

The Report of the Executive

The Executive met on Tuesday, 25 February 2014 commencing at 11.00 am. County Councillor John Weighell in the Chair. County Councillors Arthur Barker, Gareth Dadd, Tony Hall, Carl Les, Don Mackenzie, Chris Metcalfe and Clare Wood.

Also in attendance: County Councillors David Blades, Liz Casling, Jim Clark, David Jeffels, Patrick Mulligan, Janet Sanderson and Tim Swales.

The Executive met on Tuesday, 18 March 2014 commencing at 11.00 am. County Councillor John Weighell in the Chair. County Councillors Arthur Barker, Gareth Dadd, Tony Hall, Carl Les, Don Mackenzie, Chris Metcalfe and Clare Wood.

Also in attendance: County Councillor John Clark.

The Executive met on Tuesday, 8 April 2014 commencing at 11.00 am. County Councillor John Weighell in the Chair. County Councillors Arthur Barker, Gareth Dadd, Tony Hall, Carl Les, Don Mackenzie, Chris Metcalfe and Clare Wood.

Also in attendance: County Councillors Philip Barrett and Tim Swales.

The Executive met on Tuesday, 29 April 2014 commencing at 11.00 am. County Councillor John Weighell in the Chair. County Councillors Arthur Barker, Gareth Dadd, Tony Hall, Carl Les, Don Mackenzie, Chris Metcalfe and Clare Wood.

Also in attendance: County Councillors David Blades, Tony Randerson and Tim Swales.

1. North Yorkshire Community Plan: The North Yorkshire Community Plan, also known as the sustainable community strategy, covers the period for 2011 to 2014 and as such is due for a refresh this year. Legislation requires local authorities, in consultation with partners, to produce a sustainable community strategy “for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom”, although there is no longer any statutory guidance regarding the contents or format.

The current plan is a short, six-page, document which focusses on three key priorities; the delivery of which requires partners to work together to help achieve the key vision of making North Yorkshire “an even better place in which to live, work and visit”. The priorities are:

- protecting and supporting vulnerable people
- supporting economic growth and employment
- enabling stronger local communities

The action plan for these has been focused around some broad-brush objectives and progress against these has been regularly reviewed by the Chief Executives Group North Yorkshire and York, “the Chief Executives Group”.

Further to a discussion at the Chief Executives Group on 12 September 2013, it was agreed that the preferred approach for a revised plan would be to use a similar format to that used in the current plan; focused around a revised vision and a small number of priority outcomes for the county, with some measurable actions. It was also agreed that the revised plan should not, as far as possible, replicate or duplicate other existing partnership strategies. It was felt that this approach would adequately fulfil the duty placed on local authorities; ensuring an agreed statement by partners on key priorities for the county and facilitate focused action by partners.

A draft community plan for the period 2014 to 2017 has been developed a revised vision was developed to reflect the difficult economic times and the importance of maximising what is distinctive and positive about the county and its communities. The revised vision is - **“we want North Yorkshire to be a thriving county which adapts to a changing world and remains a special place for everyone to live, work and visit.”**

It was also agreed that the plan needed to take a three-year focus as it was felt that three years would give sufficient time to enable outcomes to be achieved but also ensuring that the plan is not too far-reaching and lose resonance in a changing economic landscape.

In identifying draft priorities for the plan, the task group proposed that the following criteria provided a useful test for determining whether an issue merited inclusion:

- What issues need some additional support to be able to happen; particularly issues which have the potential to create bigger problems in the next few years if we do nothing about them?
- Which issues require all or most of the Chief Executives Group partners to be involved?
- Which issues, if tackled through this plan, would help create a key linkage between other partnership plans?

On this basis, a number of issues were considered and it was agreed that the following three priorities represented issues that are critical for partners in the next few years.

- Development of key housing and employment sites across the county
- Developing capacity within communities to shape and deliver the services they need and to enhance their resilience
- Reducing health inequalities.

Several other issues were considered within the task group as potential priorities for the draft plan, but discounted on the basis that they do not meet all of the criteria above. These were:

- alcohol
- safeguarding
- broadband

Whilst these issues are important, they were not deemed to require a stand-alone objective to deal with them and there are other plans in place or underway which will specifically address these.

Based on these initial discussions, a draft was taken to and agreed by the Chief Executives Group on 14 November 2013. The draft North Yorkshire Community Plan 2014/17 subsequently went out to wider consultation with partners from 18 November 2013 to 17 January 2014. Partners from across the Wider Partnership network were asked for their views on the draft and the draft was also reviewed at a meeting of Local Government North Yorkshire and York on 6 December 2013.

Fourteen respondents, comprising organisations and individuals, provided comments during the consultation. Attached at County Council Appendix 1B, page 41, is a list of the respondents and the key comments received. Respondents were broadly supportive of the three priorities, with some suggestions for how to develop the narrative further and identify some linkages with other work underway in the county. Some revisions were subsequently made to the plan to incorporate suggestions.

To summarise, the key changes made were:

- Recognition of the need to invest in infrastructure, skills and employment within delivery of Priority 1;
- Identification of linkages with other countywide plans, where appropriate;
- Acknowledgement that all three sectors - public, business and voluntary and community - all play a key part in supporting communities.

County Council Appendix 1B, page 41, also contains draft responses to each comment received and an indication where the comment has been incorporated into the plan.

Further to the responses received, the draft priorities were similarly amended and finalised as follows:

Priority 1 - Facilitate the development of key housing and employment sites across North Yorkshire by delivering necessary infrastructure investments through partnership

Priority 2 - Supporting and enabling North Yorkshire communities to have greater capacity to shape and deliver the services they need and to enhance their resilience in a changing world

Priority 3 - Reduce health inequalities across North Yorkshire.

A key issue raised during the consultation was around its implementation; namely how it will be implemented and monitored. There are six individual actions proposed within the action plan at the end of the draft plan which will ensure delivery against the three core priorities and co-ordinating leads have been suggested for these actions. However, the partners responsible for ensuring that progress is made against these actions will encompass a much broader net of organisations in practice, including the voluntary and community sectors and business sector, for example. Some of the actions – such as work around the prevention and dementia strategies – are already being taken forward via a structured programme of work with partners and the Chief Executives Group will also need to ensure alignment with other bodies such as the Local Enterprise Partnership when undertaking its own review of progress made. It is intended that a full update report for each action will be taken to the Chief Executives Group not less than once every twelve months. However, it is recommended that reports and discussions around each action – especially where barriers to progress emerge – should remain an ‘active’ regular item on the agenda for

Chief Executives Group meetings.

An updated draft of the plan was subsequently taken to the Chief Executives Group on 6 February 2014. The group agreed the draft plan and its priorities but it was highlighted that it might benefit from some further refinement of the draft action plan to ensure that objectives are clear and measurable. Following some fine tuning to the actions effected through task group members, the updated plan was considered at the meeting of Local Government North Yorkshire and York on 7 March 2014, where it was agreed that the draft should progress towards approval at a full meeting of the County Council on 21 May 2014. Both the updated plan – County Council Appendix 1A, page 35, and the responses to the consultation - County Council Appendix 1B, page 41, are available now to view at www.nypartnerships.org.uk/nycommunityplan.

The Executive RECOMMENDS:

That the draft North Yorkshire Community Plan 2014/17 at County Council Appendix 1A, page 35, is approved.

