planning Advisory Board comprising senior politicians from each Council [involved]
- The [Erewash Borough Council] CS policies follow a similar format and share significant amounts of common wording with those in the Aligned Core Strategies Publication Version (June 2012) (ACS). While there are differences of detail, the main elements of the strategy, such as the provision of housing, are consistent.
- The CS shares an extensive joint evidence base with the other HMA local authorities, including the Strategic Housing Market Needs Assessment. There has been collaboration with other Derbyshire authorities .....with the HMA authorities and Derbyshire and Nottinghamshire.
- The only objections to the CS from an HMA authority have been from Rushcliffe
- It would be unreasonable to suggest that the legal obligation is a duty to agree as Erewash cannot be responsible for the actions of others.
- Erewash has engaged in a substantial number of examples of constructive joint working and collaboration on strategic priorities over a significant period of time

***I conclude that the duty to co-operate has been met.***

**Selby District Council**

- The duty applies at plan preparation stage and is not retrospective; because the CS was submitted for examination in May 2011, it is not subject to the section 33A requirements. As section 33A applies only to plan preparation, the duty to cooperate does not apply to modifications arising at examination stage.

***I conclude that sections 20(7)(b)(ii) and 20(7B)(b) do not prevent me recommending that the CS be adopted with modifications to make it sound***

## Inspectors' key comments relating to plans that have failed to demonstrate compliance with the Duty

**Vale of Aylesbury**

- The duty to co-operate is not a duty to agree.
- The lack of jointly produced evidence and other local authorities concerns in respect of the level of housing provision set out in the Plan are not in themselves reasons to conclude that the Council has failed to comply with the duty.
- The actions of the Council in terms of co-operating to maximise the effectiveness of the preparation of the Plan....are critical to my consideration of the matter.
- There is no Strategic Housing Market Assessment (SHMA) or other assessment of housing needs produced jointly with other authorities. Other authorities were not formally approached to undertake joint work on housing needs and provision.
- The extent to which engagement... could have genuinely influenced the overall level of housing provision appears to have been minimal.
- The offer [from a neighbouring authority] of commissioning a joint SHMA has not been taken up.
- The key question is that of timing and the choice between having an adopted plan as soon as possible or a plan that at the point of adoption, effectively resolves strategic housing issues following genuine co-operation and collaboration with other authorities based on constructive, active and ongoing engagement.
- it is the Council's duty, as the authority submitting the Plan for examination, to have sought to address these [potential unmet needs from other authorities] issues through constructive, active and ongoing engagement

***I consider that the Council has not engaged constructively, actively and on an ongoing basis... the Council has not complied with the duty to co-operate.***

**Hart District Local Plan Core Strategy**

- The council only initiated discussion on meeting housing needs very late in the process, after it had already determined the level of housing it was intending to plan for.
- Discussions only took place a short while before the core strategy was submitted for examination. There was little basis for truly effective discussion and co-operation at this stage, particularly given that the scale of potentially unmet need was not actually identified.
- The core strategy "has not been positively prepared, it is not justified or effective and it is not consistent with national policy. It is therefore not sound.

***Must recommend non-adoption of the core strategy***

# 5 Lessons learned for presenting how the Duty has been complied with

5.1 The key learning points to emerge from the review of inspectors' decisions etc are:

- Document where and when co-operation has taken place, with whom and on what basis, as well as confirming that such positive engagement will continue;
- show that opportunity has been allowed for prescribed bodies to raise concerns;
- show that offers of joint working (where made and as appropriate) are taken-up;
- addressing unmet housing need between neighbouring authorities seems to be a major area of concern, and
- short and succinct duty to cooperate statements are effective (but length needs to be commensurate with the complexities of the area and the issues upon which to cooperate)

5.2 Implications for the DtC:

- Identify whether any prescribed body or other organisation has expressed concerns relating to a cross-boundary-issue, at any stage of the Plan's preparation (including the LDF Core Strategy (CS) as the predecessor to the local plan), particularly in relation to meeting housing need and transport. (see DtC Matrix).
- Establish whether these concerns have been addressed as the Plan has been prepared (including taking the CS forward to the local plan)
- Identify the concerns that have not yet been addressed
  - Identify those that don't need to be considered further
  - Identify those concerns that do need to be addressed
- Establish a way forward for addressing concerns that need to be addressed
- Demonstrate how this has or will be done.

## Eliminating non-strategic matters from the Duty

**Healthcare –** NHS Vale of York Clinical Commissioning Group, Leeds and York Partnership NHS Trust and York Teaching Hospital NHS Trust

5.3 The cumulative impact of ongoing residential development may result in the need for further local health services, depending on its location. The healthcare service generally responds to spatial patterns of growth, and local services are improved and expanded in line with new development, sometimes through developer contributions. Information provided by the former PCT and Hospitals Trusts confirms that risks to providing healthcare services to meet needs directly arising as a result of new development is low. However, it is recognised that recent changes to the health service, may have spatial implications although these are unknown at this stage.

5.4 The York Teaching Hospital NHS Foundation Trust is currently working on a Masterplan for the District Hospital site that will provide sufficient new build to accommodate the increases in demand for new clinical accommodation over the period to 2030.

**Emergency services -** North Yorkshire Fire & Rescue Service, North Yorkshire Police and Yorkshire Ambulance Services NHS Trust

5.5 No potential cross boundary issues, risks or contingencies have been identified at this stage.

**Gas -** Northern Gas Networks

5.6 Information on provision across the region shows that in general terms, gas supply is not constrained as the region benefits from a number of connections to the national high pressure transmission network, as well as having an extensive and robust core network around the main urban areas. However, many rural areas have no gas supply. Supply and connection are currently unconstrained in York, with Northern Gas Networks indicating that its systems are robust enough to be able to supply future development in York.

**Electricity supply and transmission -** National Powergrid and Northeast Powergrid (Northeast) Ltd

5.7 At a strategic level, National Powergrid (NPg) has not identified any major capacity constraints in the context of the development proposed in the Local Plan, and no major infrastructure provision is envisaged within the next 15 years, as NPg has already invested heavily in its Northeast Powergrid (Northeast) Ltd business (which includes York) in the recent past. NPg has indicated that it envisages no risks in providing sufficient distribution capacity for York's planned growth.

**Telecommunications -** Openreach

5.8 Telecommunications and broadband coverage in the urban areas is generally good and Openreach has previously advised that network capacity will not generally be an issue that shapes or constrains the spatial options for development. Developments in technology (fibre optic cables), together with extensive ongoing investment in the core of the main networks mean that the capacity and capability of the networks continues to improve in response to demand.

5.9 Overall the availability of the telecommunications network and network capacity are not seen as major constraining factors to future homes growth, or growth in businesses, except in relation to accommodating growth in isolated areas. Given the location of proposed growth it is unlikely that there will be any strategic telecoms infrastructure issues in York.

**Water -** Yorkshire Water

5.10 It is reasonably certain that appropriate water infrastructure can be provided to support development in the Local Plan. The main issue is with the capacity of Waste Water Treatment Works (WWTW). The scale and general location of growth proposed in the Local Plan can be accommodated either in existing WWTW capacity or through planned or future improvements for sites phased later in the plan period.

### Community facilities

5.11 Whilst the Council will have a role in identifying community facilities needs, in many cases they will be funded and implemented by a range of other organisations. Working with partners will be essential to ensure that facilities come forward to meet the needs of new development. However, this is not expected to be an aspect that will be of a strategic nature.

**Aerodrome Safeguarding -** Civil Aviation Authority

5.12 The aim of the process is to provide notification of potential developments or construction within a specified area and to allow assessment of the potential impact. On 10 February 2003 the Civil Aviation Authority (CAA) ceased to be the contact point for safeguarding consultations and this responsibility transferred to aerodrome licence holders. Currently there are no licensed aerodromes in York.

## Demonstrating cooperation has taken place

### Geographical extent for cooperation

5.13 The City of York sits in the centre of Yorkshire and the Humber area, as shown in Figure 5.1. York falls within two sub areas: the Leeds City Region Local Enterprise Partnership (LEP) area and the York, North Yorkshire and East Riding LEP area. The Humber LEP area (which includes the East Riding of Yorkshire) is to the east of York. Local Government North Yorkshire and York (LGNYY) was the formal partnership governance structure between all authorities within the sub-region, prior to the establishment of the LEP.

5.14 The North Yorkshire and York sub-region (comprising the City of York, the County of North Yorkshire and the districts / boroughs within it) is shown in Figure 5.2.

5.15 The functional influence and economic areas of the City of York stretches beyond its local authority boundary. A ‘York Sub Area’ has been defined and a York Sub Area Study, one of the objectives of which was to examine the existing role and function of places between York and its surrounding areas, has been undertaken. The extent of the York Sub Area is shown on Figure 5.3

Figure 5.1 Location of York within the Yorkshire and Humber area


Figure 5.2 The North Yorkshire and York Sub Region

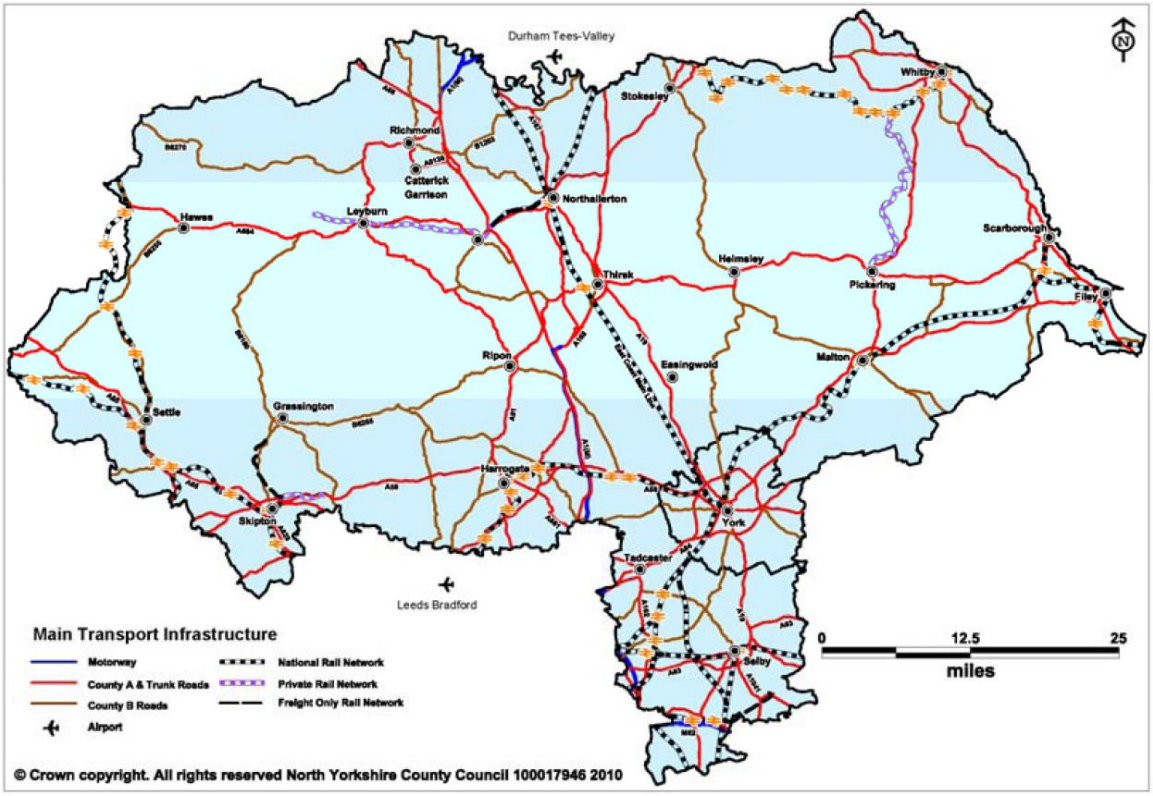
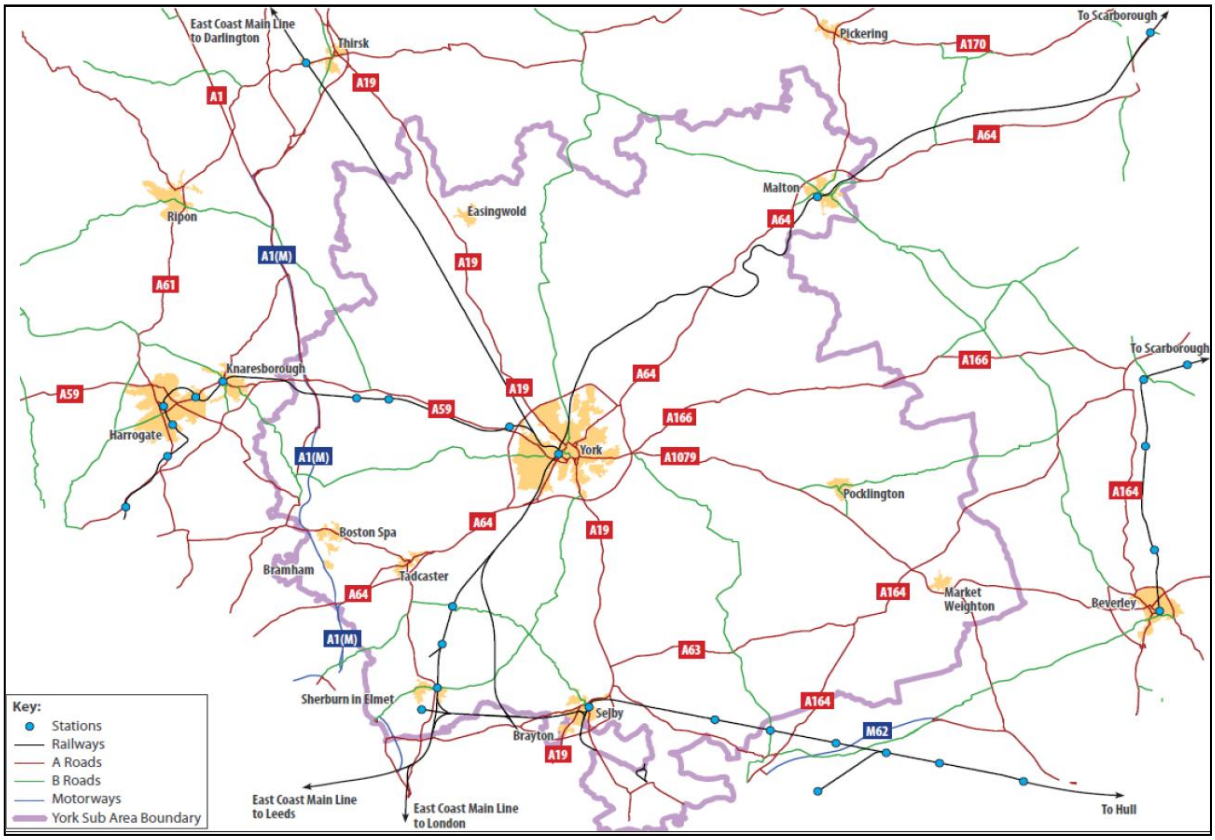


Figure 5.3 The York Sub Area

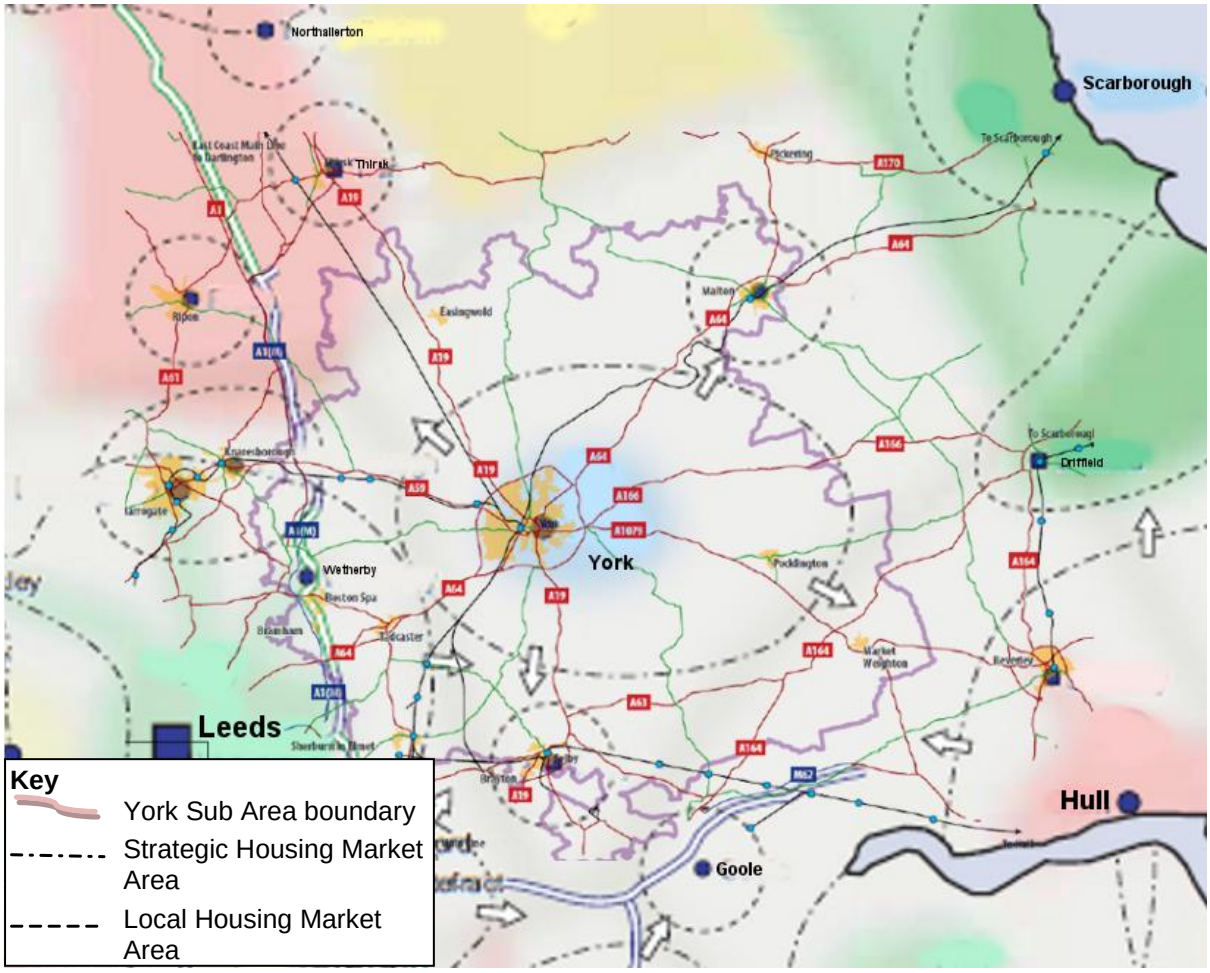



**Thematic extent for cooperation**

5.16 The York Sub Area represents an important and distinctive functional economic area in Yorkshire and the Humber and the north of England. The urban area of York is the main driver of the Sub Area both in terms of its economic role and function and the housing requirement that this generates. Other places across the Sub Area play a vital role in supporting the city, but also act as employment generators in their own right.