2. Local Transport Plan 2011-2016 Mid Term Review: Under the Transport Act 2000 (amended by the Local Transport Act 2008) all local transport authorities in England are required to produce and maintain a Local Transport Plan. The third North Yorkshire Local Transport Plan, LTP3, was adopted in December 2010 and covers the five year period 2011 – 2016. LTP3 sets the main transport priorities for the County and the actions that will be taken to contribute to achieving those priorities.

Copies of the LTP3 are available on the County Council's website at:

<http://www.northyorks.gov.uk/article/26213/Local-transport-plan-three-LTP3>

In approving LTP3, and in line with the practice carried out for LTP1 and LTP2, the County Council agreed to carry out a mid-term review of LTP3 to ensure that any significant changes in circumstances are incorporated into the Plan. Since LTP3 was approved in 2010 there have only been limited changes which impact on the content or approach adopted in the LTP. Importantly the adopted LTP3 explicitly recognises the current local government funding situation and sets out strategies to address these funding constraints. This includes the approach to be adopted with regards to cuts in subsidies for local bus services. In view of the above, and to ensure the best use of limited staff resources, it was agreed with BES Executive Members and at the 17 September 2013 Transport Economy and Environment Overview and Scrutiny Committee mid-cycle briefing of the group spokespersons, that the LTP3 mid-term review should adopt a light touch approach and only deal with the few matters that require significant updates. Any consultation with the public or stakeholders would be focused on these matters and directed at those people directly impacted by possible changes rather than carrying out an expensive countywide consultation.

LTP3 adopts a hierarchy of Manage, Maintain, Improve with regards to transport infrastructure. In accordance with this approach, and taking account of the impact of recent extreme weather on the highway network, the majority of Local Transport Plan funding is directed at highway maintenance. Evidence from the Citizens Panel survey and from recent Parish Council surveys indicates continued public support for giving priority to highway maintenance. It is therefore proposed that this hierarchy is not revisited as part of the mid-term review. The mid-term review will deal with the policy areas set out below in addition to an update on the LTP3 key outcome indicators. The mid-term review will take the form of an addendum to the main LTP3 and, once approved, will be made available via the County

Council's website.

Government funding for transport – This section outlines the recent changes to the Government's approach to funding transport improvements (including major schemes) and sets out the main new funding streams that are available. This includes the devolution of a national funding pot of approximately £2bn per annum until 2020/21 in a competitive process for Local Enterprise Partnerships (LEPs) to bid into through the Local Growth Fund. Crucially a significant portion of this funding (approximately 50%) has been top sliced from Department for Transport budgets previously allocated to local transport authorities for improvements to transport infrastructure. The County Council is working closely with the York, North Yorkshire and East Riding LEP to ensure that the Strategic Economic Plan fully reflects the vital contribution of transport to the local economy. The mid-term review will amend the LTP to ensure that this new approach to transport funding by the Government is adequately reflected in the County Council's transport strategies and policies.

Transport and Public Health – Members will be aware that with effect from 1 April 2013 the County Council became the lead authority for promoting public health in North Yorkshire. Officers from Business and Environmental Services have been in discussion with officers from Health and Adult Services to identify how transport can contribute to public health and to ensure that the County Council's transport and public health policies are consistent and integrated. The public health chapter considers the existing synergies between the LTP3 and public health as well as ensuring the County Council's new public health role is reflected in the transport strategies and policies. One of the main roles for transport with regards to public health will be through maintaining and providing the infrastructure for, and encouraging the use of 'active travel' modes such as walking and cycling.

Passenger transport – The Government has published details of their proposals for the next phase of High Speed Rail (HS2) which includes links into the current East Coast Main Line in Selby district. The mid-term review will seek to set the County Council policy on HS2 and rail decentralisation. The passenger transport chapter also includes a review of the current situation with regards to the long term rail strategy for the North and an update on the Council's Bus Strategy.

Integration of transport and land use planning - At the request of a number of planning authorities the mid-term review will also incorporate an update on the current position of the development of the Local Plans and the links to local transport.

Strategic Environmental Assessment (SEA) – The LTP is a statutory strategic planning document and consequently the County Council was required by legislation to undertake an SEA of its likely impact on the environment. This included the adoption of a number of environmental indicators. This chapter of the mid-term review consists of a review of each indicator.

The LTP3 addendum was presented to Members of the Transport, Economy and Environment Overview and Scrutiny Committee on 16 April 2014 and to the Executive 29 April 2014 and additional suggestions were incorporated into the LTP3 addendum.

The Executive 29 April 2014, resolved that subject to County Council approval, the draft LTP3 mid-term addendum set out in County Council Appendix 2, page 57, will become County Council policy.

The Executive RECOMMENDS:

That the draft Local Transport Plan 3 addendum be approved for adoption.

3. Motion – blacklisting (post crossrail) At the meeting of the County Council held on 19 February 2014 County Councillor Tony Randerson moved and County Councillor Eric Broadbent seconded the following:-

“North Yorkshire County Council:

Notes and welcomes campaigning by Trade Unions to end the scandalous practice of “blacklisting”.

North Yorkshire County Council shares concerns of Unite the Union, with regard to the potential for the continuation of “Blacklisting” activity within the construction industry.

North Yorkshire County Council notes the damning findings of the interim report of the Scottish Affairs Select Committee.

It be agreed that the Council will ensure its procurement processes, so far as they lawfully can, will ensure proper recruitment and workforce welfare practices on the part of contractors they engage, and in relation to the selection of contractors, the Council will aim to ensure any instances where contractors may have committed grave misconduct of this nature are identified and properly taken into account during the assessment of suitability to undertake Council contracts.”

As the mover of the motion, County Councillor Tony Randerson attended the meeting of the Executive to speak on his motion. He said that the terms of the motion had been discussed, in detail, with the former Assistant Chief Executive (Legal and Democratic Services) and had been subject to some modification, to ensure that any resolution would be lawful, prior to inclusion on the agenda of the County Council. He referred to his long background as a trade unionist and said that he had encountered many circumstances where staff were being blacklisted as a result of having raised health and safety concerns. He quoted the Crossrail Project in London where the practice had been deemed to be illegal. His intention in submitting the motion to County Council was to urge the Authority to look very closely at contractors when awarding contracts via procurement processes. He noted that there was no suggestion that the County Council was not complying with this, however, he sought the support of County Council in May to formally record opposition to the practice.

The Executive noted that it was the Council’s business to provide services to the residents of North Yorkshire at the best price possible. Whilst the role of the trade unions was acknowledged, the County Council had to act as a corporate body and its motivation might not always be the same as that of a trade union. Whilst the requirement for legal compliance from contractors was supported, caution needed to be exercised, but the Executive decided it could support an amended version of the motion, omitting the first three short paragraphs and changing two words within the main final paragraph.

The Executive RECOMMENDS:

That the motion be amended by deleting all but the final paragraph and, in that paragraph, “legal” be inserted after the word “proper” and “illegal” be inserted in place of “grave”.

4. Motion – proposition to create a unitary authority in North Yorkshire. At the meeting of the County Council on 19 February, 2014 Councillor David Simister moved and County Councillor Sam Cross seconded the following:-

“North Yorkshire County Council:

That North Yorkshire County Council initiates talks with the District and Borough Councils of Harrogate, Scarborough, Selby, Ryedale, Craven, Hambleton and Richmond, to create a unitary authority of North Yorkshire; to open dialogue with the Secretary of State for Communities and Local Government, Eric Pickles, and the District Councils to facilitate a new authority.

In these austere times this is the only way we can make true savings for the electorate in the future and maintain frontline services.”