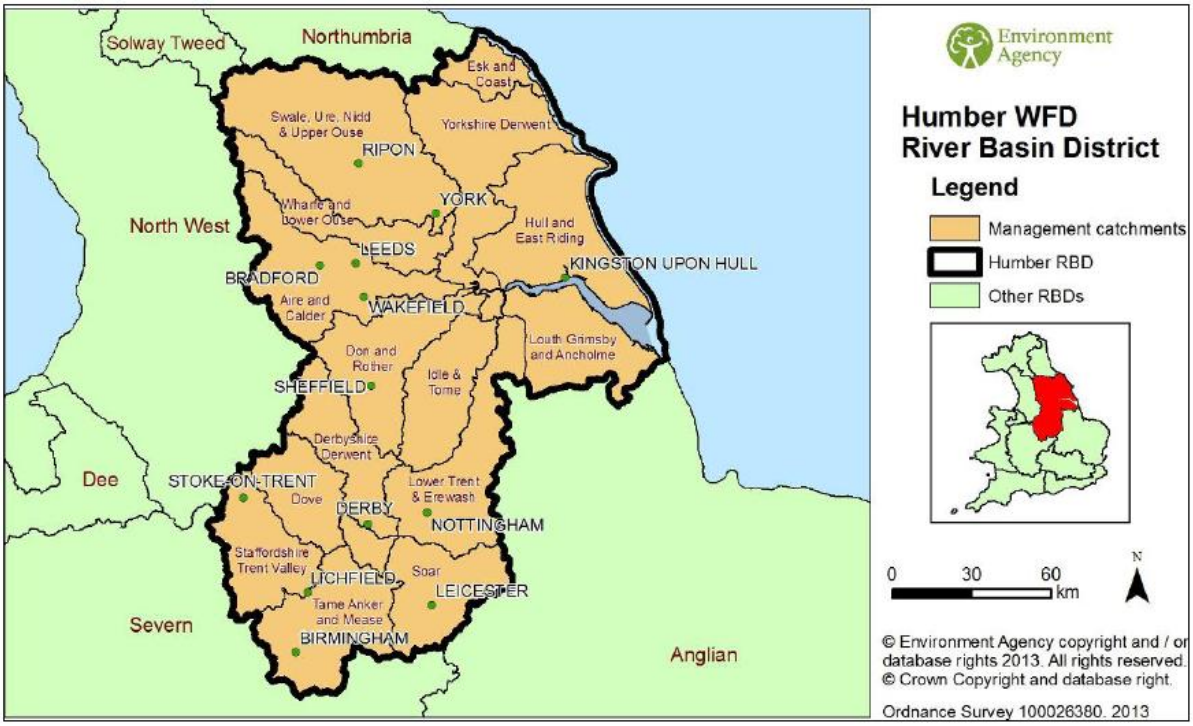
5.17 The urban area of York's influence on housing markets extends further than that of its influence on markets for business space and employment land. York's influence on housing markets overlaps with the influence of other areas, including Leeds, Harrogate, the A1 corridor, Hull and Beverley. The extent of the housing market in relation to the York Sub Area boundary is shown in Figure 5.4. In reality the Sub Area has "fuzzy" boundaries as different functional relationships, such as housing markets, commuting patterns, markets for employment land and so on, operate at different geographic levels. However, in defining the extent of the area for the purposes of cooperation under the Duty it has been assumed these have a common geographic and thematic extent, being those areas within and adjacent to the York Sub Area

**Figure 5.4 Geographic and thematic (housing and travel) coverage of the area for cooperation under the Duty**




5.18 York also sits at the confluence of the River Ouse and the River Foss. The River Derwent forms part of the eastern boundary of the authority area. These and other watercourses are within the River Humber Basin District Catchments. Therefore, the thematic coverage for watercourses for cooperation duty encompasses the Swale, Ure, Nidd & Upper Ouse Catchment and the Yorkshire Derwent Catchment, as shown in Figure 5.5.

**Figure 5.5 Map of the Humber River Basin District Catchments**




Extracted from Humber River Basin District: Challenges Summary of significant water management issues, A consultation and choices consultation, Environment Agency, 2013

**Identifying the strategic matters that require cooperation**

Issues identified through the Planning Advisory Service DtC Workshops

5.19 A consultancy services provider was commissioned by the Planning Advisory Service (PAS) to deliver a support package (series of workshops) entitled 'Incorporating Strategic Issues into Local Plans'. City of York Council acted as the host authority for the workshops and invited planning officers from authorities within the Leeds City Region Local Enterprise Partnership (LEP) area and the York, North Yorkshire and East Riding Local Enterprise Partnership area, together with representatives from the LEPs and other organisations, including the Highways agency and Network Rail, to attend.

5.20 The aim of the support package was to:

- Provide support for members, senior managers, and relevant partners on incorporating strategic issues and evidence into their Local Development Plans;
- Leave partners able to discharge the Duty to Cooperate confidently and with agreed actions to deal with their key strategic issues. :

5.21 The 'officer' workshops, which were held on the 24 October 2013 and 20 January 2014, were tailored to deal with the particular issues the York, North Yorkshire and East Riding authorities are currently facing, with a view to helping them meet the requirements of the Duty to Cooperate. The content of the workshops

focussed on two main strategic issues which related to growth – Employment and Housing – and the sub-mechanisms by which cooperation could be achieved.

5.22 The workshops revealed that whilst there is evidence of historic collaboration across York, North Yorkshire and East Riding (including the relevant local authorities therein), the current barriers to achieving the Duty in the context of, primarily, the York, North Yorkshire and East Riding area are:

- different authorities' objectives;
- differing Local Plan timetables;
- uncoordinated emerging evidence base;
- three LEPs (York, North Yorkshire and East Riding LEP, Leeds City Region LEP and Humber LEP) with overlapping boundaries and ranging priorities within their individual Strategic Economic Plans;
- underdeveloped relationships between the LEP boards and the decision making of the local authorities;
- unclear governance structure for dealing with strategic issues and Duty to Cooperate matters, and
- impact of Local Government cut-backs and Local Authority resourcing reform.

5.22 With plans being at very different stage of preparation, it was acknowledged that it can be challenging to demonstrate a consistent approach to evidence. This is compounded by having three individual LEPs and Strategic Economic Plans, each with (potentially) differing strategic priorities and approaches towards spatial planning. However, progressing new evidence has two implications for the Duty:

- authorities will need to ensure that methodologies are consistent in their assumptions and approach, and
- local authorities acknowledge the impact of new evidence in their local plans.

5.23 In view of this:

- it was agreed that it would be useful to develop and maintain an understanding of local plan programmes and sharing of timetables;
- an agreed means of dealing with new data across local authorities and LEPs would be helpful to align approaches (a number of the local authorities in the NY&Y area have used the same consultant to undertake their respective CIL viability assessment and Gypsy and Traveller Accommodation Assessment resulting in some aligning of approaches)
- it would be useful for local authorities to share information on 'strategic sites', key infrastructure capacity constraints and methodologies for addressing employment need with each other and the LEPs, to help establish a clearer role of places and inform the Strategic Economic Strategy;
- there is a need to map the functional housing areas to help clarify meaningful engagement;
- there was a consensus that although travel to work areas had changed since the RSS, the RSS Sub-regional policy principles were worth reviewing and refreshing;
- it was recognised that Duty to Cooperate should be communicated at all governance levels;

- the evidence base for strategic employment will need to be approached on a collaborative basis to ensure that growth is aligned with strategic infrastructure projects or key employment sites,
- a clearer agreed set of housing principles about the role of places in the sub-regional area would aid discussion of strategic housing issues, and
- it would be useful for all authorities to map key the functional housing areas commuting trends, strategic sites and key demographic trends to enable meaningful engagement between functionally related neighbouring authorities to take place.

5.24 The workshops identified the key infrastructure constraints as being:

- A1237 overcapacity;
- congestion on the A64;
- capacity of the Aire Valley Trunk Sewer;
- connections to the East Coast Main Line, and new station requirements for Haxby and Skipton

5.25 The workshop report presented a detailed Action Plan for local authorities to comply with the Duty as they progress their plans (see Annex 7)

5.26 At its meeting on the 11 July 2014, The North Yorkshire and York Spatial Planning and Transport Board (see also paragraph 5.19) agreed to accept offer by the Planning Advisory Service to commission, as part of its support package, a DtC Workshop for Members.

Issues identified through the formal Leeds City Region and the North Yorkshire and York Groups

5.27 The formal groupings within the Leeds City Region and the Local Government North Yorkshire and York area at which issues relating to the Duty are raised are, primarily:

- The Leeds City Region Planning Portfolios Board
- The Leeds City Region Heads of Planning Group
- The Leeds City Region Strategic Planning (Duty to Cooperate) Group;
- North Yorkshire and York Spatial Planning and Transport Board
- North Yorkshire and York Spatial Planning and Transport Technical Officer Group

5.28 These groupings have evolved from the structures that have been put in place since before 2004, as shown in table 5.1.

**Table 5.1: Changing methods of co-operation through the Core Strategy plan-making process**

| Dates | Vehicle for Co-operation | Role of City of York Council |
|---|---|---|
| Pre-2004 | North Yorkshire and York Structure Plan | Co-production of document with North Yorkshire County Council, Local Authorities and National Park Authorities |
| Pre-2004 | North Yorkshire Local Plan Forum | Active Member |

| Dates | Vehicle for Co-operation | Role of City of York Council |
|---|---|---|
| 2003-2012 | Yorkshire and Humber Plan (Regional Spatial Strategy to 2026)<br>• Set a core approach and targets for local authorities.<br>• Identified sub area and cross-boundary issues. | Active Member of the North Yorkshire and York Technical Forum which established a sub-regional consensus on strategic cross boundary issues and collectively lobbied the Regional Assembly |
| 2004-present | Leeds City Region Partnership:<br>• Agreed a Concordat which outlined a shared vision and the principles of how local authorities would work together<br>• Agreed the City Region Development Programme which developed the Partnership's vision into actions<br>• Leaders board set up to take strategic decisions | Active Member |
| 2004-present | North Yorkshire Development Plan Forum | Active Member |
| 2010-2011 | North Yorkshire and York Sub-Regional Strategy:<br>• Maintained core approach and sub area approach of RSS. | Secretariat of North Yorkshire and York Spatial Planning Board and technical officer group |
| 2010-2011 | Leeds City Region Partnership:<br>• Interim Planning Strategy which retains core approach of RSS. | Active Member |
| 2011 – present | Leeds City Region Local Enterprise Partnership | Board Member |
| 2011 – present | York, North Yorkshire and East Riding Local Enterprise Partnership | Board Member |
| 2011 – present | York Sub Area Joint Infrastructure Working Forum | After initiating the setting up of this group, City of York council is now an active member. This group is now a task / finish group for the North Yorkshire and York Spatial Planning and Transport Board |
| 2012 - Present | **Duty to Co-operate**<br>• Leeds City Region (LCR) Leaders Board<br>• LCR Planning Portfolios Board<br>• LCR Heads of Planning Group<br>• LCR Strategic Planning (Duty to Cooperate) Group<br>• LCR Connectivity Partnership<br>• LCR task / finish groups (e.g. | <br>Active Member (at Elected Member level)<br>Active Member (at Elected Member level)<br>Active Member (at Officer Level)<br>Active Member (at Officer Level)<br>Active Member (at Officer Level)<br>Active Member (at Officer Level) |

| Dates | Vehicle for Co-operation | Role of City of York Council |
|---|---|---|
| | Infrastructure Group)<br>• North Yorkshire and York (NY&Y) Spatial Planning and Transport Board<br>• (NY&Y) Spatial Planning and Transport Technical Officer Group | <br>Active Member and Chair (at Elected Member level) and Secretariat<br>Active Member (at Officer Level) and Secretrariat |

Issues identified through the production of the LDF core strategy as predecessor to the Local Plan

5.29 Issues raised by local authorities, other local government organisations, Government Departments and other agencies in relation to the LDF Core Strategy (as the antecedent to the Local Plan) are contained in Annex 8 and summarised in Table 5.2. This table and annex 8 have been compiled from representations to the LDF Core Strategy Preferred Options and the LDF Core Strategy Submission (Publication) unless stated otherwise in the table and annex.

**Table 5.2 Summary of issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)**

| Issue | Issue raised by | Stage at which the issue was raised |
|---|---|---|
| Vision<br>• Support particularly intention to strike balance between physical growth and environmental sustainability and ensure that environmental consequences are adequately understood and managed | English Heritage | Submission (Publication) |
| Spatial Strategy<br>• expand context consider relationship between York and settlements within East Riding of Yorkshire | East Riding of Yorkshire Council | Preferred options |
| • Support requirement that sites or future areas for development will need to ensure they will safeguard special historic character and setting. | English Heritage | Submission (Publication) |
| • Concerned about flexibility of planning for York to ensure that long term development needs can be met, without adversely impacting on neighbouring parts of Hambleton District lying outside Green Belt. The identified Areas of Search only appear to provide for approximately a 2.5 year over supply of housing | Hambleton District Council | Submission (publication) |
| • industrial and distribution related | Highways Agency | Preferred Options |

| **Table 5.2 Summary of issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)** | | |
|---|---|---|
| Issue | Issue raised by | Stage at which the issue was raised |
| employment within York considered to have a significant impact on SRN<br>• Housing and employment sites would almost certainly require new on and off site sewers and water mains. Sites allocated would need to be phased to coordinate with Yorkshire Water's infrastructure provision | Yorkshire Water | Preferred Options |
| Housing Growth, Distribution, Density Mix<br>• The proposed housing growth of 800 dwellings per annum (not meeting RSS and using 2003 projections) against up to 1,000 jobs is a concern as this could put pressure on East Riding. Important to clarify that housing and employment growth in city are balanced and seek to reduce (or at least not exacerbate) level of commuting from neighbouring authorities. | East Riding of Yorkshire Council | Submission (Publication) |
| • RSS is being reviewed - likely that housing growth figures for the region will need to rise. | North Yorkshire County Council / Local Government Yorkshire & the Humber | Preferred Options |
| • York North West, Hungate, Nestle, Germany Beck, Derwenthorpe, Terry's, Monks Cross and Metcalfe Lane are considered to have a significant impact on SRN. | Highways Agency | Preferred Option |
| • Concerned with the scale of growth proposed and 'unmet demand' because housing requirement is below RSS requirement, it was argued that this will cause displacement and neighbouring authorities will have to meet this unmet demand. | North Yorkshire County Council | Submission (Publication) |
| • York being over cautious leading to under provision in plan period this will lead to pressure on Selby. | Selby District Council | Submission (Publication) |
| Transport<br>• The Beverly to York railway line has been taken out - Would have liked to | East Riding of Yorkshire Council | Submission (Publication) |

| **Table 5.2 Summary of issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)** | | |
|---|---|---|
| Issue | Issue raised by | Stage at which the issue was raised |
| have seen reference to it being a long term aspirations in supporting text. If infrastructure improvements are considered to be critical to delivery of LDF, and do not have a realistic funding source, document will be considered unsound. | | |
| • Will only consider improving SRN to meet traffic generated by new development as a last resort | Highways Agency | Preferred Options |
| • Does not address issue of long distance commuting into York from neighbouring authorities and the implications of this on the strategic road network. None of the measures outlined would do anything to significantly relieve capacity issues on the A64 created by future development. | Highways Agency | Submission (Publication) |
| • If proposal [for tram-train] proceeds in isolation wish to ensure that impact of development on operation of Harrogate Line would not reduce level of service nor reduce ability to undertake improvements to service frequency or infrastructure on this line. | Harrogate District Council | Preferred Options |
| • Some concern about appropriateness of future development in vicinity of ring road that relies on these improvements taking place, or that relies on rail improvements, unless suitable funding regimes are identified | Yorkshire Forward | Preferred Options |

Issues identified in the transition from a LDF core Strategy to a Local Plan

5.30 The main vehicle for identifying and debating cross boundary issues under the Duty, and establishing how they may be resolved is the respective authorities' Duty to Cooperate matrices. These are generally circulated to the officer level groups for subsequent discussion and comment. The City of York's Duty to Cooperate Matrix is contained at Annex 9 and the matters identified therein requiring cooperation is summarised in Table 5.3.

**Table 5.3 Strategic matters requiring cooperation from City of York's and other authorities' Duty to Cooperate Matrices**

| Strategic Issue | Impact | Areas Affected |
|---|---|---|

**Table 5.3 Strategic matters requiring cooperation from City of York's and other authorities' Duty to Cooperate Matrices**

| Strategic Issue | Impact | Areas Affected |
|---|---|---|
| Scale of housing growth (21,936 dwellings over the plan period) | • Higher levels of housing in York are coordinated with those of other authorities to meet overall requirements of the Objectively Assessed need within the SHMA and York Sub-area.<br>• Puts pressure on surrounding District's to provide more housing and puts pressure on house prices on their house prices therein if needs are not fully met in York | • SHMA geography<br>• York Sub-area comprising the City of York and parts of the following:<br>o Harrogate Borough<br>o Ryedale District<br>o East Riding of Yorkshire<br>o Selby District<br>o Hambleton District<br>o NYMNP |
| Scale of employment growth (134,516m$^2$ B1 – B8 and 164,394m$^2$ other) | • Potential to increase inward commuting from adjacent authorities. | • Leeds City Region (part)<br>• North Yorkshire and York Sub-Region (part)<br>• York Sub-area comprising the City of York and parts of the following:<br>o Harrogate Borough<br>o Ryedale District<br>o East Riding of Yorkshire<br>o Selby District<br>o Hambleton District |
| Retail growth | • Draw of York's city centre and its other retail areas extending the retail catchment beyond its local authority boundaries<br>• Potential to increase inward retail trips from adjacent authorities<br>• Potential negative impact upon vitality and health of the centres of surrounding settlements. | • North Yorkshire and York Sub-Region<br>• York Sub-area comprising the City of York and parts of the following:<br>o Harrogate Borough<br>o Ryedale District<br>o East Riding of Yorkshire<br>o Selby District<br>o Hambleton District<br>o Scarborough Borough |
| Leisure | • International, National and Regional draw of York as a leisure (tourism) destination<br>• York as the 'Gateway to Yorkshire'<br>• Potential to increase inward leisure trips<br>• Wider benefits to surrounding areas with linked leisure trips, | • Leeds City Region<br>• North Yorkshire and York Sub-Region<br>• York Sub-area |

**Table 5.3 Strategic matters requiring cooperation from City of York's and other authorities' Duty to Cooperate Matrices**

| Strategic Issue | Impact | Areas Affected |
|---|---|---|
| | tourist accommodation offer in neighbouring areas and need for wider tourism promotion / coordination | |
| Physical infrastructure - Transport | • Increased traffic on the Strategic Road Network (principally the A64)<br><br>*Radial routes*<br>• *A19 N&S;*<br>• *A59*<br>• *B1224 etc* | • A64 between its junction with the A1(M) and Scarborough<br>• Leeds City Region<br>• North Yorkshire and York Sub-Region<br>• York Sub-area<br>○ *Harrogate*<br>○ *Selby*<br>○ *East Riding*<br>○ *Scarborough*<br>○ *Ryedale*<br>○ *Hambleton* |
| | • Increased congestion in and around York | |
| | • Increased traffic on the locally strategic road network (principally the A1237 York Outer Ring Road (northern section)) | |
| | • Connectivity between York, Harrogate and Leeds<br>• Connectivity across wider NY Sub-Region including Selby, Ryedale, Hambleton, Harrogate, Scarborough etc.… | • City of York<br>• Harrogate Borough<br>• Leeds City<br>• North Yorkshire and York Sub-Region |
| | • Strategic rail including<br>- Haxby station<br>- York Station (+HS2)<br>- York-Harrogate-Leeds line<br>- Access to Leeds Bradford Airport<br>- Rail devolution and re-franchising | • National (to be discussed with the Office of Rail Regulation) |
| Physical infrastructure – Waste and Minerals | • Sustainable Waste Management | • North Yorkshire and York Sub-Region<br>○ York<br>○ North Yorkshire<br>○ North York Moors |
| | • Mineral Extraction | |

**Table 5.3 Strategic matters requiring cooperation from City of York's and other authorities' Duty to Cooperate Matrices**

| Strategic Issue | Impact | Areas Affected |
|---|---|---|
| Physical Infrastructure - Energy | • Proliferation or uncoordinated provision of renewable energy facilities<br>• Cumulative impact of renewable energy facilities within and across City's administrative area.<br>• Amenity impacts upon neighbouring communities beyond the City boundaries (proposed policy response is). | • North Yorkshire and York Sub-Region<br>• York Sub-area, particularly at local authority borders |
| Gypsies, Travellers and Showpeople | • Uncoordinated provision of suitable sites leading to over-provision or under provision at the Sub-regional / Sub-area level<br>• Impact would extend to surrounding Districts if York don't meet its own needs | • North Yorkshire and York Sub-Region<br>• York Sub-area, particularly at local authority borders |
| Social infrastructure - Education Establishments | • Travel to education establishments outside York and travel into York's education establishments from outside York | • York Sub-area, particularly the following:<br>  ○ Harrogate Borough<br>  ○ Ryedale District<br>  ○ East Riding of Yorkshire<br>  ○ Selby District<br>  ○ Hambleton District |
| Natural and Historic Environment | • Flood Risk | • City of York<br>• North Yorkshire and York Sub-Region<br>• York sub-area |
| | • Green Infrastructure Corridors | • City of York<br>• North Yorkshire and York Sub-Region<br>• York sub-area<br>• Local Nature Partnership area |
| | • Water Environment | • Humber River Basin Districts:<br>  ○ Swale, Ure, Nidd and upper Ouse<br>  ○ Wharfe and Lower Ouse |
| | • Biodiversity | |

**Table 5.3 Strategic matters requiring cooperation from City of York's and other authorities' Duty to Cooperate Matrices**

| Strategic Issue | Impact | Areas Affected |
|---|---|---|
| | | ○ Derwent (Humber)<br>○ Derwent SAC<br>○ Sherwood Acquifer |
| | • Visual impact on Landscape | • City of York<br>• York sub-area, particularly the following:<br>○ Harrogate Borough<br>○ Ryedale District<br>○ East Riding of Yorkshire<br>○ Selby District<br>○ Hambleton District<br>• Local Nature Partnership area |
| Climate Change | • Any wind turbine applications near the York boundaries could have a visual impact on neighbouring authorities. | • Harrogate Borough<br>• Ryedale District<br>• East Riding of Yorkshire<br>• Selby District<br>• Hambleton District |

**Note** More detail in relation to evidence, actions and resulting positive outcomes are contained in the Duty to Cooperate Matrix at Annex 9.

**Demonstrating the resultant positive outcomes**

5.31 The Duty to Cooperate Matrix at Annex 9 contains a comprehensive list of the main positive outcomes that will be achieved through fulfilling the Duty. Below are some key areas where cooperating to achieve positive outcomes is most advanced.

***Housing***

5.32 On the whole, the general direction and purpose of the work undertaken by City of York to analyse the extent of the York housing market area (HMA) and information on housing land supply across the market area are all supported by prescribed bodies and adjacent authorities.

5.33 Leeds City Region (LCR) has sought to consider how a common start-point and methodology for the objective assessment of housing need, might be applied across its constituent authorities. Consultants, Edge analytics has been commissioned to produce a report which provides a macro, LCR-level analysis of the scale of new housing development that is required to meet the economic ambition set out in the Strategic Economic Plan (SEP) and the Housing and Regeneration Plan.

5.34 This analysis reviews methodologies, data inputs, assumptions and resulting scenario outcomes that have informed the objective assessment of need. All districts have derived a housing growth target based on the evidence available.

5.35 The report concludes that there is no single, definitive perspective on future growth, with a mix of economic, demographic and national/local policy issues ultimately determining the speed and scale of change.

***Gypsy and Travellers***

5.36 There are no pressing cross border issues reported with other Yorkshire authorities, but neighbouring areas and the City of York have started working together to share the methodologies and findings from their Gypsy Traveller Accommodation Assessments, establish a greater understanding of travelling patterns, regularly exchange information, share best practice on site management, and develop a common protocol for managing unauthorised encampments. This work is already underway with Wakefield and York leading on a project to develop a common methodology to identify sites for the Leeds City region strategic planning (duty to cooperate) group.

***Transport***

5.37 Transport is one of the major cross-boundary issues identified. Specific parts of the Strategic Road Network and public transport routes are highlighted as showing the most potential for cross-boundary cooperation.

- *A64 Memorandum of Understanding (MoU)*

5.38 For many years, Ryedale District Council has worked in partnership with North Yorkshire County Council, Scarborough Borough Council, the City of York Council and the Highways Agency to promote the improvement of the A64 between York and Scarborough. In 2011, a study funded by the authorities identified a range of potential measures to improve safety and journey reliability on the trunk road and to improve connectivity between York, Malton and Scarborough. The total cost of the various measures was £315m.

5.39 In May 2012, the Highways Agency (HA) wrote to the York Sub-Area Joint Infrastructure Working Forum to request that *'local authorities whose development impacts along the A64 , along with North Yorkshire County Council, make a commitment towards reducing the impact of development on the A64 and work in partnership with to develop and implement a holistic package of solutions to reduce and mitigate the impact of development along the A64. We suggest that this commitment could take the form of a MoU. A MoU would provide us with more confidence in the local authorities' commitment to improvements along the A64 and would provide a structured approach to identifying solutions*.'

5.40 In October 2013, an informal A64 Officers Group was established comprising relevant officers from all the interested local authorities and the HA. The purpose of the group is to speak with a single, strategic voice to promote the improvement of the A64 and transport in the A64 corridor to the LEP, Government, MPs etc. The prime output from this group has been the production of the 'Memorandum of

Understanding for A64 Trunk Road, York - Scarborough Improvement Strategy' (see also Annex 10) , to establish a framework for effective co-operation to enable the development and implementation of a long term programme of improvements for the A64 trunk road between York and Scarborough. All the interested authorities, as listed below, have signed-up to as 'Parties' to the MoU.

- *A64 Group Funded feasibility Studies*

5.41 The Highways has been undertaking a series of Route Based Studies (RBS) for the Strategic Road Network. One of these - South Pennines RBS - includes the A64. The HA is now taking the RBSs into a series of Route Strategies, and under this programme it is working up options for the A64 to assess for feasibility, with a view to them being implemented by 2021. Local authorities, as parties to the A64 MoU, are continuing to promote the potential improvements to the A64 and will work with the Highways Agency on the Route Strategy for the A64, to help prioritise funding bids and future investment. They have also come together to commission a study to identify and carry out sufficient preliminary design on a series of schemes on the A64 trunk road between York and Scarborough, to allow them to take advantage of potential funding opportunities from central Government as they arise.

- *Harmonisation of Strategic Models for determining the effects of development on the A64.*

5.42 In November 2012 officers from City of York Council met with officers from the HA and North Yorkshire County Council (NYCC) to investigate how each of the respective body's transport model can be better integrated with those of the other bodies to assess the impacts of proposed development along the A64. Since this inaugural meeting, the HA has developed a new 'Dynamec' model which it has used, previously, to test the impact of the Local Development Framework Developments on the SRN in the North East, North West and West Yorkshire. City of York Council has been working with the HA to achieve convergence of its SATURN model with the HA's Dynameq model. The latest situation is that full convergence has not been achieved. However, a degree of convergence has been reached such that the traffic demands predicted on the A64, using SATURN are not unreasonably dissimilar to those predicted using Dynamec, and that these technical differences can be reasonably explained. Ultimately, The HA will use the Dynamec output to 'test' the impacts of growth in the City of York Local Plan on the A64, to determine whether the impacts are acceptable to it.

- *A64/A1079/A166 Grimston Bar*

5.43 The outputs from transport modelling undertaken by City of York Council, and the HA (see para. 5.42 above) will also be used to assess the traffic impacts on the A64/A1079/A166 Grimston Bar taking into account the projected growth in traffic arising from the City of York Local Plan and the East Riding of Yorkshire Local Plan. Once these impacts have been determined, City of York Council will continue to work with East Riding of Yorkshire Council and the HA to determine the overall scale of improvement needed at this junction to mitigate the impacts, and, where possible, apportion costs for the design and construction of the improvement.

- *Leeds-Harrogate-York Rail Line Improvements*

5.44 City of York Council has been a member of the Harrogate Rail Group Officers Meeting (formerly the Leeds-Harrogate York Rail Group) for more than 10 years. The group membership comprises City of York Council, Harrogate Borough Council, Harrogate Chamber of Trade & Commerce, Network Rail and North Yorkshire County Council. The primary purpose of the group is to seek the necessary improvements to the line to help deliver economic prosperity in the authority areas through which the line runs. In 2012 the group jointly funded the commission of the 'Leeds-Harrogate-York line Improvements, Outline Transport Business Case. The key conclusion form this commission, which was presented in 2013, is that 'Increasing the capacity of the line will offer opportunity for rail services to accommodate an increased number of passengers with associated revenue, with the service capacity increase able to support economic development along [the] rail line corridor.' The Business Case presented a set of 'conditional outputs' required to provide the service capacity increases (and journey time reductions), which were broadly estimated at £93m to deliver.

5.45 Consequent to this business case, North Yorkshire County Council included dualling sections of the York-Harrogate line as a major scheme within its bid to the North Yorkshire and York Local Transport Body in 2013 and the line is one of many being evaluated for electrification by the Electrification Task Force. City of York Council will continue to work with partner organisations to pursue improvements to services on the line.

- *York Station*

5.46 City of York Council is working in equal partnership with Network Rail on a development framework for York Station, the objectives of which include:

  - Improve interchange
  - Reduce conflict between modes at the station frontage
  - Improve pedestrian movement within and around the station

***Climate Change***

5.47 Concerns were raised regarding the impact of renewable energy schemes in York affecting neighbouring authorities. The Local Plan now contains a criteria based policy and will allocate three sites for solar energy. The policy states that "Significant weight will be given to the wider environmental, economic and social benefits arising from renewable energy schemes as well as the anticipated individual and cumulative effects that schemes may have on:" The supporting text refers to cross boundary impacts and the need for discussion with relevant neighbouring authorities.

5.48 The issue of the potential areas of search for renewable energy (namely wind turbines) and the areas close proximity to areas of nature conservation, specifically the River Derwent Corridor was raised. The revised Renewable Energy Study (2014) introduces additional constraints and therefore identifies revised areas of search for wind energy which excludes the River Derwent Corridor.

### *Flood Risk*

- *City of York Flood Risk Management Strategy (Draft for Consultation)*

5.49 Under the Flood and Water Management Act 2010 (FWMA), introduced to provide legislation for the management of risks associated with flooding and coastal erosion, City of York Council has major new responsibilities as the Lead Local Flood Authority (LLFA), to "develop, maintain, apply and monitor a strategy for local flood risk management in its area". The Council has, therefore, prepared a (Draft) Flood Risk Management Strategy (FRMS), the aim of which is to understand flood risk from all sources in the city, reduce its likelihood and impact on residents and visitors and take the opportunity to improve the city environment. The FMRS also contains a Strategic Action Plan, being the programme of actions and measures, for all Risk Management Authorities that are required to deliver the aims of the strategy.

5.50 Responsibility for the management of flood risk from main rivers, the sea and reservoirs remains with the Environment Agency (EA), which has published its national flood risk management strategy for England. The Council will work in partnership with the EA and other flood Risk Management Authorities (RMAs) in the delivery of the measures detailed in the Strategic Action Plan.

5.51 One of the measures to be undertaken in the prevention of flood risk is for City of York Council supported by the EA, internal drainage boards and Yorkshire Water Services to input into strategic planning and strategic development sites to identify sustainable flood risk and drainage solutions.

### *Leeds City Region Statement of Cooperation for Local Planning*

5.52 This Statement has been prepared by the Leeds City Region Portfolios Board as a response to the need for greater collaboration between authorities across the city region to ensure better compliance with the Duty to Cooperate. The purpose of the Statement is twofold:

- To set out processes and practical steps to be followed going forward, that will strengthen the Leeds City Region authorities' approach to collaborative working;
- To outline the current collaborative work on strategic, cross-boundary issues that is ongoing within the Leeds City Region.

5.53 The Statement sets out the legislation and guidance relating to the Duty to Cooperate. It outlines the Leeds City Region Duty to Cooperate process including best practice examples. The Statement also provides details of the current governance structures in place within the Leeds City Region to support collaborative working; it includes details of the Leeds City Region strategic context and the current agreed priorities. It is proposed that this Statement be revised annually.

# 6.0 Continuing Compliance with the Duty into the future

6.1 The nature of many of the positive outcomes identified above demonstrates that City of York Council will continue to comply with the Duty in the future. In order to ensure this compliance, the Council will continue to meet with other authorities in the region.

6.2 The North Yorkshire Development Plans Forum meeting dates for the upcoming year are listed below:

- 18 November 2014, 10am – 1pm: Harrogate Borough Council offices
- Week beginning 16 February 2015 Hambleton Council
- 12 May 2015 City of York Council
- 10 August 2015 County Hall, Northallerton

6.3 The North Yorkshire Planning Officer Group (NYPOG) and North Yorkshire and York Spatial Planning and Transport Board (elected members) and Technical Officer Group (TOG) currently meet separately to the North Yorkshire Development Forum however discussions are being held to consider merging the groups to ensure more frequent and co-ordinated meetings are held. This would further demonstrate compliance with the Duty.

6.4 The North Yorkshire and York Spatial Planning and Transport Board agreed to take-up the offer by the Planning Advisory Service to commission, as part of its Duty to Cooperate support package, a DtC Workshop for Board Members (extended to Members of other authorities as appropriate). City of York Council is arranging a date for this workshop in October dependent on Member's availability.