As mover and seconder, County Councillors David Simister and Sam Cross were invited to attend the meeting of the Executive to speak on their motion, however neither the proposer or seconder were able to attend for the meeting. The Executive noted that the motion called upon the County Council to initiate talks with both the District Councils and the Secretary of State regarding the potential to create a unitary authority in North Yorkshire. Whilst the potential opportunities were noted, the Executive took the view that there was no appetite for such re-organisation at present at the Secretary of State’s level, and reaching agreement with the District Councils would be unlikely. The Executive took the view, therefore, that the County Council should continue to work positively with the District Councils to seek to generate mutual cost savings. It was a challenging time for all local authorities and that this was not a time to become distracted with such an issue. All local authorities were facing unprecedented challenges; there was a job to do now; and it was not the time to become diverted. In view of this, the Executive resolved to recommend that the motion be amended.

The Executive RECOMMENDS:

That the motion be amended by deleting the first reference to “North Yorkshire County Council” and the final paragraph and by deleting the word “initiates” and adding, in its place, “notes the proposal to initiate” and adding the following words at the end of the motion:

“North Yorkshire County Council recognises the potential for savings in the cost of providing local government services that could be realised from the creation of a new, single, unitary Council for the administrative area presently covered by the County Council’s boundaries. At present there is no central government driver or appetite for such re-organisation. Also there may be little prospect of agreement with our Districts or Borough Councils on a new unitary model for local government.

NYCC will continue to co-operate and work with other Councils in the area. We will continue to seek out opportunities to work in partnership with the other Councils to generate cost savings where possible and to make the present structure work as effectively as it can for the benefit of the residents and businesses of North Yorkshire, customers we all serve.

At a time of numerous challenges to all councils, be they financial or about capacity, now is not the time to distract councils from working more efficiently and effectively together to overcome those challenges to improve outcomes for all our residents.”

5. LGPS 2014 Discretions Policy: The Local Government Pension Scheme (LGPS) has a statutory requirement for every employer to have in place a Discretions Policy detailing employer decisions in relation to Pensions. North Yorkshire County Council has a Discretions Policy covering the previous LGPS Regulations, which was first ratified by Council in 2002, and to which minor amendments were made in 2008 and 2013.

Whilst many of the existing discretions will remain in the Council’s policy, there are some employer discretions which are additional to the current policy, some which are changed, and some which are removed. This report only details those which are additional or changed, and does not propose any amendment to those originally approved by Council in 2002 which flow through to the LGPS 2014 Regulations.

When the North Yorkshire County Council’s LGPS discretions policy was originally approved by Full Council in 2002, it was in accordance with the following principles:

- a) A fair and transparent process for decision making in relation to employer discretions pertaining to existing employees who are members of the LGPS, and deferred members of the LGPS (those who have left the employment of the County Council)
- b) Consistency of decision making in relation to employer discretions
- c) Ensuring, where possible that the cost to the Council is well managed.

The employer discretions detailed in this report adhere to these principles.

The Executive resolved 8 April 2014 that Council be invited to consider the employer discretions as detailed, and asks that the discretions detailed at County Council Appendix 3B to this report be implemented as the North Yorkshire County Council LGPS Discretions Policy.

This report is supported by the appendices listed below:

County Council Appendix 3A , page 120 List of Legislation relating to the Discretions Policy
 County Council Appendix 3B, page 121 List of discretions changed and amended employer
 County Council Appendix 3C, page 123 The previous Discretions Policy (amended)
 approved in 2002

The Executive RECOMMENDS:

That the list of employer discretions listed in County Council Appendix 3B of this report, be approved and amend the North Yorkshire County Council Local Government Pension Scheme discretion policy, as amended in 2013.

6. Amendments to the Constitution: The Constitution is reviewed annually. This annual review was considered by the Members' Constitution Working Group on 21 March 2014. The issues set out in this report reflect Members' majority views. County Council Appendices 4A, page 144, and 4B, page 160, to this report set out the detail of proposed changes to the Constitution. The proposed changes are summarised below:-

The consideration of objections to **Traffic Regulation Orders** ,TROs, becomes a matter for the Executive and the role of the Area Committee is changed to a consultative role on wide area impact TROs.

Delegation to the Corporate Director – Business and Environmental Services of the power to determine whether to make **Definitive Map Modification Orders and Public Path Orders** which are subject to a valid objection and to remove the requirement to report opposed Orders to Area Committees.

Adoption of a **Protocol on Audio/Visual Recording and Photography at Meetings**. The proposed Protocol is at Appendix 4B, page 160, to this report.

Amendment of an existing delegation to the Corporate Director - Strategic Resources regarding the **Pension Fund**, as shown in the following sentence with the use of a tracked change:- "To manage from day to day the Pension Fund, including the exercise of the Council's functions as administering authority, ~~where such exercise does not involve use of discretion.~~ subject to any specific instructions that might be given from time to time by the Pension Fund Committee.

The updating of **Outside Bodies'** information in Part 3 Schedule 5.

Provisions for the Council to appoint, in any year when County Council elections are not held, a **Chairman to a committee** where the committee has failed to reach agreement. An example of when the committee has failed to reach agreement is when, at the committee's meeting, equal numbers of votes are cast for two Members each nominated for appointment as Chairman.

The updating of policies in the **Council's Policy Framework**. This reflects the rationalisation and standardisation of strategies, policies and procedures as a result of the One Council programme.

The majority of the above are self-explanatory or routine updates. However, the following paragraphs within this section of the report provide further information.

Traffic Regulation Orders: The current position is that, Area Committees have delegated powers to determine:-

- *The provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute; and*
- *Traffic Regulation Orders, pedestrian crossings and speed limits where an objection is received from any person or body entitled under the relevant statute.*

The "relevant statute" in this context is the Road Traffic Regulation Act 1984 and "Traffic Regulation Orders" can encompass waiting and loading restrictions, weight limits, prohibition of driving and one-way traffic, speed restrictions, as well as the provision of parking places. When TROs are mentioned in this report it is this broad definition which is being referred to. These are executive functions which are delegated to the Area Committee. Decisions on parking are likely to be key decisions in some cases as they may be significant in terms of effects on more than one community. The large majority are not key decisions and involve proposals that impact upon a relatively small area of one community. Where there are no objections to a proposed TRO the decision is delegated to the Corporate Director - Business and Environmental Services.

On average the County Council undertakes approximately 100 TROs per annum and on average approximately 30% of these receive objections. The authority can modify an Order, whether in consequence of any objections or otherwise, before it is made.

With regard to the proposals for changes to decision taking/consultation on TROs:- Decision making on TROs is an Executive function and the Executive have decided that where there are objections to a TRO the decision will no longer be delegated to the Area Committee, but will instead be delegated by the Executive to the Corporate Director Business and Environment Services in consultation with the BES Executive Members. The reasons for this are to ensure the consistent application of TROs across the county to ensure appropriate levels of road user compliance and understanding in order to improve traffic management and road safety. The delegation to the Corporate Director - Business and Environmental Services, CD – BES, to make decisions on TROs where there are no objections would remain unchanged.

It is proposed that Area Committees would have a consultative role on TROs where they have a wide area impact and the CD – BES, in consultation with the BES Executive Members, would be responsible for determining which TROs would be appropriate for this consultation. Criteria will need to be developed to assist the CD - BES in this assessment. It is proposed that this be done in consultation with BES Executive Members and the Assistant Chief Executive Legal and Democratic

Services. In cases where the TRO does not have a wide area impact, it will not be referred to the Area Committee for consultation but the relevant local Member will be given the opportunity to make representations to the CD – BES and the BES Executive Members. There may be instances when the CD – BES following consultation with the BES Executive Members, feel that it is appropriate to refer a decision to the Executive.