6.5 It is envisaged that this workshop will facilitate the re-configuration of the various Member and officer groups in the future.

# Annexes

# Annex 1
## Selection of Inspector's decisions at Examination to show why the Inspector has deemed that compliance with the Duty has or has not been demonstrated

# Plans that have demonstrated compliance with the Duty

### Winchester City Council and South Downs National Park Authority

In the Duty to Co-operate Statement (SD9) and elsewhere the Council has satisfactorily documented where and when co-operation has taken place, with whom and on what basis, as well as confirming that such positive engagement will continue.

***I am satisfied that the duty to co-operate has been met.***

### East Hampshire District Authority and South Downs National Park

The Authorities 'Statement of Duty to Co-operate' outlines engagement with other local planning authorities and public bodies throughout the preparation of the Plan. The National Park extends across administrative boundaries and the National Park Authority (NPA) is working to create joint plans with a number of authorities. The three southern parishes in the District are within the Partnership for Urban South Hampshire area (PUSH). Nothing is submitted to lead me to question the assertion that PUSH 'provides an excellent forum for co-operation between councils, outside bodies and, increasingly, the Solent Local Enterprise Partnership.

I have considered the argument that the duty is not met because the JCS makes no provision for alleged unmet need in other areas. However, Waverley Borough Council was the only local authority to approach the Authorities, enquiring as to the possibility of its unmet need being accommodated at Whitehill and Bordon. The Authorities declined but the duty to co-operate is not a requirement to agree. There is nothing in the NPPF which requires local planning authorities to provide for unmet need elsewhere if not requested to do so.

It seems to me that the differences between the authorities relate to the delivery and the soundness of the strategic allocation rather than a failure to meet the duty to co-operate. In my view, the evidence contained in the Statement of Duty to Co-operate ***demonstrates that the Authorities complied with the duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.***

### Erewash Borough Council

The Council has produced a Statement of Compliance with the Duty to Co-operate document which sets out the extent of the relevant co-operation that has taken place.

A Joint Planning Advisory Board comprising senior politicians from each Council has been established to guide the joint working. In 2009 consultation took place on the Greater Nottingham Aligned Core Strategies Issues and Options which included a common core of strategic issues, supplemented by some specific to each Council. This was followed in 2010 by an Option for Consultation document which only contained strategic policies common to all the authorities.

The other four authorities [in view of Rushcliffe Council's decision to produce a separate Core Strategy] progressed towards producing aligned core strategies but there were timing issues which led to Erewash producing a separate plan. Following public consultation on proposed submission plans, Erewash decided to proceed to examination ahead of the other Councils. However, the CS policies follow a similar format and share significant amounts of common wording with those in the Aligned Core Strategies Publication Version (June 2012) (ACS). While there are differences of detail, the main elements of the strategy, such as the provision of housing, are consistent with that in the ACS.

The CS shares an extensive joint evidence base with the other HMA local authorities, including the Strategic Housing Market Needs Assessment. There are a series of joint papers on housing and household projections. There has been collaboration with other Derbyshire authorities on matters such as traveller accommodation needs and green energy. Transport modelling has been undertaken with the HMA authorities and Derbyshire and Nottinghamshire County Councils. The only objections to the CS from an HMA authority have been from Rushcliffe

It would be unreasonable to suggest that the legal obligation is a duty to agree as Erewash cannot be responsible for the actions of others. It is for each authority to take responsibility to show how it has complied with the duty.

Erewash has engaged in a substantial number of examples of constructive joint working and collaboration on strategic priorities over a significant period of time. In the light of these considerations

***I conclude that the duty to co-operate has been met.***

**Selby District Council**

The duty applies at plan preparation stage and is not retrospective; because the CS was submitted for examination in May 2011, it is not subject to the section 33A requirements.

The 2004 Act distinguishes plan preparation (section 19) from examination (section 20). The work carried out by the Council is a direct response to concerns about unsoundness which arose during the examination. It falls squarely within the ambit of Section 20, which provides a mechanism for rectifying a plan which has procedural shortcomings and/or is unsound. As section 33A applies only to plan preparation, the duty to cooperate does not apply to modifications arising at examination stage.

***I conclude that sections 20(7)(b)(ii) and 20(7B)(b) do not prevent me recommending that the CS be adopted with modifications to make it sound (under sections 20(7B)(b) and 20(7C)).***

## Plans that had failed in meeting the duty (from Inspector's letters)

### Vale of Aylesbury

The duty to co-operate is not a duty to agree. In addition, whilst consideration must be given to joint working and the production of joint local development documents, these are not specific requirements of compliance with the duty. The lack of jointly produced evidence and the fact that a number of other local authorities continue to have concerns in respect of the level of housing provision set out in the Plan are not in themselves reasons to conclude that the Council has failed to comply with the duty. It is the actions of the Council in terms of co-operating to maximise the effectiveness of the preparation of the Plan which are critical to my consideration of the matter.

There is no Strategic Housing Market Assessment (SHMA) or other assessment of housing needs produced jointly with other authorities. The Validation Study and supplementary report which considered housing needs across the wider HMA were commissioned and produced solely on behalf of the Council. The conclusion that a joint SHMA or equivalent document was not a realistic proposition appears to have been reached on the basis of discussions with officers of the other authorities concerned. Other authorities were not formally approached to undertake joint work on housing needs and provision.

The extent to which engagement, particular of the limited form undertaken, could have genuinely influenced the overall level of housing provision appears to have been minimal. The response of other authorities to the Validation Study needs to be seen in this context along with their understanding of their role in the process. There is no record of any substantive engagement with other authorities in relation to the Updated Demographic Projections Reports of April and May 2013, or the supplementary report to the Validation Study of June 2013.

Milton Keynes Council expresses concern as to the balance between the provision for houses and jobs. It considers that the relationship between Aylesbury Vale and Milton Keynes, and specifically the potential need for the growth of the urban area of Milton Keynes into Aylesbury Vale has not been adequately addressed. It highlights the need for joint working on this issue and raises concerns as to the extent of engagement earlier in the process and the effectiveness of the consultation process.

Luton Borough Council considers that given the potential scale of unmet housing need, it may be that some of it will need to be accommodated beyond adjoining authorities, including in Aylesbury Vale. Luton Borough Council wrote to the Council in June 2013, setting out these concerns and suggesting a member meeting and a jointly commissioned SHMA. Such a meeting has not taken place and the offer of commissioning a joint SHMA has not been taken up.

The Council points to the practical difficulties in working jointly with numerous other authorities. It also highlights the fact that other authorities were not in a position to demonstrate alternative clear and specific evidence regarding housing needs or quantify the level of potential unmet housing need. The Council emphasises the

benefits of progressing the Plan to adoption rather than delaying the process to allow evidence in relation to the housing needs of other authorities to be gathered.

The key question is that of timing and the choice between having an adopted plan as soon as possible or a plan that at the point of adoption, effectively resolves strategic housing issues following genuine co-operation and collaboration with other authorities based on constructive, active and ongoing engagement.

As it stands there are significant issues in terms of potential unmet needs from other authorities and how they will be accommodated. Whilst noting the lack of specific evidence on potential unmet needs from other authorities and accepting that collaboration and joint working is a two way process, it is the Council's duty, as the authority submitting the Plan for examination, to have sought to address these issues through constructive, active and ongoing engagement.

On the basis of the above assessment ***I consider that the Council has not engaged constructively, actively and on an ongoing basis*** and that this has undermined the effectiveness of plan preparation in dealing with key strategic issues.

It is with regret therefore that I must conclude that ***the Council has not complied with the duty to co-operate.***

**Hart District Local Plan Core Strategy (as extracted from planningresource.co.uk)**

In his letter to Hart Council, Ward said that there is "no agreement between relevant authorities as to the level of overall housing need within the housing market area, how it could be accommodated and how any unmet need from one authority could be met elsewhere"....."The council only initiated discussion on meeting housing needs very late in the process, after it had already determined the level of housing it was intending to plan for.

"Discussions only took place a short while before the core strategy was submitted for examination. There was little basis for truly effective discussion and co-operation at this stage, particularly given that the scale of potentially unmet need was not actually identified."

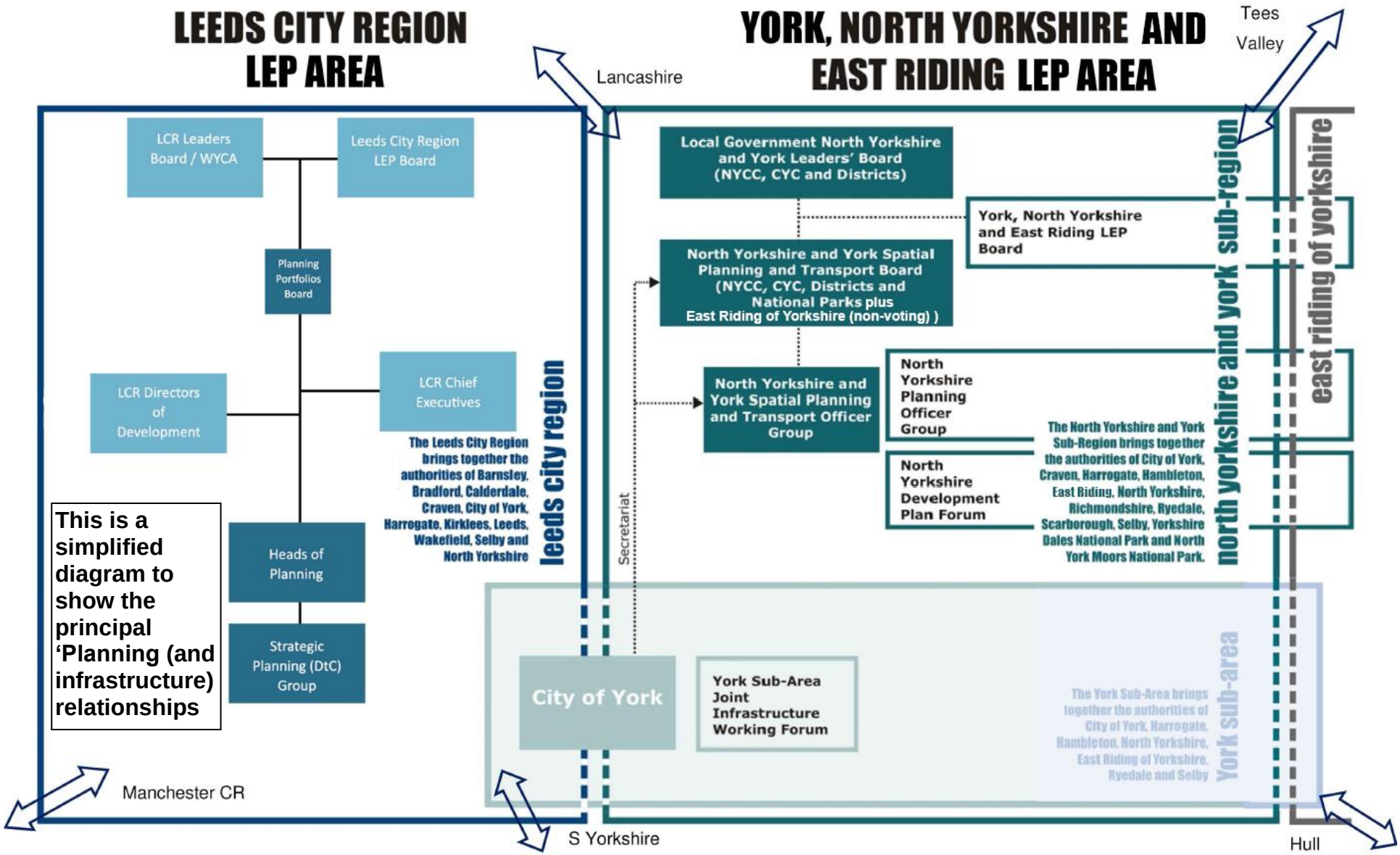
The inspector's letter also said that, in relation to overall housing provision, the core strategy "has not been positively prepared, it is not justified or effective and it is not consistent with national policy. It is therefore not sound."

The inspector said that he ***"must recommend non-adoption of the core strategy"*** as there is "no mechanism to rectify a failure to comply with the duty to co-operate".

# Annex 2

Current Joint working / Governance Arrangements

## Current Joint Working/Governance Arrangements



# Annex 3

Former Strategic Approach to Co-operation

## The Regional Spatial Strategy (RSS)

The RSS was adopted in 2008 and at that time became a part of the development plan for each local authority in the Yorkshire and Humber Region. The City of York Council had extensive involvement in preparing evidence for, shaping and engaging with the Regional Strategy between 2003 and 2010, demonstrating that it was engaged in a process of co-operation with neighbouring authorities and prescribed bodies.

The NPPF notes in Paragraph 218 that "where it would be appropriate and assist the process of preparing or amending Local Plans, regional strategy policies can be reflected in Local Plans". As such, there is an understanding in Government that while the RSSs are in the process of being abolished, their approaches and evidence are still relevant for the purposes of local plan making. The Council considers that this is the case in the City of York. The principles of the RSS which were tested at examination by the Planning Inspectorate and found to be sound, remain so important in the context of local strategic issues for York during the preparation of the Local Plan.

## Developing and managing relationships around the regional strategy

Extensive co-operation was undertaken between the City of York Council and the local authorities which comprise the North Yorkshire and York Sub Region. This followed on from the experiences of preparing the Joint Structure Plan up until 2004.

The City of York Council was a member of the North Yorkshire Forum Officer Group which was established in 1998 to oversee comments to Regional Planning Guidance but from 2003, when the Regional Assembly began the process of producing a regional strategy, became focussed on influencing the RSS. The group met fourteen times between 1998 and 2008 when the RSS was adopted. North Yorkshire County Council acted as secretariat for the group and its purpose was to lobby the Regional Assembly with a common line between North Yorkshire and York authorities. In this way the individual local authorities of the North Yorkshire and York Sub Region ensured that it used the 11 votes available on the Regional Planning and Infrastructure Committee (where each local authority member had a vote) for the good of the sub-region as a whole.

The main common strategic issues where the local planning authorities worked together to help shape the RSS related to:

- an approach to restraint in the Sub-Region and a removal of the pressure for new housing that had begun to originate from the large conurbations (this approached has been taken historically and predates work on the RSS);
- meeting Sub-Regional needs within the Sub-Region and local needs locally through the settlement network;
- recognising and setting strategic direction for the high quality environmental, heritage and biodiversity assets of the Sub-Region;

- clarifying the role that local service centres may play in delivering affordable housing for local needs but also market housing where necessary; and
- defining sub areas for the Sub-Region including York

## The City of York's Influence on the Regional Spatial Strategy

The specific strategic issues relating to York which had immediate cross boundary impacts can be sourced from a report to the City of York Council Executive in March 2005. The key issues were:

- protecting the special setting of York and in particular its Green Belt,
- the economic role of York as one of the five Key Cities in the region,
- the acute affordable housing needs of the city, and
- the specific transport priorities.

It should be noted that initial versions of the RSS did not include a York Sub Area. Therefore, the paper noted that the RSS would need to take into account the spatial planning issues for the York hinterland that flow from very particular circumstances, including York's continued economic success; increased pressure on wider housing markets; acute affordable housing problems; heritage, environment and Green Belt constraints within the City; and the need for surrounding communities to meet their local needs and benefit from the economic success of York to aid their renaissance and achieve sustainable communities. To this end, the Council strongly lobbied for the City of York authority to be included within its own Sub Area alongside recognition of the role that the City plays in the Leeds City Region. Ultimately the Council's Executive confirmed that they sought a balanced and clear approach to development where the economic, social and environmental needs of York and its hinterland are recognised and sustainable development solutions to these within the City and surrounding settlements are encouraged.

The Council, along with the County Council and neighbouring authorities were successful in lobbying for a York Sub Area within the RSS. This functional area is centred on the City of York and includes all of the City of York Council area, Selby District, the southern parts of Hambleton and Ryedale District Councils, the south-eastern part of Harrogate District Council and the north-western parts of the East Riding of Yorkshire Council.

There were several other strategic matters around which the City of York Council made statements to the Examination in Public in 2006 comprising:

- agreeing that the Sub Area approach provided an appropriate strategic direction and outcomes for the City of York;
- welcoming the inclusion of the City of York within both York Sub Area and Leeds City Region Sub Area. Welcoming York's role within the 'polycentric' Leeds City Region of eight towns and cities and the specific recognition that each town and city will play a different role;
- recognising that the separate but overlapping 'York Sub Area' allows for York's distinctive role in the Leeds City Region to be clearly articulated taking into account its specific opportunities and constraints;

- recognising the functional role of York as a Sub-Regional employment centre for North Yorkshire with an increasingly important role in the Leeds City Region, meaning that it provides employment opportunities across a much wider area than its own administrative boundaries;
- seeking more clarity on the wider roles of places within sub areas in relation to the role they play within the hinterland or sphere of influence of higher order centres. This sought to clarify the 'polycentric' nature of places within the regional Sub Areas. This was linked to "spreading the benefits" of the York economy whereby for example some of the spin off growth associated with Science City York would be likely to result in new employment in surrounding towns, such as Malton and Selby;
- support for identifying regional priority sectors and clusters especially around science and technology;
- expressing concerns around reconciling growth with the environmental capacity of the York Sub Area and recognising that the link between economic growth and housing is a complex one that doesn't fit into administrative boundaries; and
- considering that the City of York should be classed as a Regional Centre alongside Leeds, Kingston upon Hull, Sheffield and Bradford. It points to its role as an international tourist destination, a major retail centre, a university city, the 'Science City' proposal and its influence over a wide hinterland.