The CD – BES or the Executive will make the decisions at County Hall. Since parking and charging proposals are, by their very nature, likely to be more contentious than other types of Traffic Regulation Order there will be implications for the meetings where they are considered. It may be appropriate for the CD - BES to have his decision making meetings open to the public so the public and in particular those with objection, have the opportunity to put their views across directly. There is also the option for the CD – BES to refer the matter to the Executive for determination. Introduction of and increases in parking charges are generating significant publicity. A current Government Consultation is asking whether local residents should be able to petition their Authority to initiate a review of parking policy and mentions allowing 'local residents and local councillors to have the final say on local parking provision in their area.' Local representations will be a key part of the process. The proposals will ensure greater consistency in the introduction of TROs which will help improve public understanding of, and compliance with, the restrictions and consequent road safety and traffic management benefits. The recommendations relating to Traffic Regulation Orders are included within County Council Appendix 4A, page \$\$\$.

The County Council has a statutory duty to maintain a record of the public rights of way across the County. The record is known as the 'Definitive Map and Statement' and records the route and status of public rights of way. Several different maps combine to cover North Yorkshire.

Changes to what is recorded in the Definitive Map are possible but only through defined processes. The mechanism for making changes can be put into the following three broad categories:

- Recording a right of way that already exists but isn't currently shown on the Definitive Map
- Changing the recording of the status of a right of way already shown on the Map (this may involve the record being removed altogether)
- Diverting or extinguishing an existing right of way, or creating a new right of way

The first two categories are effected by what is known as Definitive Map Modification Orders, DMMOs, whilst the third by what are known as Public Path Orders, PPOs.

The processes for DMMOs and PPOs require the advertising of proposed changes to give anyone with an interest the chance to comment, either in support or against a proposed change. Where an Order is subject to an unresolved objection the decision on whether it should take effect by being "confirmed" can only be finally determined by the Secretary of State. In practice this is on the recommendation of an Inspector from the Planning Inspectorate.

The current Officers Delegation Scheme and the Council's policy on DMMOs work in practice to mean that officers have delegated authority to make DMMO and PPO Orders

where they are not subject to any objection, and to refuse applications which are not reasonably likely to be successful. However, the authority to make Orders that are subject to a valid objection is reserved to the Planning and Regulatory Functions Sub Committee.

Responsibility for determining whether to “confirm” DMMOs and PPOs that are subject to a valid objection rests with the Secretary of State although the Council having first “made” the order is usually expected to support confirmation, though this may not always be the case.

There are currently 306 DMMO and PPO applications outstanding. Typically, the Definitive Map team are able to process approximately 35 DMMO and 20 PPO orders annually. At current performance, the backlog could take some 5 - 6 years to process however there are typically a further 33 new applications received each year meaning that in practice there is no realistic prospect of clearing the backlog of applications in the foreseeable future within the current resources unless the process time can be dramatically reduced. The budget for managing the Definitive Map is planned to reduce from 2014/15 by £30k which will further exacerbate the problem.

Following consultation all DMMO and PPO applications subject to an objection are referred to the PRFSC to determine whether to make an Order. In practice, most DMMO applications are subject to an objection, and almost all DMMOs made after consideration by the PRFSC are then subject to further objection and are referred to the Secretary of State for the decision whether to confirm the Order or not. The PRFSC are therefore rarely deciding the final outcome of DMMO applications.

It is practice to inform the relevant Area Committee prior to reporting any applications to the PRFSC. This process often generates considerable interest locally but has limited impact on the decision made by the PRFSC who are obliged to operate independently in a quasi-judicial capacity.

The time taken to process DMMO and PPO applications could be reduced by reducing the need to report opposed Orders to Area Committees and the PRFSC, and by taking a more robust approach to the way Orders are processed.

The Executive supports the proposal to remove the requirement to report opposed Orders to Area Committees, and to extend the delegated authority given to the Corporate Director BES to allow him to determine whether to make Orders that are subject to a valid objection. These measures would remove Committee involvement in the decision making process however, as pointed out above, the decision on confirmation of an opposed Order, and so whether or not an Order will take effect, rests with the Secretary of State and not the Committee.

It is proposed that, as now, the local Member would be informed about any DMMO or PPO application in the area, and the local Parish and district council would be formally consulted. It is currently the practice to consult with other known stakeholders and user groups at this stage as it can help identify that an application is flawed before the Order is made. No change is proposed here.

The Area Committees' involvement is currently as an informal consultee with variable expectations in each area on the level of engagement they should have. The involvement of Area Committees raises unrealistic expectations with the applicant and objectors, and the committees have no decision making power.

Evidence for all DMMOs could be assessed and decisions made in accordance with the statutory requirements considerably more quickly if the authority to decide to make Orders subject to an objection rested with officers.

Should a made Order - PPO or DMMO - be subject to objection the question of whether or not to confirm the Order can only be decided by the Secretary of State. The Council is expected to make a representation but it is therefore possible that new evidence may have come to light since first making the order and that the Council may find itself opposing the confirmation of an Order it has previously made. This is a further reason why it is not efficient for Committees to be involved in deciding whether to make DMMOs and PPOs when it may be appropriate for the Council to later take a different view.

The executive has agreed to delegate the authority to decide on the making of objected DMMOs to the CD BES, it is proposed that any formal representation to the Secretary of State be agreed in consultation with the Executive Member and Local Member. This would enable the ability to process applications promptly whilst recognising that the views of the Executive and local Members are relevant in deciding the Council's view on contested applications.

The revised process would negate the need for any Committee reports to be drafted or presented although it is acknowledged that a proportion of this time will still need to be spent compiling and analysing evidence to inform a decision. However, it is proposed to bring the effort spent on this activity more in line with the threshold of the test being applied and it is therefore reasonable to assume an overall average reduction in time of approximately 25% for each application. This is a non-cashable saving. As a consequence it is expected that the Definitive Map team will be able to increase the number of DMMOs and PPOs processed annually, and reduce the backlog to zero by 2020.

The recommendations relating to DMMOs and PPOs are included within County Council Appendix 4A, page 144.

Adoption of a **Protocol on Audio/Visual Recording and Photography at Meetings:** Currently the County Council makes available, on its website, a sound recording of County Council meetings. With that exception, it has previously had a practice of not permitting the use of recording equipment during meetings. However, the County Council is committed to being open and transparent in the way it conducts its decision making. Following recent announcements by the Secretary of State, it is suggested that the adoption of a protocol for the management of arrangements will be helpful in dealing with requests which are submitted to record/take photographs at meetings. The draft protocol now recommended includes the following provisions:- the intention to record/photograph must be notified in advance and cannot be taken during the consideration of business from which the public are excluded; recordings must be clearly visible to anyone at the meeting and be non-disruptive; visual recordings should focus only on Members, officers and any members of the public who are speaking under the item of business "Public Questions or Statements"; any member of the public has the right not to be recorded; the Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of the rules; the County Council expects any recording not to be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the County Council's values or in a way that ridicules or shows a lack of respect for those in the recording.

In relation to the proposal relating to the **Pension Fund**, the use of the existing term "discretion" indicates that no decisions can be made by the Corporate Director – Strategic

Resources. However, clearly there are circumstances in which decisions must be made, for the operational effectiveness of the Pension Fund, without the need for Member involvement.

Other Amendments to the Officer Delegation Scheme – Amendments Approved by the Assistant Chief Executive (Legal and Democratic Services)

The Assistant Chief Executive (Legal and Democratic Services) has authority to make consequential amendments to the Officer Delegation Scheme. Under such authority, the Scheme is being updated to reflect the post of Assistant Chief Executive (Customer Services).

That post is currently held by Mary Weastell. However, for Members' information, these amendments have been included in the table at Appendix 4A, page 144.

Other Issues - For Information: The Constitution Working Group was also advised of the following work which is being undertaken:-

Access to Information requirements – Training will be provided to raise officers' awareness of such requirements, which include the following:- at least 5 clear days' notice to be given for public meetings; at least 28 clear days' notice of consideration of matters in private, and also 5 days' notice before the meeting including a statement of the reasons for it to be considered in private, any representations made, and the decision maker's response; and at least 28 clear days' notice of the intention to make a key decision, except in cases of urgency where 5 clear days' notice must be given to the Chairman of the relevant Overview and Scrutiny Committee.

Minuting style – A shorter minuting style is being introduced for one year and will then be reviewed. The shorter style will include cross-references to a written report to the Executive/committee meeting wherever possible, rather than duplicating information within that report. The style will also follow nationally recognised best practice, as set out below, although Democratic Services Officers will have discretion to produce a more detailed/lengthier Minute if an item of business attracts high public interest:-

- It is seldom necessary to reproduce, however briefly, what individual Members have said. However, it is helpful, as a rule, to pick-up the main threads of the discussion that led to the conclusion.
- Any references to councillors by name should be avoided as far as possible, exceptions being when they:- declare interests; ask for their vote or abstention to be recorded; or move motions and amendments at meetings of full County Council.
- The following forms are preferable rather than directly attributing comments: "The following points were raised in discussion: *then list in bullet point form*" or "A Member raised concerns about ..."
- A preamble may be essential where any of the following apply:-
 - where conflicting views emerge and/or where a vote is taken;
 - where significant issues and concerns are raised during the debate;
 - where additional or updated information is presented or tabled at the meeting;
 - where corrections are made to reports at the meeting;

- where officer advice is given at the meeting and has a material effect on the decision taken, or where it is clearly important that Members take it into account in their decision making;
- where the reasons for the decision differ from those set out in the officer's report;
- where the decision made is different to the officer's recommendation.

Work is continuing on the **terms of reference of the Health and Wellbeing Board** and a report will be submitted to a future meeting of the Constitution Working Group.

The Executive RECOMMENDS:

That the amendments to the Constitution, as set out at Appendix 4A , page 144, to this report, be approved, subject to retaining the Community Safety Strategy in the Policy Framework, as it remains a statutory strategy at this time, and to adding the words "and that the matter be referred to the Executive for determination where there is an outstanding objection which is supported by the local Member(s) at the end of (e)(i) on page 11" of County Council Appendix 4A, starting at page 144.

That the draft Protocol on Audio/Visual Recording and Photography at Meetings, as set out at County Council Appendix 4B, page 160, to this report, be adopted and included in Part 5 of the Council's Constitution.

That the powers relating to DMMO's, PPO's and TRO's referred to on pages 9 to 12 of County Council Appendix 4A starting at page 144, as amended, which the Council is recommended to add to the Officers' Scheme of Delegation, are hereby delegated to the Corporate Director - Business and Environmental Services.

That the existing procedure for processing applications for either DMMOs or PPOs be changed to remove the need to report opposed Orders to Area Committees.

That the Constitution Working Group's discussions, concerning Access to Information requirements, minuting style, and the terms of reference of the Health and Wellbeing Board, be noted.

7. Appointments to Committees and Outside Bodies: The Executive sets out below the usual recommendation relating to the allocation of seats and changes of membership of committees, should political groups wish to make such changes. In addition the request to extend the terms of appointment of external members of Audit Committee were noted. There are three seats for non-voting External Members on the County Council's Audit Committee. Mr James Daghish and Mr David Portlock currently serve in two of those seats. Their current terms of appointment conclude on 1 May 2014. (The third seat on the Committee for a non-voting External Member is currently vacant.) Work will shortly be undertaken, jointly with the City of York Council, to advertise for External Members to serve on each Council's Audit Committee in future. By undertaking such work jointly, savings will be achieved in officer time and some costs. However, the advertising, recruitment and formal appointments will not be completed until after:- (a) the expiry of the current terms of appointment of Mr James Daghish and Mr David Portlock; and (b) the Committee's next meeting which is scheduled for 26 June 2014. Mr James Daghish and Mr David Portlock are

available to attend Audit Committee's meeting on 26 June 2014. To formalise their input into the work of the Audit Committee at that meeting, a recommendation, set out at the foot of this report, is submitted for consideration. It was also noted that a request had been received to change the appointment of the secondary teacher representative on the Young People Overview and Scrutiny Committee which should be recommended to Council together with the usual recommendation to Council about allocation of and appointments to committee seats.

The Executive RECOMMENDS:

That any proposals for the re-allocation of seats, if necessary to achieve political proportionality, or for changes to memberships or substitute memberships of committees, or other bodies to which the Council makes appointments, put forward by the relevant political group, prior to or at the meeting of the Council, be agreed.

That Mr James Daghish and Mr David Portlock be re-appointed, as non-voting External Members of Audit Committee, to serve until 27 June 2014.

That Paul Bircumshaw be appointed to the Young People Overview and Scrutiny Committee as a secondary teacher representative in place of Chris Head and that any proposals for the reallocation of seats, if necessary to achieve political proportionality, or for

JOHN WEIGHELL
Chairman

County Hall,
NORTHALLERTON.
13 May 2014

North Yorkshire Community Plan 2014 - 17

Draft as at 27 March 2014

Local Government North Yorkshire and York

Chief Executives Group North Yorkshire and York

North Yorkshire Community Plan 2014-17

This plan sets out the key issues and actions that need to be tackled in partnership across North Yorkshire in the next three years, to help make sure that the county is well placed to respond to both challenges and opportunities. This is a refresh of the 2011-14 plan, led by Local Government North Yorkshire and York (LGNYY) and the Chief Executives Group for North Yorkshire and York.

Our vision is **we want North Yorkshire to be a thriving county which adapts to a changing world and remains a special place for everyone to live, work and visit.** This builds on our aspirations for the county in the 2011-14 plan but also focusses our efforts as partners on the ongoing challenges presented by the difficult economic situation in the county.

There are a number of strategic plans and frameworks agreed by partners across the county (for example the local enterprise partnership growth strategy *[link to be added]* and the [joint health and wellbeing strategy](#)). LGNYY and the Chief Executives Group have produced this plan to bring a joined up approach to a few critical issues that need a targeted partnership effort to tackle them. In identifying these we have adopted the following criteria:

1. Prevention - Where do we need to provide additional support, particularly in relation to issues which have the potential to create bigger problems in the next few years if we do nothing about them?
2. Partnership - Which issues do we as LGNYY and Chief Executives Group partners need to be involved in together?
3. Co-ordination - Where could we create key linkages with other partnership plans?