### Main issues arising at the Examination in Public

Understanding the debates that occurred at the Examination into the RSS reveals how the main strategic issues have been addressed and it is important to note that these debates have influenced the Local Plan policies. It is important to note that there were no objections from neighbouring authorities or statutory bodies around the principles and outcomes of the wider York Sub Area approach in the RSS. Those debates that occurred at the Examination in Public around the roles of places in the wider York Sub Area were stimulated by landowners and housebuilders and related to the roles of Easingwold (Hambleton District Council) and Boroughbridge (Harrogate District Council), and Malton/Norton (Ryedale District Council) where arguments were put forward to promote the roles of these places and deliver more growth than was being suggested by the RSS process and emerging local plans.

The Panel noted that there may be difficulty in accommodating significant housing levels in the York because of the need to safeguard the historic character of the city and its environmental constraints. However, they also called for further local work to establish the environmental capacity of York and whether there is potential for York to deliver more growth.

It is also important to note that there was no disagreement amongst local authorities in the North Yorkshire and York Sub Region that restraint in rural areas was an appropriate strategy, subject to the local service centres within the York Sub area and wider North Yorkshire rural area, being allowed to take some market housing to support affordable housing and other local housing needs. There was agreement that the RSS set out a coherent settlement strategy for the Region. Policies YH5 'Principle Towns' and YH6 'Local Service Centres and Rural and Coastal Towns'

articulated clear roles for Regional/Sub Regional Centres and Principal Service Centres and Local Authorities established a range of local services centres where more limited development was appropriate.

## Abolition of RSS

In the period following the Governments intention to abolish the RSS there was considerable uncertainty surrounding the strategic policy framework for spatial planning in the Leeds City Region which addresses those matters that are 'bigger than local' and require collaboration between the Planning Authorities in the City Region. There was considered a need by the Leeds City Region Partnership for an interim strategy position to help manage the uncertainty on strategic policy and to make clear the continuing support for the policy principles in the RSS that support shared objectives across the City Region. The Leeds City Region Interim Strategy Statement received approval from the Leeds City Region Leaders Board in 2011.

This Interim Strategy Statement (2011) sets out a recognition by all authorities in the City Region that the policies in the former RSS which articulate the urban transformation ambition should provide the start point for an interim strategy statement. Along with policies that safeguard the environmental assets of the City Region and the key spatial investment priorities that are set out in the already agreed City Region strategies. The authorities in the partnership also continue to support the broad policy thrust of the former RSS and the principles of urban transformation contained in the Plan. To ensure these principles are retained, the Interim Strategy Statement includes policies from the approved RSS that address spatial principles.

In 2010 Local Government North Yorkshire and York (LGNYY) (a body of Local Authority Leaders which aims to promote the interests of local government in the sub-region and provide a means for facilitating co-operation between constituent councils) was conscious of the structural changes occurring to regional bodies and the need for a strongly articulated Sub-Regional view. It requested that a Sub-Regional Strategy be produced to advocate the aspirations of the Sub-Region and that this strategy should bring together local evidence in relation to housing, transport, the economy and the environment.

The Spatial Planning Board (SPB) and York and North Yorkshire Partnership Unit were tasked with driving much of this work. A Sub-Regional Strategy was agreed by Local Government North Yorkshire and York in June 2011. The SPB was supported by several thematic boards on housing, spatial planning, transport and economy. In June 2011, LGNYY recommended the Spatial Planning and Transport Boards be merged and the Economy/Skills Board disestablished. This latter structure for LGNYY governance, which includes the officer working groups that support the thematic boards, is shown in Annex 3. This also shows the governance structure for the Leeds City Region, the connections with East Riding of Yorkshire (through the York, North Yorkshire and East Riding LEP) and the 'fit' of the York Sub Area within these governance structures.

One of the key principles that the SPB succeeded in enshrining in the North Yorkshire and York Sub Regional Strategy is that the approach to delivery of critical priorities needs to be strongly rooted in the diverse places and spaces of North

Yorkshire and York and to understand and capitalise on the different opportunities that are available in different parts of the Sub-Region. It also set out that places have different roles and characters that determine how they relate with each other.

The York Sub Area is an important and successful part of the economy of the north of England. While the sub area has a role that is linked to the Leeds City Region and wider North Yorkshire it also has its own distinctive characteristics. The City of York is an important driver of economic growth and has claims to be classified as a “Regional City” along with Leeds, Bradford, Sheffield and Hull.

# Annex 4: RSS York Sub area Policy

## POLICY Y1: York sub area policy

Plans, strategies, investment decisions and programmes for the York sub area should:

**A** Roles and functions of places

1. Ensure the roles and function of places in the York sub area complement and support those described in the Leeds City Region
2. Develop the role of York as a Sub Regional City and support the roles of Selby and Malton as Principal Towns

**B** Economy

1. Diversify and grow York as a key driver of the Leeds City Region economy by encouraging the business and financial services sector, knowledge and science-based industries, leisure and retail services and the evening economy, and further developing its tourism sector
2. Spread the benefits of York's economic success to other parts of the sub area and ensure that all members of the community have access to employment opportunities
3. Deliver economic growth at Selby and Malton in line with their roles as Principal Towns
4. Identify and safeguard a site for the Spallation project, in the vicinity of Selby

**C** Environment

1. In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.
2. Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas
3. Protect and enhance the particular biodiversity, landscape character and environmental quality of the York sub area – including the 'Vales' area, Humberhead Levels area, the Derwent Valley area, the Wolds, Howardian Hills AONB, and protect the integrity of internationally important biodiversity sites
4. Help to mitigate flooding through proactive planning and management and provide appropriate protection, especially in York and Selby
5. Avoid depleting the Sherwood Sandstone aquifer
6. Improve air quality, particularly along main road corridors in York (based on AQMAs)

## POLICY Y1: York sub area policy *continued*

**D** Transport

1. Develop the role of York as a key node for public transport services for the sub area
2. Implement stronger demand management in York and in relation to the strategic highway network
3. Improve accessibility to and within York, particularly by improved facilities for walking and cycling, increased capacity and quality of public transport, and new park and ride facilities
4. Improve public transport links between Local Service Centres and other rural communities and York and the sub area's Principal Towns
5. Improve access between York and Scarborough / the east coast

**E** Strategic patterns of development

1. Focus most development on the Sub Regional City of York, whilst safeguarding its historic character and environmental capacity
2. Promote development at Selby to foster regeneration and strengthen and diversify its economy within the Leeds City Region
3. Support an appropriate scale of development at Malton to support local regeneration and the role of York
4. Elsewhere in the sub area, use a managed approach to development to focus on meeting local housing needs and appropriate economic diversification

**F** Regionally significant investment priorities

1. Develop the sub area economy with major new development and initiatives including Science City York, York Northwest, further developing and expanding York University and supporting the SPALLATION Project at Selby
2. Manage flood risk in line policy ENV1 along the Ouse at York and Selby, in the Derwent Valley, and in the Humberhead Levels area

**G** Joined up working

Promote partnership approaches to economic diversification, regeneration, housing distribution, development and flood risk management throughout the York sub area

# Annex 5: Index of discussions with prescribed bodies or other organisations

| **Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan** | |
|---|---|
| **Date** | **Prescribed body (or other organisation) and purpose** |
| Prior to consultation on Local Plan Preferred Options (LPPO) | |
| 26/09/12 | **Director of Public Health, City of York Council** – general information gathering about the reorganisation of healthcare and public health. |
| 27/11/12 | **Highways Agency (HA) & North Yorkshire County Council (NYCC)** - to investigate how the respective body's transport model can be better integrated with those of the other bodies to assess the impacts of proposed development along the A64. |
| 29/11/12 | **East Riding of Yorkshire Council (ERC)** – to discuss traffic data for A1079 junctions at Dunnington |
| 08/03/13 | **East Coast** - to discuss the strategic role of York Station |
| 21/03/13 | **HA** - to discuss HA's view of new large scale residential development adjacent to the A64 |
| 21/05/13 | **ERC & HA** - to discuss A64 Grimston Bar junction |
| During consultation on LPPO | |
| 26/06/13 | **Without Walls (WoW) Board** – general information/ presentation of Local Plan Preferred Options, Q & A and request for consultation feedback |
| 28/06/13 | **North Yorkshire Police** - general information, discussion regarding infrastructure needs and request for consultation feedback |
| 02/07/13 | **ERC** – Discuss cross boundary issues prior to Local Government North Yorkshire and York (LGNYY) Spatial Planning and Transport Board (also on 02/07/13) and prior to ERC sending consultation response. |
| 04/07/13 | **Stakeholder Workshop - Delivering Strategic Sites**, facilitated by Atlas |
| 08/07/13 | **Selby District Council** - Discuss cross boundary issues |
| 10/07/13 | **Yorkshire Water -** general information, discussion regarding infrastructure needs and request for consultation feedback |
| 24/07/13 | **Leeds and York Partnership NHS Trust** - general information, discussion regarding infrastructure needs and request for consultation feedback |
| 24/07/13 | **Harrogate Borough Council** - Discuss cross boundary issues |
| 29/07/13 | **York Teaching Hospital NHS Foundation Trust** – Trust representative did not attend but did email the main point of the need to modernise York District Hospital over the next few years. |
| 29/07/13 | **HA**– Further discussion of growth targets in the plan, the potential impacts on the A64 and potential mitigation measures.. |
| 31/07/13 | **LGNYY Spatial Planning and Transport Technical Officers Group (TOG), Extraordinary meeting –** Round table discussion to discuss CoYC's compliance with the DtC in preparing the Local plan Preferred Options, general information, discussion and request for consultation feedback. |
| During 2 week extension to consultation period | |

| | |
|---|---|
| 09/08/13 | **HA & ERC** - to discuss further growth impacts on A64 (in particular Grimston Bar junction) and potential mitigation measures. |
| Post LPPO | |
| 23/09/13 | **HA** - to discuss progress on devising a more sustainable approach to development of strategic sites to minimise impacts on the A64 and coordinate with HA's new transport model for the A64 around York |
| 30/09/13 | **Environment Agency (EA)** – to discuss EA response to LPPO, with particular focus the Water Framework Directive and Flood Risk |
| 24/10/13 | **Planning Advisory Service commissioned DtC Workshop 1-** facilitated by ARUP to deliver the 'Incorporating Strategic Issues into Local Plans' module. The workshop was attended by representatives from neighbouring local authorities, HA, LEPs and Network Rail. The focus of this workshop was 'Identifying Strategic Issues'<br>(full attendance list and notes of the workshop available) |
| 31/10/13 | **Department for Transport (DfT) Rail and NYCC** – Discuss various rail planning and scheme delivery issues, including: Haxby Station, York Station (+HS2), York-Harrogate-Leeds line, Access to Leeds Bradford International Airport (LBIA), Rail Devolution and Re-Franchising. |
| 06/11/13, 13/11/13 and 15/11/13 | **Delivering Strategic Sites-Panel Review Workshops** – Presentations by developer design teams to a 'Design and Environment Panel' and an 'Infrastructure Panel', both comprising representatives of various CoYC departments and numerous statutory/prescribed bodies, to inform the panels of the scope and scale of the proposed development and offer the opportunity for the panel to ask questions and provide appropriate guidance to the design teams. - (overview and write-up available) |
| 18/11/13 | **HA** - to discuss assumptions (e.g. trip generation rates) used for modelling the local traffic impacts of the proposed allocations and the cumulative impacts of development in York overall. Also to discuss the tie-in with HA's modelling of the A64 around York. |
| 22/11/13 | **Local Plan Viability Workshop** – Presentation by Peter Brett Associates to strategic site developer design teams, representatives from COYC and other statutory/prescribed bodies such as the HA to give an overview of local plan site viability work, including assumptions made, and provide the opportunity for feedback. This was followed by a broadly similar presentation by Parsons Brinckerhoff to outline the work being undertaken on the Local Plan Transport Infrastructure Investment Requirements study. |
| 16/12/13 | **HA** - to discuss assumptions (e.g. trip generation rates) used for modelling the local traffic impacts of the proposed allocations and the cumulative impacts of development in York overall, with a particular focus on devising/using trip rates that are more in accord with HA's trip rates derived through its GraHAM tool, as HA had written to express its concerns regarding the trip rates used in CoYC's latest modelling. |
| 20/01/14 | **Planning Advisory Service commissioned DtC Workshop 2-** facilitated by ARUP to deliver the 'Incorporating Strategic Issues into Local Plans' module. The workshop was attended by representatives from neighbouring local authorities, HA, LEPs and Network Rail. This workshop discussed toolkits (tables) as means to identify evidence gaps, strategic (DtC) issues and undertake actions to produce better outcomes |
| 31/01/14 | **HA** - To discuss:<br>• CoYC latest modelling outputs and HA's initial modelling outputs |

| | |
|---|---|
| | • The impacts of new sites proposed in representations on the Local Plan Preferred Options consultation<br>• How CoYC will consider planning applications for strategic sites in advance of the adoption of a Local Plan<br>• Timescales for preparing and adopting the City of York Local Plan |
| 25/02/14 | **HA, NYCC and Ryedale DC** – to discuss HA Route-Based Strategies Risk Register to demonstrate closer involvement with the HA for Priority schemes that impact on the Strategic Road Network (SRN) and develop an action plan. |
| 25/02/14 | **HA and Systra**– to discuss the potential for third party use of CoYC' strategic transport model to model various access options to a proposed major development site adjacent to the SRN. |
| Pre-Submission (Publication) including Further Sites Consultation | |
| 17/03/14 | **Authorities that form part of York's Sub-Area** – to discuss York's housing market area, with a focus on either confirming current assumptions or identifying any changes to what has already been assumed. |
| 09/04/14 | **Harrogate District Core Strategy Review - Transport Workshop.**<br>Establish:<br>1. What are the key transport constraints and opportunities for delivering the infrastructure required to support new homes and jobs up to 2035?<br>2. Broadly what future development options should be investigated and why?<br>3. What transport evidence base work is required to support future development options?<br>4. How can we ensure that the transport infrastructure necessary to support development is funded? |
| 10/06/14 | **NYCC –** General discussion following the issue of the City of York Council Local Plan Further Sites Consultation on 4 June 2014, with primary focus on transport. |
| 30/06/14 | **Selby DC** – to discuss joint approach to setting allocations in Escrick |
| 15/08/14 | **HA and JMP –** to discuss the HA's feasibility study for improvements to the A64 under the HA's Route Strategy programme |
| 19/08/14 | **HA, JMP and ERC** – to discuss the harmonisation of CoYC's and HA's transport models and how the outcomes of these show the transport impacts of CoYC's and ERC's Local Plans on the A64 and its junctions, particularly the Grimston Bar junction. |

**Notes**

**1** This table excludes regular sub-regional or sub-area meetings, and meetings for specific projects, where formal minutes or notes are otherwise available, as follows:

- Leeds City Region (LCR) Strategic Planning Duty to Cooperate Group
- LCR Community Infrastructure Working Group
- Local Government North Yorkshire and York (LGNYY) Spatial Planning and Transport Board
- LGNYY Spatial Planning and Transport Technical Officers Group (TOG)
- York Sub-area Joint Infrastructure Working Forum (YSAJIWF)

- North Yorkshire Development Plans Forum
- East Coast Mainline Authorities group (ECMA)
- ECMA Technical Officers Group
- Rail North (potential Rail Franchisor under decentralisation of rail franchising)
- Business Case for improving the York-Harrogate-Leeds line
- TransPennine Electrification
- Asset Board
- A64 Officer's Group

**2** This table excludes meetings between CoYC and developer design teams for the Strategic Sites.

# Annex 6: Example Record(s) of engagement with Local Authority or 'Prescribed Body'

| **Date (dd/mm/yy):** | **Local Authority(ies)/ Prescribed Body(ies)* :** |
|---|---|
| 02/07/13 (am) | East Riding of Yorkshire Council (ERC) |

| **Attending for CoYC:** | **Attending for Local Authority(ies) / Prescribed Body(ies)* :** |
|---|---|
| Ian Stokes | John Craig<br>Stephen Hunt |

**Primary Purpose:**

Identify strategic cross-boundary issues

**Main Issue(s):**

1. Safeguarded Land site (SF3) has the potential for 8,700 dwellings if developed at 50 dph. (resulting in nearly 13,000 dwellings if added to site ST15).
2. Can the calculated build out rate of approximately 312 dwellings/yr at site ST15 (5580) be realised, as the anticipated build-out rate for a site in Beverley is approximately 100 dwellings/yr? Also site ST14 appears to have a build-out rate of approximately dwellings /yr.
3. What is the evidence for 40 dph in 'suburban areas'
4. What is the potential for developing an joint background paper on housing requirement (agreed September 2012) and how can this be progressed?
5. Could the paragraph between the LPPO policy T6 (i) and T6 (ii) be rephrased to 'soften' the impacts on the policy in ERC's Local Plan not to safeguard the route (of the York - Beverley rail line)? Also is Policy T6 trying to do two separate things?
6. Is policy EST4 deliverable? Where is the Evidence?
7. Impact of renewable energy areas of search on River Derwent Corridor.

**Additional evidence / information made available or referred to:**

- Kingswood Park in Hull is a site for/with approximately 5000 houses and a retail park.
- ERC can supply mapping of turbine sites
- ERC are developing/have developed a 'Joint Management Strategy for the River Derwent Corridor,' with Selby DC

| **Agreed Actions:** | **Action by** | **Feedback Required (Y/N)** |
|---|---|---|
| 1. Provide ERC with information in response to Issues 1-4 ASAP | CoYC | N |
| 2. Consider rephrasing paragraph referred to in Issue 5 to provide more coordinated policy with ERC. | CoYC | Y |
| 3. Investigate Issues 6 and 7 | CoYC | |

**Comments**

- ERC generally welcome the increase in York's housing allocation
- The anticipated timescale for Adoption of the ERC Local Plan is:
  - Draft Local Plan consultation responses to Cabinet 30 July 2013
  - Further 6 week consultation commencing mid August (on about 20-30 sites)
  - Publication December 2014
  - Examination spring/summer 2014
  - Adoption towards the end of 2014
- Policy G16 doesn't include a safeguarded area around the River Derwent
- Does the text below the 'Vision' box comprise the vision, or is it supporting text?