Our three priorities for 2014-17

- **Facilitate the development of key housing and employment sites across North Yorkshire by delivering necessary infrastructure investments through partnership**
- **Supporting and enabling North Yorkshire communities to have greater capacity to shape and deliver the services they need and to enhance their resilience in a changing world**
- **Reduce health inequalities across North Yorkshire**

The public sector is undergoing rapid change and the way that services are delivered to communities will continue to evolve over the next few years. As well as the more traditional function of delivering services, the public sector will also rely more heavily on working with partners in the voluntary and community and business sectors to **enable** communities to develop and deliver the services they need. Additionally, there will be a need to deliver more projects which reduce service demand and provide good value to the public. Good practice is already being established in this respect by countywide projects such as the Developing Stronger Families initiative. Partners will need to ensure that best value is achieved in the delivery of actions for this plan. Partners will also need to be mindful that where a service is reduced, this could impact on delivery of a service by another partner organisation and as such we will collaborate in partnership to minimise the impact of this.

Priority 1 - Facilitate the development of key housing and employment sites across North Yorkshire by delivering necessary infrastructure investments through partnership

We want North Yorkshire to be a place of opportunity for all and where all residents are able to thrive. This requires both access to good quality employment and a range of housing that meets the needs of our communities at all stages of their lives, including in relation to affordability. This combined offer is central to attracting and retaining a local workforce to support our economy. A number of strategic development sites are planned across the county which provide large-scale opportunities to deliver housing and employment growth, but often there are barriers to bringing them forward and making the most of them. These barriers frequently come in the form of physical infrastructure, for example the need to provide new roads and junctions, or to provide new schools. Here it is important - and frequently essential - that partners, including the Local Enterprise Partnerships (LEPs) serving the county, work together in unison to deliver what is required. The infrastructure needs don't stop at the boundaries of each site though. Sometimes wider infrastructure investment, for example in the highways network, is required to ensure that these major development sites are well connected and accessible.

Complementing investments in physical infrastructure, there is a key role for local authorities, LEPs, education and training providers and other partners to make sure our local workforce has the skills to match the employment opportunities that are either immediately available or being sought. Opportunities to match graduate and apprenticeship skills with future jobs should be pursued, as should the provision of support to help families to be economically stable by giving young people who are not in education or employment the necessary skills. Enabling the development of strategic housing and employment sites therefore requires a package of targeted and focused partnership action. This will not only make direct and positive contributions to the economy of North Yorkshire but will enable a range of wider housing and social benefits for our communities improving their health and wellbeing. The importance of enabling such development is fully reflected within the York, North Yorkshire and East Riding Enterprise Partnership Strategic Economic Plan and its accompanying Local Growth Deal Implementation Plan. Partners will work alongside the LEP to ensure that strategic development sites are delivered and, by supporting the preparation and implementation of the LEP's Skills Delivery Plan, that the opportunities offered for our economy and communities are maximised.

Priority 2 - Support and enable North Yorkshire communities to have greater capacity to shape and deliver the services they need and to enhance their resilience in a changing world

Public sector budget cuts have already had some impact on local services and will continue to do so considerably over the next few years. Within this changing context, partners have a key role to play in enabling communities to develop resilience and adapt. In some examples, such as the village shop and Post Office at Stillington, communities have been able to mobilise independently to take action and to retain and develop a 'hub' of services locally by recruiting volunteers and finding funding. However, there is a need for more targeted support for communities from partners, including training and support for community leaders to work with their community to shape and deliver sustainable services in an innovative way. There are already examples across the county where communities have been supported to deliver local services which best meet their needs, such as the community libraries operating in places such as Barlby and Ayton. Many partners are now signed up to the [joint working principles for](#)

[engaging communities](#) and it will be important for all partners to make best use of existing community engagement structures in developing this work.

With the growth of an older population in North Yorkshire comes a growth in age related issues such as dementia and loneliness and isolation. The growing older population also provides real opportunities to promote community action and healthy ageing, helping to tackle issues such as dementia and loneliness and isolation. Partners in North Yorkshire are actively developing and implementing strategies on prevention and dementia to improve the ways in which health and social care organisations meet increasing demand, improve care, and bring care closer to home. Key to this is the government's Better Care Fund (BCF), which brings health and social care services together through joint funding. The BCF will be a significant driver of integrated working between health and social care to prevent illness and disability, as well as providing care in a joined up way. One area of focus is on improving mental health services, and the enabling of "dementia-friendly" communities.

Priority 3 - Reduce health inequalities across North Yorkshire

We know that whilst North Yorkshire offers a good quality of life for many, this is not the case for all. In particular there are significant differences in terms of health and wellbeing experienced by many people in more affluent communities compared with those who have experienced higher levels of social and economic deprivation. Additionally, the current public sector budget cuts have already started to impact significantly on public services in North Yorkshire. Changes to these services, particularly when viewed cumulatively, can impact on the health and wellbeing of the population long into the future and are likely to disproportionately affect the most vulnerable in our society. We must work to ensure that the potential negative impact of these changes is minimised and highlight where we believe those in greatest need are being affected the most.

Smoking and alcohol are two of the main drivers of ill health in the population. Smoking is also the primary reason for the gap in life expectancy between the rich and the poor. In North Yorkshire there were over 3,000 deaths between 2008 and 2010 attributable to smoking. Across the county as a whole, 16% of adults smoke, but this rises to 30% in routine and manual groups. Likewise, modelled estimates show that over 25% of the North Yorkshire population are drinking at "increasing risk" and "high risk" levels. This is not just a problem for adults; in the North Yorkshire Every Child Matters survey of children in years 8 and 10 (aged 12-13 and 14-15) showed that 32% of pupils have had an alcoholic drink in the last 7 days. Additionally, we know that alcohol abuse is heavily linked to issues around crime, disorder and road safety. These issues are preventable through co-ordinated action across organisations in North Yorkshire using "alliance" approaches with clear leadership, a shared vision, and collective action.

All partners in LGNYY and the Chief Executives Group have a key role in the health and wellbeing of their staff, as well as thousands of contacts daily with residents. This puts them and all local employers in an ideal position to improve the health (and productivity) of their workforce as well as supporting local residents to live healthy lives. There is good evidence that creating a healthy workplace reduces sickness and absence levels, accidents, injuries, and employee turnover, as well as increasing overall performance and productivity.

How will this plan be taken forward?

Local Government North Yorkshire and York and the Chief Executives Group for North Yorkshire and York will lead the partnership of agencies responsible for ensuring that progress is achieved against all of the key aims of this refreshed plan.

The partnership has identified a number of key agencies or groups below who will be best placed to lead on delivering the actions outlined in this plan, although it is expected that all partners will have some role to play in ensuring their effective implementation. Performance against these actions will be reviewed in full at least every twelve months by the Chief Executives Group, who will receive from each lead an overview of progress made in these areas and any barriers to achievement.

1) Facilitate the development of key housing and employment sites across North Yorkshire by delivering necessary infrastructure investments through partnership

Actions		Lead or co-ordinating organisation(s) / partnership(s)
1a	<p>The joint preparation of Infrastructure Delivery Statements for each district.</p> <p>These will set out what development is planned; the critical infrastructure required to support it; and how this is to be funded and delivered through partnership.</p>	North Yorkshire County Council; District / Borough Councils;
1b	<p>Support the preparation and implementation of the YNYER Strategic Economic Plan and the Skills Delivery Plan.</p> <p>These will be designed to help equip local communities with the skills and knowledge likely to be required to participate in the full range of employment opportunities offered both during and after construction.</p>	YNYER Skills and Employability Board

2) Supporting and enabling North Yorkshire communities to have greater capacity to shape and deliver the services they need and to enhance their resilience in a changing world

Actions		Lead or co-ordinating organisation(s) / partnership(s)
2a	<p>Provide a coherent programme of support for communities, with the aim of developing empowered communities providing a range of sustainable local support and services.</p> <p>This will be designed to achieve stronger community and individual resilience in all parts of the county, effectively using all local assets (for example the skills of local people), and maximising health and wellbeing in the population.</p>	North Yorkshire County Council; District / Borough Councils; voluntary sector organisations

2b	<p>Implement the prevention strategy and the dementia strategy, to support communities to be resilient against the challenges of dementia and loneliness and isolation.</p> <p>These will enable health and social care organisations to meet increasing demand, improve care, and bring care closer to home, as well as helping communities to tackle issues such as dementia and loneliness and isolation..</p>	North Yorkshire County Council; Clinical Commissioning Groups; District/Borough Councils.
----	--	---

3) Reduce health inequalities across North Yorkshire

Actions		Lead or co-ordinating organisation(s) / partnership(s)
3a	<p>Develop a proactive partnership approach to the control of alcohol and tobacco, including responsible licensing, reducing illegal sales, and reducing illicit and counterfeit products.</p> <p>For alcohol, this will require the full implementation of the North Yorkshire Alcohol Strategy. For smoking, this will require establishing a Tobacco Control Alliance.</p>	North Yorkshire County Council; District/Borough Councils; Clinical Commissioning Groups, North Yorkshire Police.
3b	<p>Support organisations in North Yorkshire to promote a whole-organisation approach to health and wellbeing, including healthy work places and training for workers.</p> <p>This will require contact with organisations, particularly employers, to encourage and support them to participate in programmes such as Making Every Contact Count training www.makeeverycontactcount.co.uk</p>	District / Borough Councils; North Yorkshire County Council.

Further information about this plan, how it has been developed and the partnership can be found at www.nypartnerships.org.uk/nycommunityplan

Enquiries about this plan can be sent to nypartnerships@northyorks.gov.uk or by calling 0845 872 73 74.

You can also write to:

Policy and Partnerships
Central Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AD

If you would like this information in another language or format such as Braille, large print, on tape or CD, please ask us - telephone 01609 532917 or email communications@northyorks.gov.uk



North Yorkshire partnerships

Draft North Yorkshire Community Plan 2014/17

Consultation comments and responses

Consultation respondents

- North York Moors National Park Authority
- Yorkshire Dales National Park Authority
- Selby District Council
- individual respondents (2)
- Harrogate and District CPRE
- Richmondshire District Council
- North Yorkshire County Council
- Yorkshire Housing
- North Yorkshire Police
- Harrogate Borough Council
- Craven College
- Ryedale District Council
- Hambleton District Council

Appendix 2

	Comments	Responses
	General feedback on the plan	
1	The main focus of the three priorities does not apply directly to our work. However, it is acknowledged that authorities/partners have to prioritise and make difficult choices.	Noted.
2	We see synergies between our own management plan and the priority around “supporting and enabling communities”. We hope that the commitments within our plan can be accommodated within the Community Plan.	It is important to make sure that the plan does not simply replicate the priorities and actions agreed within other partnerships and plans across the county, but provides important strategic linkages where these may not otherwise have been made. We will of course also ensure that the Community Plan does not contradict the agreed aims and objectives of other key plans.
3	We like the concise and direct layout of the document.	Noted.
4	The plan is well-presented and covers all of the main issues that need to be highlighted.	Noted.
5	Communities need to be made aware of the public sector reforms so they understand the situation they are facing. I feel many people have no idea so are not prepared.	A number of reforms are already underway and others will take effect over the course of the next few years. Every partner is responsible for ensuring that changes to or reductions in services are communicated effectively across local communities and to support communities in mitigating against the impact of these.
6	Happy with the content of the plan and already recognise some of the elements from the Health and Wellbeing shared plan and the draft Alcohol Strategy; we will be working towards supporting this at a local level and identifying local leads for our input.	Noted.

Appendix 2

7	While not disagreeing with the priorities in the plan, they are not the top priorities for our authority. There are a number of other issues being dealt with by partnerships across the county and it would be useful if the plan could list these, to reassure readers that those issues are being dealt with elsewhere.	The aim of the partnership is for the plan to be as focussed and as concise as it can be. As such, we have not included a list of references to either the strategic issues not referenced within it or the other partnerships across the county which are dealing with them. Much of this information can be found on the NY Partnerships website at www.nypartnerships.org.uk .
8	Community engagement is a driver for all organisations, including the partners outwith LGNYY. Effectively working together on community engagement activity would be a useful priority of the community plan and may result in improved experience of the residents and businesses responding to each of our service partners.	We have not treated community engagement as a separate objective in its own right but it will be critical to delivery of some of our objectives, particularly “supporting and enabling communities” and “reducing health inequalities” and as such cuts across the core of the plan.
9	The vision and strategic intent of the plan cover the key things which need to improve in North Yorkshire and we support your proposal to focus on three key priorities.	Noted.
10	The plan needs to include more examples of good practice happening on the ground – show more of a link between new ways of working and how this has shaped policy (i.e. give district examples).	We have noted this and have included a few working references which have a broader application to help improve how we illustrate some of the key priorities.
11	We would like to see the ‘Better Together’ programme between North Yorkshire County Council and Selby District Council mentioned in the plan as this is a key development for the county, with ambitions to deliver radical transformation to public service delivery.	We have included some specific examples to help support the narrative where these were directly illustrative, so they are focussed more around community engagement and public health.
12	The plan is light on the ‘how’ – needs more detail about how things will be implemented and who will take them forward.	This was developed alongside the consultation and will be agreed by the Chief Executives’ Group.
13	There is no mention of personal debt and budgeting issues, which is a	We recognise that this is a significant issue for a number of people across the county. However, one of our three key criteria for

Appendix 2

	major problem countywide.	identifying which issues would be the most critical for the county in the next few years is around whether there is already partnership work or similar support underway on an issue. A lot of work is being delivered outside of this plan, in partnership, to assist those in financial need, such as through advice/support agency networks and through the NY Local Assistance Fund, for example. As such, the task group did not identify this issue as one to focus on in this plan.	
14	Who will be the leads for each action and how will the monitoring of actions be taken forward?	This was developed alongside the consultation and will be agreed by the Chief Executives' Group	
15	At what point will the key leads be identified and who will be responsible at county level for co-ordinating responses to the actions listed? Are there to be key milestones when information will be required from each partner as to the supporting activity conducted? This will help us plan locally.	See also above. Further detail on implementation will be worked through via the Chief Executives Group.	
16	What is the relationship between the plan and the Joint Strategic Intelligence Assessment (JSIA)? How do these plans fit together and should they do so? The plan could look at issues more widely, such as the broader links between alcohol and crime, disorder, road safety, etc.	The Community Plan aims to bring strategic coherence to a few critical issues that need a targeted partnership effort to tackle them. It isn't seeking to replicate the key objectives of other countywide plans, such as the JSIA, but to make a strategic link between them; in particular by drawing out those issues which require additional partnership support to be achieved. We have, however, incorporated a specific reference to the links between alcohol (under "health inequalities") and the broader links to community safety.	
17	The plan doesn't acknowledge the requirement to show how services provide good value to the public or explore their sustainability into the	We have noted this and have included an appropriate reference to	