# Annex 7: A Duty to Cooperate Action Plan arising from PAS workshops

| Issue | Task/Action | Date/Responsibility |
|---|---|---|
| General | | |
| Local Plans at varying stages | Ensure comprehensive understanding of key milestones for all York, North Yorkshire and East Riding Local Authorities | All Policy Team Leaders to ensure high level programmes are produced and then Team Leaders to circulate, meet and agree. |
| Need to have clarity on actions to deal with strategic issues | Draft and agree a flow chart showing key actions for the next couple of months. This will need to frame issues at a Workshop Area level and define key sub-groups to tackle specific issues. | All Policy Team Leaders to ensure high level programmes are produced and then Team Leaders to circulate meet, and agree. |
| Duty to Cooperate Toolkit | 1. Each local authority will need to complete and update the Duty to Cooperate Toolkits offered at the workshop<br>2. Use as high level summary for coordinating understanding of joint work/ engagement on strategic matters.<br>3. Analyse the contents and establish interdependencies and where groups/ meetings need setting up.<br>4. NOTE: More detail will be required by LAs at an individual level (for examination purposes) – continue to use/ update and share. | All Policy Tea, Leaders to ensure toolkit is populated. |
| Engagement of Members | Create appropriate mechanisms for engaging the Members in the discussion of growth and ultimately enabling political decisions to be made. | All Heads of Planning to ensure Portfolio Members are appropriately briefed on Duty Matters |
| Dealing with new data/updates | Need to find a means of allowing individual plans to progress and deal with potential challenges arising from new or updated data from other authorities within the group. This could be via existing LEP meetings, but ensure that neighbours in adjacent LEP areas are also kept informed. | All policy team leaders / Heads of Planning to discuss at existing LEP meetings. |
| Agree 'shared assumptions' for new evidence base creation | Local authorities should devise a number of themed headed sheets on evidence-base shared assumptions.<br>Agreement should be achieved on shared assumptions. | All Policy Team Leaders to share suggested assumptions and then Team Leaders to circulate, meet and agree. |
| Gain permission within Local Authorities and at Duty to | Local authorities should collectively agree the concept of 'deputy' officers being present at meetings where Duty to Cooperate matters are discussed to ensure an | All Local Authorities to get agreement and nominate a |

| Issue | Task/Action | Date/Responsibility |
|---|---|---|
| General | | |
| Cooperate meetings to 'deputise' officers | LA can be continually engaged. | deputy internally. LEP Group meetings to give permission for deputies to attend. |
| Arrange bi-monthly telecons on themed Duty to Cooperate issues | Bi-monthly short telecom catch ups on key Duty to Cooperate themes could ensure knowledge-sharing and on-going collaboration between officers | All Policy team leaders |
| LEP wide/focussed tasks | | |
| Timings of plan-making and LEP funding submissions | Understand timescales for LEP work & Local Authorities Local Plan requirements – aim to align as much about strategic employment sites, housing sites and infrastructure 'pinch-points' as possible particularly evidence base, assumptions etc. | LEP groups and all Local Authorities |
| Communication with the LEP | Improve communication by the LEP with the partner local authorities. Encourage LEP to share Information about what they are doing that impacts on local plan process.<br>Develop a 'long-term' plan for engagement. | LEP groups and all Local Authorities |
| Creation of a LEP Duty to Cooperate Webpage | LEPs were encouraged to dedicate a webpage to duty-to-cooperate issues and store minutes of relevant meetings. | LEP groups |
| Develop an integrated and consistent high level vision across LEP boundaries | Local authorities and LEPs to agree on a strategic vision and principles for the role of place-based growth. Use RSS sub-regional policies and principles as a starting point. | LEP groups and all Local Authorities |
| Employment and Infrastructure issues | | |
| **Governance** | | |
| Formalise meetings on specific infrastructure issues | Formal engagement around specific infrastructure issues, including the A1 group and the more-informal A64 Officers Group, were considered to be a good example of collaboration on strategic issues.<br>This model will need to be replicated across other strategic infrastructure 'pinch-points' by devising functional groups of Local Authorities for tackling issues and attracting funding with statutory bodies | All Local Authorities and Prescribed Bodies (where relevant to issue) |
| **Evidence** | | |
| Spatial dimension mapping | Need to map strategic employment sites, LEP strategic employment priorities and | LEP groups and all Local |

| Issue | Task/Action | Date/Responsibility |
|---|---|---|
| General | | |
| | key infrastructure 'pinch-points.<br>Map key commuting trends and changing demographics.<br>Ensuring information shared and understood. | Authorities |
| Define a broad vision of strategic employment priorities | Using the map created above, define a broad vision of strategic employment priorities, the types of jobs the Workshop Area would like to attract and the key infrastructure 'asks'. | LEP groups and Local Authorities (where relevant to issue) |
| Evidence gathering and studies – ensuring consistency and relational capacity | Local Authorities within the Workshop Area were working towards new and updated retail growth studies, employment land reviews and infrastructure studies; therefore there is a need to develop templates on shared assumptions for each type of evidence base document. | All Local Authorities |
| Housing | | |
| What are the appropriate SHMA areas? | Historically, Local Authorities have worked together to understand strategic housing market areas. Authorities are now considering individual updates to the existing evidence which may result in a change in market areas with new data from census relating to: Travel to work patterns; Household formation<br>1. Workshop Area authorities to understand whether a joint SHMA update would be achievable?<br>2. Map existing HMA areas and agree were modifications may arise<br>3. Identify cross boundary issues and agree where individual discussions need to be held | All Local Authorities |
| Understand neighbouring Local Authority's Growth Strategies and LEP Growth Priorities | Local authorities will need to understand neighbouring growth strategies and the growth strategies of the LEPs.<br>Discussions on 'policy choice', LEP growth scenarios and modelling choices could allow Local Authorities to justify their position against strategic level decisions. | LEP groups and all Local Authorities |
| **Evidence Base** | | |
| Inconsistent approach to new data | On release of a 'Travel to Work' update from National Statistics, Local Authorities and Statutory bodies should arrange a series of meetings to map connectivity priorities with housing delivery. | All Local Authorities |
| Shared Assumptions | Based on the Appendix (which sets out the Housing and Employment Flow Diagrams for undertaking evidence base documents), further discussions should surround the shared assumptions which could be translated across individual | All Local Authorities |

| Issue | Task/Action | Date/Responsibility |
|---|---|---|
| General | | |
| | evidence base documents. | |

# Annex 8: Issues raised by local authorities, other local government organisations, Government Departments and other agencies in relation to the LDF Core Strategy (as the antecedent to the Local Plan)

**Issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)**

| Issue | Body | Comment |
|---|---|---|
| **Preferred Options** | | |
| Spatial Strategy | Local Government Yorkshire & the Humber | We consider that the spatial strategy is generally emerging in line with the RSS. |
| | Yorkshire Forward | Welcomes approach. Text in 3rd bullet point should be amended to reflect sub-regional role of York relates to economy, as well as shopping and entertainment. |
| | East Riding of Yorkshire Council | These [Paragraphs 3.14 -3.15 in the context of The Relationship between York and its Surrounding Settlements] could be expanded to consider relationship between York and settlements within East Riding of Yorkshire. |
| | Government Office | [Paragraphs 3.6 -3.7 in the context of The Relationship between York and its Surrounding Settlements] Were there other potential areas of search that were discarded? If so have they been subject to SA? If there are no other reasonable options must be able to justify at submission. Important to show clear audit trail of how core strategy has developed. Need to be able to demonstrate that proposed sites, which are not commitments with planning permission, are the best/only alternatives |
| | Highways Agency | Would like to work with Council to investigate implications of development in local service centres and villages, e.g. inclusion of Dunnington will lead to increased congestion at A64 junction with A1079 and A166. |
| | | Would like to see evidence for need for industrial and distribution related employment within York. Upper and Nether Poppleton are considered to have a significant impact on SRN. |
| | North Yorkshire County Council | Overall distribution of development, focusing on main urban area, is welcomed and supported |
| | Yorkshire Water | Land allocated in draft Green Belt less likely to benefit from existing infrastructure. Housing and employment sites would almost certainly require new on and off site sewers and water mains. Sites allocated would need to be phased to coordinate with Yorkshire Water's infrastructure provision. No allowance for growth in these areas in 2010-2015 Business Plan. |

**Issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)**

| Issue | Body | Comment |
|---|---|---|
| Housing Growth, Distribution, Density Mix and Type | North Yorkshire County Council | Measures to ensure early definition of Green Belt are to be welcomed. However, RSS is being reviewed and current work on IRS suggests that housing growth figures for the region will need to rise. Need to be aware this may have implications for amount of land to be excluded from Green Belt. |
| | Local Government Yorkshire & the Humber | We would welcome a discussion on the need for the Core Strategy to explore the impacts of higher than RSS housing targets, particularly in the context of drawing a green belt that needs to endure. PPS12 and PPS3 note the need for plans to take account of such rises that may result from household change. |
| | Yorkshire Forward | Housing growth is in line with RSS and so is supported. Particularly welcome concentration of 98% of growth within, or adjacent to, City of York. |
| | Government Office | Will need to be a very strong argument that York cannot develop urban extensions before windfall can be considered acceptable. |
| | English Heritage | SHMA findings underline need for an understanding of capacity of York to accommodate further development. If more housing is to be provided as family houses, what does this mean in terms of likely land take over next twenty years? Is City able to accommodate this level of growth without harm to its character? At moment, many of decisions affecting City are being made with no assessment of what they will mean for its character. |
| | Highways Agency | York North West, Hungate, Nestle, Germany Beck, Derwenthorpe, Terry's, Monks Cross and Metcalfe Lane are considered to have a significant impact on SRN. Further consideration of these sites should take into account following statement: - “A development of this size and in this location would have a significant impact on the Strategic Road Network, which would require mitigation. Improvements to the SRN are considered only as a last resort. Instead a range of sustainable transport options for people using the development needs to be developed through the use of travel plans.” Would like to be involved in future analysis of clusters of potential sites to ensure that potential cumulative impact of sites is fully analysed at later stages |

**Issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)**

| Issue | Body | Comment |
|---|---|---|
| Transport | Yorkshire Forward | Important that new development is focussed in most sustainable and accessible locations to minimise need to travel. |
| | Highways Agency | [Local Issues] Any improvements identified need to be realistic and have an agreed funding source. If infrastructure improvements are considered to be critical to delivery of LDF, and do not have a realistic funding source, document will be considered unsound.<br>[Strategic objectives] Concerned about objective "maximising the potential of potential rail station". Any transport infrastructure critical to delivery of development must be deliverable. Unacceptable to allocate development on basis of a potential rail station, without an identified source of funding and delivery mechanism<br>[Policy CS12] Will only consider improving SRN to meet traffic generated by new development as a last resort, even if extra capacity is to be funded by private sector. Instead encourage developers to provide a range of sustainable travel options for people using their development through use of Travel Plans. Also suggested extensive additions to policy text. |
| | Harrogate Borough Council | Support proposals for tram train. Would like to see proposals as part of wider network including Harrogate Line and link to Leeds/Bradford Airport. However, if proposal proceeds in isolation wish to ensure that impact of development on operation of Harrogate Line would not reduce level of service nor reduce ability to undertake improvements to service frequency or infrastructure on this line, particularly ability to provide dual track along existing single track sections and possible halts at Knaresborough East and Bilton Harrogate. |
| | East Riding of Yorkshire Council | Welcomes consideration given to re-opening of the Beverley to York rail line. Trusts this will continue to be included as a firmer policy approach is developed and that the route will be safeguarded when allocating land through the Allocations DPD. |
| | Government Office | [Policy CS12] Needs to be firmer, particularly where transport improvements are required to ensure delivery of other parts of strategy. Deliverability needs to be much more up-front, with consideration of whether there is a need for fallback scenarios. |

**Issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)**

| Issue | Body | Comment |
|---|---|---|
| | Yorkshire Forward | Some concern about appropriateness of future development in vicinity of ring road that relies on these improvements taking place, or that relies on rail improvements, unless suitable funding regimes are identified. While some improvements to northern outer ring road are probably necessary to improve congestion, overall likely to be an expensive process for which only partial funding has been identified. While tram-train is an aspiration within Leeds City Region it does not yet have Network Rail support and no funding identified. Some doubts about economic viability of reinstating York-Beverley rail line. Need to consider implications for future development if not possible for all these projects to progress to completion. |
| | English Heritage | Overall, broadly support measures. However: - Transport strategy should be not simply to reduce congestion but, rather, to reduce adverse impacts which all forms of transport might have upon environment. |
| **Submission (Publication)** | | |
| Vision | English Heritage | Support particularly intention to strike balance between physical growth and environmental sustainability and ensure that environmental consequences are adequately understood and managed |
| Spatial Strategy | English Heritage | Support requirement that sites or future areas for development will need to ensure they will safeguard special historic character and setting. |
| | Hambleton district Council | Concerned about flexibility of planning for York to ensure that long term development needs can be met, without adversely impacting on neighbouring parts of Hambleton District lying outside Green Belt. Would be useful to identify 'safeguarded land' to meet longer term needs, stretching well beyond plan period, in accordance with draft National Planning Policy Framework and PPG2. The identified Areas of Search are required for plan period and from current discussions only appear to provide for approximately a 2.5 year over supply of housing. |

**Issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)**

| Issue | Body | Comment |
|---|---|---|
| Housing Growth and Distribution | East Riding of Yorkshire Council | The proposed housing growth of 800 dwellings per annum (not meeting RSS and using 2003 projections) against up to 1,000 jobs is a concern as this could put pressure on East Riding ***** <br><br> Important to clarify that housing and employment growth in city are balanced and seek to reduce (or at least not exacerbate) level of commuting from neighbouring authorities. |
| | Hambleton District Council | [Policy CS6] See Spatial Strategy comment |
| | North Yorkshire County Council | Concerned with the scale of growth proposed and 'unmet demand' because housing requirement is below RSS requirement, it was argued that this will cause displacement and neighbouring authorities will have to meet this unmet demand.***** |
| | Selby District Council | ...the Inspector was concerned that housing figures must be justified, not that specific projections must be used. To this end, it is important to pull together evidence to demonstrate if RSS is still appropriate.***** <br><br> Concerned that if York is being over cautious leading to under provision in plan period this will lead to pressure on Selby. |
| | Ryedale District Council | Housing and transport identified as biggest cross boundary issues for Ryedale and York and suggested that a memorandum of understanding that contained growth levels would be useful to ensure no unmet demand across the sub region.***** |
| Transport | East Riding of Yorkshire Council | Queried why the Beverly to York railway line has been taken out of the submission draft document without any consultation... Would have liked to have seen reference to it being a long term aspirations in supporting text.***** |
| | Highways Agency | Does not address issue of long distance commuting into York from neighbouring authorities and the implications of this on the strategic road network. None of the measures outlined would do anything to significantly relieve capacity issues on the A64 created by future development. Need to insert references to the following into the Strategic Transport Priorities: - Reference to the importance of travel plans; measures to reduce congestion along the A64 and at junctions on the A64; |
| **Note** Comments denoted thus (*****) From meeting with neighbouring authorities 19 October 2011 | | |

# Annex 9: City of York Local Plan Duty to cooperate Matrix

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
|---|---|---|---|---|---|---|---|---|---|
| *Ref* | *Summary of the issue (the topics below all should be considered along with any other locally identified strategic priority* | *Description of why it is an issue for neighbouring authorities* | *Details of the authorities affected by the issue* | *Evidence to show there is an issue (including links to source documents)* | *Details of where or how the issue was discussed* | *Details of how the issue can be overcome or managed* | *How the issue will be monitored including key indicators and trigger points* | *Agreed actions (including who lead & timescale)* | *Expected positive outcome from agreed actions* |
| NPPF Para 156 link -Homes and jobs needed in the area | | | | | | | | | |
| 1 | Scale of housing growth (21,936 dwellings over the plan period) | • Higher levels of housing in York are coordinated with those of other authorities to meet overall requirements of the Objectively Assessed need within the SHMA and York Sub-area.<br>• There is a potential pressure on surrounding District's to provide more housing and puts pressure on house prices on their house prices therein if needs are not fully met in York | • SHMA geography<br>• York Sub-area (Part) comprising the City of York and parts of the following:<br>○ Harrogate Borough<br>○ Ryedale District<br>○ East Riding of Yorkshire<br>○ Selby District<br>○ Hambleton District<br>○ NYMNP | • The North Yorkshire and York Strategic Housing Market Assessment (2011) shows the York housing market extends beyond the City of York local authority boundary and that people who work in York have in many cases sought housing in the adjoining districts<br>• York Sub-area study<br>• 2011 Census travel to work data (when available)<br>• ONS sub-national population projections and mid-year population estimates.<br>• Scale of housing growth in York enables York to meet its own needs without adding any undue pressure on the ability of neighbouring authorities to meet their own assessed needs. | • Meeting with East Riding of Yorkshire Council 02/07/13<br>• Meeting on 17/03/14 with adjoining authorities to discuss Housing policy in the York Local Plan<br>• York Local Plan Housing Provision and Land Supply in the Plan area and the Housing Market area Technical Meeting with adjoining authorities 29/07/14 | • Evidence and constraint mapping to determine coordinated housing levels that enable each authority to develop sustainably and address concerns relating to the potential for increased inward commuting.<br>• Supporting a more balanced provision of jobs and homes. . (need to identify mechanism to monitor ensure this within Plan)<br>• Identifying impacts of specific allocations on adjacent authorities within the SHNA geography and York Sub-area | • Annual housing completions<br>• 5-year completions to trigger review of development targets<br>• Commuting patterns and traffic flows<br>• Public transport patronage data | • City of York Council is progressing with the production of Local Plan in order to ensure sufficient suitable sites available within its local authority area boundary to meet the needs of an increasing population. | • The analysis, the general direction and purpose of the work undertaken by City of York to analyse the extent of the York housing market area (HMA) and information on housing land supply across the market area are all supported. |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
|---|---|---|---|---|---|---|---|---|---|
| 2 | Scale of employment growth (134,516m$^2$ B1–B8 and 164,394m$^2$ other) | • Potential to increase inward commuting from adjacent authorities | • Leeds City Region (part)<br>• North Yorkshire and York Sub-Region (part)<br>• York Sub-area (part) comprising the City of York and parts of the following:<br>○ Harrogate Borough<br>○ Ryedale District<br>○ East Riding of Yorkshire<br>○ Selby District<br>○ Hambleton District | • York/ North Yorkshire/ East Riding LEP: Strategic Economic Plan Consultation<br>• Draft (Dec. 2013)<br>• Full (Mar. 2014)<br>• City of York Council Economic and Retailing Growth Analysis and Visioning Work (2013) indicates that for a scenario based on higher growth in the key growth sectors for York, its economy could support up to 16,169 additional jobs by 2030 (on average approximately 1000 jobs per year)<br>• Work with other (adjoining) authorities to gather evidence on the diversion of trade from other centres | | • City of York Local Plan will focus economic development in the city centre and other sustainable locations and support a more balanced provision of jobs and homes.<br>• The emerging East Riding strategy includes supporting economic growth in the area immediately to the east of York so as to reduce out commuting and improve the overall sustainability of the area.<br>• Flexibility in site release to meet 5yr supply requirements | • Annual monitoring of employment permissions / completions<br>• Annual job growth figures<br>• Annual traffic counts<br>• Commuting patterns and traffic flows<br>• Public transport patronage data<br>• Links between employment growth and housing growth | • The City of York Local Plan seeks to ensure sufficient employment land is available to foster and enhance the economic base that already exists and enable York to continue as a 'Sub-Regional City' and a driver for the sub-Area's economy. | |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
|---|---|---|---|---|---|---|---|---|---|
| NPPF Para 156 link - Provision of retail, leisure and other commercial development | | | | | | | | | |
| 3 | Retail growth | • Draw of York's city centre and its other retail areas extending the retail catchment beyond its local authority boundaries<br>• Potential to increase inward retail trips from adjacent authorities<br>• Potential negative impact upon vitality and health of the centres of surrounding settlements. | • North Yorkshire and York Sub-Region (part)<br>• York Sub-area (part) comprising the City of York and parts of the following:<br>○ Ryedale District<br>○ East Riding of Yorkshire<br>○ Selby District<br>○ Hambleton District<br>○ Scarborough Borough | • City of York Council Economic and Retailing Growth Analysis and Visioning Work (2013) indicates that positive growth in retail shown in the economic forecasts demonstrate there is an opportunity to expand the retail sector in York. Based on long-term trend (2012-20) analysis, total floorspace in the city centre could increase by 34,000m$^2$ (more if based on short term trend)<br>• The Retail Study Update 2014 | | • City Centre, district and local centres to form the focal point for uses, services and facilities.<br>• To maintain the vitality and viability of the City Centre through its function as a Primary Shopping Area (PSA) and strategic retail allocation at Castle Piccadilly<br>• Reduce travel by private car and increase use of more sustainable forms of travel (walk, cycle and public transport) | • Annual monitoring of new net retail floorspace in York.<br>• Annual retail sector job growth figures<br>• Annual traffic counts<br>• Public transport patronage data<br>• Monitoring of retail trends in surrounding districts and settlements. | • The City of York Local Plan establishes a retail hierarchy policy and more specific policies relating to City Centre retail, Out of Centre retail and district centres, local centres and neighbourhood parades.<br>• The Local Plan also contains policies to reduce travel by private car and increase use of more sustainable forms of travel (walk, cycle and public transport) | |
| 4 | Leisure | • International, National and Regional draw of York as a leisure (tourism) destination<br>• York as the 'Gateway to Yorkshire'<br>• Potential to increase inward leisure trips<br>• Wider benefits to surrounding areas with linked leisure trips, tourist accommodation offer in neighbouring | • Leeds City Region (part)<br>• North Yorkshire and York Sub-Region (part)<br>• York Sub-area (part) | • York is one of the UK's most attractive places to live in and visit.<br>• 'Economic Impact of Tourism, Yorkshire 2008' stated York attracted 7 million visitors per year (5.9 million tourist and 1.1 million business) | | • The reduction of through traffic, and improving the public transport offer, coordinated with public transport provision nationally, regionally, sub-regionally and in the York Sub-area. | • Visitor surveys (for York and Yorkshire)<br>• Annual traffic counts<br>• Public transport patronage data | • The City of York Local Plan contains a policy relating to Leisure employment use (D2) at Naburn Designer Outlet (12,000m$^2$)<br>• The Local Plan also supports the reduction of through traffic, improving the public transport offer (through the delivery of strategic public transport improvements) and the delivery of a bus interchange at York Railway Station | |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
|---|---|---|---|---|---|---|---|---|---|
| | | areas and need for wider tourism promotion / coordination | | | | | | | |
| 5 | Other commercial development | • None identified | • N/A | • N/A | • | • N/A | • N/A | • N/A | • |
| NPPF Para 156 link - the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat) | | | | | | | | | |
| 6a | Physical infrastructure Transport | • Increased traffic on the Strategic Road Network (principally the A64)<br>• *Radial routes*<br>○ *A19N&S;*<br>○ *A59*<br>○ *B1224 etc*<br>• *York ORR* | • A64 between its junction with the A1(M) and Scarborough<br>• Leeds City Region (part)<br>• North Yorkshire and York Sub-Region (part)<br>• York Sub-area (part)<br>○ *Harrogate*<br>○ *Selby*<br>○ *East Riding*<br>○ *Scarborough*<br>○ *Ryedale*<br>○ *Hambleton* | • City of York Strategic Transport Model outputs.<br>• Highways Agency MAT tool and Dynameq modelling outputs<br>• Specific junction modelling outputs (e.g. A64 Grimston Bar)<br>• A64 Corridor Connectivity Study Final Report (2011) states that significant increases in traffic flows are forecast on the western section of the A64 towards York. Forecast flows to the east of Malton are comparatively low.<br>• Traffic counts on A64 commissioned by the Highways Agency<br>• Traffic Counts at the A64/A1079 Grimston Bar interchange (including A166 and Elvington Lane) commissioned by East Riding Of Yorkshire | • Local Government North Yorkshire and York Spatial Planning and Transport Board meetings<br>• Local Government North Yorkshire and York Spatial Planning and Transport Technical Officer Group meetings<br>• Leeds City Region Strategic Planning (Duty to Cooperate) Group Meetings<br>• A64 Officers Group<br>• Meetings between City of York Council and the HA (plus East Riding Council and NYCC as appropriate) on:<br>○ 27/11/12<br>○ 21/05/13<br>○ 23/09/13<br>○ 18/11/13<br>○ 16/12/13<br>○ 30/01/14 | • Transport Assessments, Travel Planning and promotion of more sustainable forms of transport to reduce future traffic growth.<br>• Strategic public transport improvements (e.g. Haxby Rail Station)<br>• Strategic highway network improvements (e.g. A64/A1079/A166/Elvington Lane junction improvements at Grimston Bar<br>• 'softer measures' to encourage modal shift to forms of transport more sustainable than private motorised transport (car) | • Annual traffic counts<br>• Commuting patterns and traffic flows<br>• Public transport patronage data<br>• Number and performance of Travel Plans implemented<br>• Completions of required infrastructure | The City of York Local Plan contains a policies relating to :<br>• Permitting development in accessible locations<br>• Implementing strategic public transport improvements (including Haxby Rail Station)<br>• Minimising and accommodating trips<br>• Demand Management<br>• City of York Council is working in partnership with East Riding of Yorkshire Council and the Highways Agency to determine improvements needed at A64/A1079/A166/ Elvington Lane junction.<br>• *Work with HA: NYCC:SBC:RDC&ERYC on A64 through the A64 Officers Group* | • It is envisaged Local Plan policies and investment in public transport will enable 15% of trips to be undertaken using public transport<br>• Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy<br>• HA undertaking route strategy feasibility studies for A64<br>• A64 Officers Group constituent local authorities are contributing to a complementary feasibility study for |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Council (2013)<br>• Outputs of traffic modelling undertaken for the 'Transport Implications of the Local Plan Preferred Options (June 2013)' indicates there could be significant increases in demand on the A64<br>• City of York Local Plan Transport Infrastructure Investment Requirements Study | ○ 15/08/14<br>○ 19/08/14 | | | • *Work with SDC HDC & HBC on A19 & A59.*<br>• What if infrastructure cannot be delivered and congestion worsens – what would be the policy response / mitigation be? | improving a section of the A64.<br>• Indicative assessment of the scale of improvements required (and costs) to the A64/A1079/A166/ Elvington Lane junction improvements at Grimston Bar<br>• Sufficient investment in local transport infrastructure to achieve a lower level of delay on the A64 than may have been realised, otherwise. |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
|---|---|---|---|---|---|---|---|---|---|
| 6b | Physical infrastructure Transport | • Increased congestion in and around York | | • Traffic Modelling undertaken for the 'Transport Implications of the City of York Local Plan Preferred Options (June 2013)' indicates traffic delay could increase by 2.75 times its current value by 2030<br>• City of York Local Plan Transport Infrastructure Investment Requirements Study | | • Transport Assessments, Travel Planning and promotion of more sustainable forms of transport to reduce future traffic growth.<br>• Strategic Public transport improvements (e.g. enhanced Park & Ride and improved bus turn-around and interchange at York Station)<br>• Strategic highway network improvements (e.g. James Street Link Road Phase II)<br>• Strategic cycling/pedestrian network links and improvements<br>• 'softer measures' to encourage modal shift to forms of transport more sustainable than private motorised transport (car) | • As above | • The City of York Local Plan contains a policies relating to :<br>○ Permitting development in accessible locations<br>○ Implementing strategic public transport improvements (including Access York Phase I and improved bus turn-around and interchange at York Station)<br>○ Implementing strategic highway network capacity improvements (e.g. James Street Link Road Phase II and improvements to A1237 junctions)<br>○ Minimising and accommodating trips<br>○ Demand Management | • Sufficient investment in local transport infrastructure to achieve a lower level of delay on the network than may have been realised, otherwise |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
|---|---|---|---|---|---|---|---|---|---|
| 6c | Physical infrastructure Transport | • Increased traffic on the locally strategic road network (principally the A1237 York Outer Ring Road (northern section)) | • Leeds City Region (part)<br>• North Yorkshire and York Sub-Region (part)<br>• York Sub-area (part) | • Outputs of traffic modelling undertaken for the 'Transport Implications of the Local Plan Preferred Options (June 2013)' indicates there could be significant increases in demand on the A1237<br>• City of York's Local Transport Plan 2011-2031 (LTP3) states that '*Most out-of-town development is located on the northern ring road (A1237), which also serves as a connecting road for other traffic. This road is single carriageway with twelve roundabouts over 10 miles, which restricts its capacity and increases conflict'*...such that *'Journey times on sections of the A1237 Outer Ring Road are long and unreliable at busy times of day.'*<br>• City of York Local Plan Transport Infrastructure Investment Requirements Study | | • Transport Assessments, Travel Planning and promotion of more sustainable forms of transport to reduce future traffic growth.<br>• Strategic Public transport improvements (e.g. enhanced Park & Ride)<br>• Strategic highway network improvements (e.g. Carriageway and junction capacity enhancements on the A1237)<br>• Strategic cycling/pedestrian network links and improvements<br>• 'softer measures' to encourage modal shift to forms of transport more sustainable than private motorised transport (car) | • As Above | • The City of York Local Plan contains a policies relating to :<br>○ Permitting development in accessible locations<br>○ Implementing strategic public transport improvements Implementing strategic highway network capacity improvements (e.g. Carriageway and junction capacity enhancements on the A1237)<br>○ Minimising and accommodating trips<br>○ Demand Management | • Sufficient investment in local transport infrastructure to achieve a lower level of delay on the network than may have been realised, otherwise |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
|---|---|---|---|---|---|---|---|---|---|
| | | | *NYCC agrees that York ORR dualling route is protected.*<br>• *Need strategic vision do not want piecemeal development*<br>• *Consider "ringmaster approach*<br>• *Cumulative Impacts*<br>*Consider adjacent Plans* | | | | | • *NYCC suggest that York ORR sites are not accessible due to congestion. Consider circular P&R* | |
| 6d | Physical infrastructure Transport | • Connectivity between York, Harrogate and Leeds<br>• Connectivity across wider NY Sub-Region including Selby, Ryedale, Hambleton, Harrogate, Scarborough etc…. | • City of York<br>• Harrogate Borough<br>• Leeds City<br>• NY sub-region | • Leeds – Harrogate – York Rail Line Improvements, Outline Transport Business Case states *'Increasing the capacity of the line will offer opportunity for rail services to accommodate an increased number of passengers with associated revenue, with the service capacity increase able to support economic development along [the] rail line corridor.'* | | • Improved Rail services between York, Harrogate and Leeds | • Completion of measures recommended in Leeds – Harrogate – York Rail Line Improvements, Outline Transport Business Case | • The adopted Harrogate Core Strategy includes significant improvement to rail services between Harrogate, Knaresborough and York In its vision<br>• City of York Local Plan contains a policy relating to the pursuit, in the long-term, of the introduction of tram/train technology or other technology applications on appropriate rail routes and new rail stations/halts for heavy or light rail services | • Agreement between City of York Council, Harrogate Borough Council and NYCC for improved Rail services between York, Harrogate and Leeds.<br>• NYCC intention to fund sections of double-tracking York-Harrogate-Leeds line |
| | *Need to link to parking etc at stations on the route to ease A59 congestion* | | | | | | | | |
| 7a | Physical infrastructure Waste and Minerals | • Sustainable Waste Management | • North Yorkshire and York Sub-Region<br>○ York<br>○ North Yorkshire<br>○ North York Moors | • Let's talk Rubbish, Headline Strategy, A municipal Waste Management Strategy for the City of York and North Yorkshire 2006 - 2026 and the City of York's Waste Management | • | • At a sub-regional level:<br>• Develop facilities to manage residual municipal waste<br>• Safeguard existing facilities<br>• Identify suitable alternative facilities for municipal waste | • Waste recycling disposal tonnage | • Joint City of York, North Yorkshire and North York Moors Waste and Minerals Local Plan<br>• Joint working with North Yorkshire County Council on the Energy from Waste project at | • The Joint Plan is approaching the preferred options stage and it is anticipated to reach adoption by the end of 2016. |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
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| | | | | Strategy 2002 – 2020 highlight the importance of developing waste management schemes and services which will enable York to meet local, sub-regional and national recovery and recycling targets. | | and other waste streams | | Allerton Park (or other alternate provision) | |
| 7b | Physical infrastructure Waste and Minerals | • Mineral Extraction | • North Yorkshire and York Sub-Region<br>○ York<br>○ North Yorkshire<br>○ North York Moors | • Local Aggregate Assessment for the North Yorkshire Sub-Region (2013) indicates there are no existing working sand and gravel sites or reserves (with planning permission) in York | • | • Avoid sterilisation of potential future sources | • Planning Permissions granted for purposes other than minerals extraction that could sterilise potential future sources of sand and gravel | • Joint City of York, North Yorkshire and North York Moors Waste and Minerals Local Plan will set out mineral safeguarding areas and policies to avoid sterilisation of such resources | • The Joint Plan is approaching the preferred options stage and it is anticipated to reach adoption by the end of 2016. |
| 8 | Physical Infrastructure Energy | • Proliferation or uncoordinated provision of renewable energy facilities<br>• Cumulative impact of renewable energy facilities within and across City's administrative area.<br>• Amenity impacts upon neighbouring communities beyond the | • North Yorkshire and York Sub-Region<br>• York Sub-area, particularly at local authority borders<br>• River Derwent Corridor on York-East Riding border | • Indicative targets for installed grid connected renewable energy within the RSS and specific targets are given (therein) for York. However, these have been largely superseded by the outcomes of more locally specific studies<br>• A Renewable Energy Strategic Viability Study for York (2010)<br>• City of York Council Renewable Energy Study (2014) | • Meetings with East Riding Council<br>• (2-7-13) | • Joint working and coordination required<br>• Further work on a revised renewable energy study places additional constraints on areas of search for renewable energy including the removal of areas of importance for nature conservation. | • Allocations and applications | • Effective cooperation and joint working to avoid proliferation or uncoordinated provision of renewable energy facilities<br>• River Derwent SSSI has been removed from the areas of search or renewable energy along with other areas of constraint. | • Local Plan contains a criteria based policy and will allocate 3 sites for solar energy. The policy states that "Significant weight will be given to the wider environmental , economic and social benefits arising from renewable energy schemes as |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
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| | | City boundaries (proposed policy response is..).<br>• Impact of Potential Areas of Search for Renewable Energy on the River Derwent SSSI | | | | | | | well as the anticipated individual and cumulative effects that schemes may have on:"<br>• Supporting text refers to cross boundary impacts and the need for discussion with relevant neighbouring authorities.<br>• The revised Renewable Energy Study (2014) identifies revised areas of search for wind energy which excludes the River Derwent Corridor. |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
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| NPPF Para 156 link - Homes and jobs needed in the area | | | | | | | | | |
| 9 | Gypsies, Travellers and Showpeople | • Uncoordinated provision of suitable sites leading to over-provision or under provision at the Sub-regional / Sub-area level<br>• Impact would extend to surrounding Districts if York don't meet its own needs | • North Yorkshire and York Sub-Region<br>• York Sub-area, particularly at local authority borders | • A new joint Harrogate Borough Council / Selby District Council study indicates there is relatively small need in the respective authority areas.<br>• City of York Gypsy, Travellers and Showpeople Accommodation Needs Supporting Paper indicates 63 Gypsy and Traveller Pitches plus 21 Showpeople plots required to 2023/24<br>• North Yorkshire Gypsy and Traveller Accommodation Assessment | • Leeds City Region Strategic Planning (Duty to Cooperate) Group meetings | • Joint working and coordination required<br>• From the interviews as part of the GTAA, a number of positive relationships have been formed by City of York Council Officers, representative groups and neighbouring authorities:<br>• An Officer highlighted the relationship with Ryedale and Hambleton regarding the large unauthorised encampment and works with environment and health departments in various districts. As discussed, the City of York has taken a lead on trying to find a suitable piece of land for the group.<br>• An Officer explained working with Hull City Council to rehouse Traveller families.<br>• Travellers Trust work with neighbouring areas and other Traveller support/representati | • Allocations and applications | • York Gypsy and Traveller Strategy<br>• City of York Gypsy, Roma, Traveller and Showpeople Accommodation Assessment 2014<br>• City of York Gypsy, Roma, Traveller and Showpeople Site Assessment 2014<br>• City of York Local plan includes a policy for the supply of Gypsy and Traveller pitches and Showpeople plots | • There are no pressing cross border issues reported with other Yorkshire authorities, but neighbouring areas and the City of York have started working together to share the methodologies and findings from their GTAAs, establish a greater understanding of travelling patterns, regularly exchange information, share best practice on site management, and develop a common protocol for managing unauthorised encampments. This work is already underway with Wakefield and |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
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| | | | | | | ve groups including Leeds GATE.<br>• The Traveller and Ethnic Minority Support Service have liaised with people in Lincoln, Doncaster and Leeds. | | | York leading on a project to develop a common methodology to identify sites for the Leeds City region strategic planning (duty to cooperate) group. |
| NPPF Para 156 link - The provision of health, security, community and cultural infrastructure and other local facilities | | | | | | | | | |
| 10 | Social infrastructure Education Establishments | • *Travel to education establishments outside York and travel into York's education establishments from outside York* | • York Sub-area (part) particularly the following:<br>○ Harrogate Borough<br>○ Ryedale District<br>○ East Riding of Yorkshire<br>○ Selby District<br>○ *Hambleton District* | • Information provided by respective authority's 'education teams' | • Meeting between CoYC and NYCC on 10/06/14<br>• Meeting between CoYC Forward Planning and Education teams on 12/06/14 | • Joint working and coordination required N/A | • Location of new / enlarged education establishments either allocated or constructed in relation to residential allocations | • Coordinate School Catchment Plans etc. to assess likely impacts (NYCC to lead) | • Better planned school placements and home to school transport services |
| NPPF Para 156 link - Climate Change mitigation and adaptation, conservation and enhancement of the natural and historic environment | | | | | | | | | |
| 11 | Natural Environment | • Flood Risk | • City of York<br>• North Yorkshire and York Sub-Region<br>• York sub-area | • City of York's Strategic Flood Risk Assessment<br>• Draft City of York Flood Risk Management Strategy | | • Avoidance of creating flood management issues in neighbouring local authorities | • Flood events<br>• Implementation of Catchment Flood Management Plans | • York's Local Plan contains policies which seek to:<br>○ Manage Flood risk<br>○ Reduce surface water run-off<br>• Development of Catchment Flood Management Plans for the Yorkshire and North East Region | • CYC has taken on role as Lead Local Flood Authority and has prepared a (Draft) Flood Risk Management Strategy. It also contains a Strategic Action |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
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| | | | | | | | | | Plan for all Risk Management Authorities. The Council will work in partnership wit the Environment Agency and other Risk Management Authorities. |
| 12a | Natural environment | • Green Infrastructure Corridors | • City of York<br>• North Yorkshire and York Sub-Region<br>• York sub-area<br>• Local Nature Partnership areas | • Regional Biodiversity Strategy<br>• River Basin Management plans | | • Retention and enhancement of Green Infrastructure Corridors<br>• Joint planning to seek to align GI corridors across boundaries | • Extent of green corridors retained or enhanced | • Leeds City Region Green Infrastructure Strategy | • Development of a York Green Infrastructure Strategy as stated in policy GI1 will involve cross-boundary working and delivery mechanisms. |
| 12b | Natural environment | • Water Environment<br>o River Ouse<br>o River Derwent | • Swale, Ure, Nidd & Upper Ouse Catchment<br>• Yorkshire Derwent Catchment | • Water Framework Directive<br>• Emerging Joint Management Strategy for the River Derwent<br>• Humber River Basin District: Challenges Summary of significant water management issues, A consultation and choices consultation, | • Meeting With Environment Agency 30/09/13<br>• Meeting with East Riding Council 2/7/13 | • Close Liaison with the Environment Agency | • Design and construction of flood defences and sustainable drainage schemes (SuDS) | • Consider impacts of man-made changes to the river shape and flow, particularly on movement of fish, in the design of flood defences and sustainable drainage schemes (SuDS) | • Alleviation of barriers to fish, mainly associated with land drainage and flood defences<br>• City of York Council is working with partners to potentially restore some of York's urban becks to reduce the impact of urbanisation on river channels. |
| 12c | Natural Environment | • Biodiversity | | • Water Framework Directive | | | | | • Development of a York Green |

| Ref | Strategic Issue | Impact | Areas affected | Evidence | Where issue discussed | Resolution / Mitigation | Monitoring | Actions / Response | Resulting Positive outcome |
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| | | | | | | | | | Infrastructure Strategy as stated in policy GI1 will involve cross-boundary working and delivery mechanisms. |

# Annex 10: Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy

# 1. Parties

**Highways Agency**
**City of York Council**
**North Yorkshire County Council**
**Ryedale District Council**
**Scarborough Borough Council**
**York, North Yorkshire and East Riding Local Enterprise Partnership**
**North Yorkshire Local Transport Body**

1.1. **The Highways Agency (HA)** is an Executive Agency of the Department for Transport (DfT), and is responsible for operating, maintaining and improving England's strategic road network (SRN), including the A64 trunk road[2].The strategic road network is a nationally significant asset and its safe and effective operation facilitates economic growth. The HA has a major role in delivering the Government's policy for investment in the English road network as set out in the command paper 'Action for roads: a network for the 21st century' and is actively developing future investment strategies for the SRN through a series of route based strategies.

1.2. **City of York Council (CoYC)** is a Unitary Authority. It is the Planning Authority and the Highway Authority for its respective geographical area. Although it has authority over local road networks, it does not, have any authority over the operation and maintenance of and improvements to the A64 trunk road[3]. As the Planning and Highway authority it has responsibility for consideration of development proposals that have consequences for travel on the local transport network and managing the impacts on the network.

1.3. **North Yorkshire County Council (NYCC)** is an 'Upper Tier' local authority which covers, geographically, the 'Lower Tier' local authorities of Craven District Council, Hambleton District Council, Harrogate Borough Council, Richmondshire District Council, Ryedale District Council, Scarborough Borough Council and Selby District Council. It is the Highway Authority for its geographic area, but is not the Planning Authority (other than for minerals and waste development and certain other county matters). Like CoYC, it has authority over its local road network, but does not have any authority over the operation and maintenance of and improvements to the A64 trunk road[4].

1.4. **Ryedale District Council and Scarborough Borough Council** are 'Lower Tier' local authorities. They are the planning authorities, but are not the highway authorities for their respective areas. The highway authorities for local roads and the SRN, respectively, are NYCC and the HA.

1.5. **The York, North Yorkshire and East Riding Local Enterprise Partnership (LEP)** is a business-led partnership with the public sector to help businesses in York, North Yorkshire and the East Riding improve and grow. LEPs are intended to grow the economy and create good quality local jobs. This includes ensuring that businesses are well connected to their customers, markets and workforce and that transport, mobile and broadband networks do not act as a barrier to growth but instead enable thriving, prosperous places where businesses are able to grow. The York, North Yorkshire and East Riding LEP identified improving east-west connections, including the A64 trunk road, as a strategic infrastructure priority for the whole LEP area. Improvement of the

[2] Includes slip roads and elements of some junctions, but the extent of these elements varies.
[3] It may have some authority and responsibilities for elements of some junctions, but the extent of these elements varies.
[4] See note 2

A64 trunk road is highlighted as a priority in the LEPs draft Growth Deal Implementation Plan, which was submitted to Government in December 2013 and will be finalised in March 2014.

1.6. **The North Yorkshire Local Transport Body (LTB)** is a partnership of transport providers and local authorities that is responsible for the management of major transport schemes delivered using devolved funding from the Department for Transport. The LEP has also agreed that the LTB will take the lead role on transport issues and schemes that are included in the SEP.

## 2. Purpose

2.1. The purpose of this Memorandum is to establish a framework for effective co-operation to enable the development and implementation of a long term programme of improvements for the A64 trunk road between York and Scarborough. The improvements will support growth focussed on York, Malton and Scarborough, whilst addressing safety concerns and taking account of sustainability and environmental issues. The programme of improvements will be based on an understanding of individual partners' aspirations and objectives and areas of mutual interest.

## 3. Background

3.1. All local authorities through which this section of the A64 trunk road passes have for many years had a desire to see it upgraded to improve access to / from the eastern areas of North Yorkshire and the Yorkshire coast as well as to improve road safety. It has long been recognised that the relatively low standard of this section of the A64 trunk road is a significant constraint on the economies of the eastern areas of North Yorkshire and the local authorities have previously co-operated to help build the case for improvement. This is reflected in the LEP identifying the improvement of east-west connections, in particular the A64 trunk road between York and the Yorkshire coast, as a strategic priority for the area in the Strategic Economic Plan.

3.2. In late 2012 the Government announced the Local Growth Fund which is aimed at funding initiatives to help enable local economic growth. As part of the York, North Yorkshire and East Riding LEP's Strategic Economic Plan the above, partners co-operated in preparing details of a bid for c£50m of funding to provide targeted improvements to the A64 between York and Scarborough.

3.3. The A64 trunk road is part of the strategic road network and the Highways Agency is therefore responsible for its operation, maintenance and improvement. As such the Local Enterprise Partnership, the local authorities, the Local Transport Board and the Highways Agency are co-operating on the development of these proposals. In particular, the other partners continue to work with the Highway Agency on the development and implementation of the route based strategy covering the A64. The local authority partners and LTB will work with the LEP and the Highways Agency to combine use of Local Growth Fund and investment identified through the route based strategy to optimum effect to deliver an agreed programme of improvements to this section of the A64 trunk road.

3.4 The A64 also extends westward beyond York, providing a vital connection with the A1, M1 and Leeds, and, therefore, forms part of the strategic road network within the Leeds City Region (LCR). The partners within this MoU will liaise with the LCR LEP to identify and implement, where possible, improvements to the A64 trunk road that will bring mutual benefits to both LEPs and their constituent organisations.

## 4. Status

4.1. This Memorandum relates to co-operation on the development of schemes and proposals for the improvement of the A64 trunk road between York and Scarborough. The strong focus will be on that specific section of the A64 trunk road between the Hopgrove roundabout[5] north east of York and the Musham Bank roundabout south west of Scarborough. However, in order to meet the growth needs of York and fulfil the LEP Growth Plan, the co-signees to this Memorandum will seek to facilitate upgrading of adjacent sections of the A1237 and A1079, which link with the A64 to the east of York. All reference to the A64 trunk road in this MoU relate solely to the section described above.

4.2. It is however recognised that there is other co-operative working between the authorities and the Highways Agency being undertaken especially under the duty to co-operate in the development of local planning proposals. Work carried out in the context of this MoU will have due regards to all other joint working on matters relating to the A64 trunk road.

4.3. This Memorandum does not and is not intended to create any legal relationship between the Partners. All matters described in this Memorandum are subject to appropriate corporate and regulatory authorisation and, where appropriate, formal agreement.

4.4. Nothing in this Memorandum shall affect the statutory or regulatory duties or responsibilities of any Party and its existence does not preclude the taking of independent actions by the respective local authorities or the HA where any party considers it is appropriate to do so.

4.5. Although the Partners agree in good faith to deliver against the agreed work areas subject to their other duties and the corporate framework within which they operate (including exploring opportunities for joint funding and other resources), this Memorandum does not commit any Party to the allocation of funds or other resources.

## 5. Aims

5.1. The shared aims of the Parties agreeing to this MoU are:

- To develop and implement proposals for improvements to the A64 trunk road to support economic growth focussed on York, Malton and Scarborough, whilst addressing safety issues.
- To develop short to medium term (to 2021) improvement plans on the A64 trunk road to an appropriate level for inclusion in bids for any funding opportunities including, but not limited to, the Local Growth Fund, the Highways Agency's route based strategies and future road improvement funding opportunities.
- Subject to the availability of appropriate funding, to co-operate on the details of design and delivery of improvement schemes on the A64 trunk road.
- To identify and develop (including scheme design work) longer term improvements (post 2021) to the A64 trunk road including for village bypasses east of Malton
- To co-ordinate potential improvements and the different funding opportunities available to the LEP, the local authorities, the LTB and the Highways Agency.
- To support local authority partners and the LEP in presenting a single 'local authority and LEP' voice in lobbying Government with regards to the strategic

[5] Including Hopgrove Roundabout

importance of the A64 trunk road and the need for improvements in the context of regional economic growth.

## 6. Objectives

6.1. This Memorandum of Understanding is intended to:

- To promote closer working relationships between the LEP, the local authorities, the LTB and the Highways Agency on matters relating to the A64 trunk road.
- To encourage more effective communication between the Partners with regards to the improvement of the A64 trunk road.
- Develop an agreed, prioritised programme of schemes that can form the basis for current and future bids for funding to Government.
- Provide the basis for potential future joint working on the design and delivery of improvement schemes[6].
- Wherever possible, agree a joint position, including communications, regarding the need for improvements to the A64 trunk road and the process of promoting and developing improvement schemes.
- Provide input into the Highways Agency route based strategies and other consultations to deliver co-ordinated and optimised local benefits from the strategy and funding allocated to the LEP through the Local Growth Fund.
- To co-ordinate bids for funding opportunities available to the LEP, the Local Authorities, the LTB and the Highways Agency in order to optimise delivery of improvements to the A64 trunk road and ensure that best Value for Money is achieved.

## 7. Deliverables

7.1. The partnership aims (subject to funding constraints) to deliver the following:

- A prioritised list of the schemes for inclusion in the c£50m bid (through the SEP) to Local Growth Fund (deliverable by 2021) and for potential inclusion in future funding bids available to both the LEP, the local authorities and the Highways Agency (deliverable by 2021).
- An appropriate level of advanced justification, development and designs on the schemes included in the lists above to allow the submission of funding bids at short (12 week) notice.
- Identification and advanced design on potential future improvement schemes (deliverable post 2021) with a view to being able to submit future funding bids.
- Agreement of a long-term vision for improvement of the A64 between York and Scarborough to support growth, address safety issues and enhance the accessibility of the Yorkshire coast.

## 8. Statutory obligations and confidentiality provisions

8.1. This MoU does not supersede, eradicate or alter the need of any Party to meet their statutory obligations; nor should it be implied that the Parties are obligated to agree on the outcomes or deliverables identified above.

8.2. Subject to any statutory and regulatory requirements any Party may request that commercially confidential information provided in connection with this Memorandum should not be disclosed. Any information regarded by any party as commercially

[6]Including the provision/maintenance of suitable safe crossings of the trunk road for cyclists and other users.

confidential may be provided separately, so as not to inhibit the disclosure of other information.

8.3. If the HA or any local authority (as a public authority) receives a request, under the Freedom of Information Act 2000, for information relating to activities undertaken under this Memorandum, it shall inform the other Parties of the request as soon as possible and discuss as to the potential application for any exemption. For the purposes of section 43(2) of the Act, the Parties acknowledge and agree that the disclosure of any commercially sensitive information relating to the activities undertaken under this Memorandum is likely to prejudice the commercial interests of the Parties.

## 9. Joint review

9.1. The MoU shall be reviewed annually to ensure that it is fulfilling its purpose and to make any revisions that may be agreed as necessary to ensure such is the case. Any party may withdraw from this MoU by giving one month's written notice, so long as reasoned justification is provided.

## 10. Signatories

The signatories to this MoU on behalf of the Highways Agency, the LEP, the LTB and the constituent core local authorities:

For Highways Agency

Person Antony Firth

For City of York Council

Person Cllr. Dave Merrett

For North Yorkshire County Council

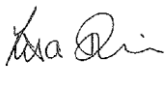
Person David Bowe

Post Director – Business &

For Ryedale District Council

Person Anthony Winship

For Scarborough Borough Council



Person Lisa Dixon

For York, North Yorkshire and East Riding Local Economic Partnership

Person Barry Dodd

Post Chairman of York, North Yorkshire and East Riding LEP

For North Yorkshire Local Transport Body

Person CCllr Gareth Dadd

Post Executive Members & Portfolio Holder