Appendix 2

	<p>future. The Developing Stronger Families programme, for example, reduces service demand and helps to save public money.</p>	<p>achieving best value under “our three priorities”.</p>
18	<p>Children and young people do not feature specifically in the plan.</p>	<p>This demographic group are not excluded from the focus of the plan. They are seen as a key part of the communities that we want to make healthier and more resilient. In particular, protecting children and young people from the harms associated with smoking and alcohol misuse will be a key tenet of joint work on these two important public health issues.</p>
19	<p>The environment is not specifically included within the priorities.</p>	<p>The environment remains an important issue for partners. However, it is necessary to focus the plan on those issues which are most critical to ensuring that the county is well placed to respond to the challenges of the next few years. The three criteria identified on page 1 of the plan were developed by the task group to help focus the plan on such issues.</p>
20	<p>There is no reference to environmental priorities such as response to climate change (both in terms of prevention and adaptation) and local environmental protection. These are areas of great importance to the long term sustainability of our communities and economy. There does not appear to be a county wide partnership currently looking at these issues.</p>	<p>Noted – see also 19, above. The vision of the North Yorkshire and York Local Nature Partnership is to see the natural environment of North Yorkshire and York is conserved, enhanced and connected for the benefit of wildlife, people and the economy.</p>

Appendix 2

Feedback on the proposed priorities	
	Priority 1 – Facilitate the development of key housing and employment sites across the county
21	This priority may be better if expanded to include “with an appropriate transport infrastructure”, given the size and nature of our county.
22	New housing and jobs are both needed and necessary but so is the infrastructure to go with the new Housing and Industrial Land for Employment
23	We welcome the recognition of the importance of developing key housing and employment sites. Infrastructure issues need to be resolved to enable this priority to be addressed.
24	We strongly support the inclusion of this priority. The development of strategic sites requires a partnership approach with input from a number of different organisations.
25	This priority falls within the remit of the LEP. Housing and jobs are also key priorities for Ryedale; in particular, higher wages in this area. Unemployment is relatively low but the level of average wages is very low.
26	This priority currently has quite a narrow focus. We need to look at the wider growth agenda, including skills and employability.
27	Where the Plan does not directly deliver on this agenda, it needs to signpost to the work of the LEP.
	We have noted this and incorporated explicit references to investing in infrastructure.
	See also 21, above.
	See also 21, above.
	Noted.
	We have included a more explicit reference to joining up with the work of the Local Enterprise Partnership (LEP) in achieving against this priority.
	We have noted this and have developed the narrative focus of this priority to include these points.
	Noted. Please see also 25, above.

Appendix 2

28	Where there is an ambition to facilitate the development of key housing and employment sites, evidence needs to be provided on how this has been done and will be done in the future.	Noted. Further detail on the implementation of this aspect will be worked through among District/Borough councils, NYCC, the LEP and others.
29	Ensure linkages to training providers to ensure skills are offered to support employment.	We have noted this and have incorporated references to linking up with training providers and FE colleges.
30	Link with FE colleges and training providers to match 'graduate'/apprenticeship skills with future employment offerings.	As above.
	Priority 2 – Support and enable our communities to have greater capacity to shape and deliver the services they need and to enhance their resilience in a changing world.	
31	Need to include the business community in assisting to fill the gap.	A reference to the inclusion of the business sector as key partners has been added to the beginning of the plan.
32	This priority would benefit from greater clarity as to what it would mean in practice. There are good examples of community engagement at a local level that could be drawn on. We should continue to use these structures rather than develop new ones.	We have noted this and included a few examples of where communities have been supported to deliver innovative and sustainable services. Obviously, every area is different, so it's important to clarify that what works in one area does not necessarily work elsewhere. We have also included a reference to the protocol on joint working principles, which many partners have signed up to – this puts in place an agreement to use existing engagement structures rather than creating new ones.
33	We are supportive of this priority and of further partnership working in these areas. We are already delivering various initiatives to support these two distinct areas of work.	Noted.
34	Need to link with FE/HE providers to ensure quality training is delivered, e.g. team leadership, dementia awareness.	We have noted this for the purposes of considering implementation of the plan.

Appendix 2

35	Link with the North Yorkshire Community Learning Partnership to ensure community learning opportunities are maximised.	As above.
36	Link in with FE to create opportunities for young people to consider citizenship (could be part of their study programmes).	As above.
37	Work is needed/resource needed on local community groups to be able to push forward ideas and agendas (there is currently too much reliance on partner organisations to finance/donate time for co-ordination).	We have noted this and it will be a key part of the work to help community groups to develop their own sustainable solutions and become more resilient.
38	The reference to a “changing world” would benefit from clarification to determine the context in which the community plan is seeking to deliver. Is this plan seeking to respond to global issues?	We have noted this and have made a slight modification to the narrative to reflect this.
39	We would support the objectives of developing community resilience to changes in public sector reforms. It would be worth noting that such reforms are <i>already impacting</i> on local services; this is not a future issue.	Noted.
40	Reference to the voluntary and community sector partners in delivering this objective would be welcome here.	Noted. We have included clarification towards the beginning of the plan that “partners” comprise all three sectors. As such, “partners” as referred to in this priority also refers to all three.
41	The isolation experienced by many older people may also be improved by sustaining levels of community and public transport, and it would be worth referencing this in the document.	While transport is one of the factors in helping to reduce isolation, it is only one aspect of public/community services that contributes to this and there are many. The focus of this priority is to reinforce that communities need to have support to develop resilience and determine the kinds of services they feel they need for their own community.
42	We would welcome mention of local democracy in this priority. This could involve engagement and participation in meetings, registration rates, voter turnout etc. Also there is a heavy emphasis on older people,	The focus of this priority is around enabling and resilience and is intended to have a particular focus on our growing older population and the opportunities that this group provides.

Appendix 2

	when an emphasis on youth democracy and use of modern methods of communication/engagement, such as social media, would also be equally relevant.	
	Priority 3 – Reduce health inequalities between the most affluent communities and those that suffer from high levels of deprivation	
43	This may be more effective if it was to support those with “higher” levels of deprivation rather than “high” as the latter, when measured on a national scale, will include fewer people in North Yorkshire.	The title of this priority has now been changed to remove reference to higher levels of deprivation.
44	To raise awareness of dementia in communities is a good move, training would be essential as it would give possible voluntary carers confidence and support.	Further consideration will be given to the actions identified in the action plan at the Chief Executives’ Group.
45	Impact of service reduction on the community – note that a strategic lead could have an impact where the reduction affects another partner which in turn affects their ability to deliver that and other services are not seen as linked.	We have noted this and have incorporated it under “Our three priorities”.
46	This section needs to be more explicit about reducing health inequalities for those who suffer high levels of deprivation, rather than simply closing the gap. Focus should also be more on tackling obesity - particularly in children – than on smoking on alcohol. It needs to reflect the positive impact local authorities in the county can make to help people improve their own health by being more active.	The plan does not seek to exclude obesity and childhood obesity as an issue for North Yorkshire, however we felt that smoking and alcohol were more relevant issues for the scope of this plan – i.e. smoking and alcohol use are significant issues for all partners; district/borough councils, Fire and Rescue, and Police. The issue of obesity is a priority for NYCC and the Public Health Team have allocated funding to take forward projects with partners (districts, schools, Children and Young People’s Services etc.).
47	Need to again ensure links with FE/HE providers regarding training and the developing community learning offer available, as above.	We have noted this for the purposes of considering

Appendix 2

		implementation of the plan, as previously.
48	Reducing health inequalities is essential. It is not always the poorer communities who suffer problems leading to health problems. I have noted many carers need more actual support; the cost of care is substantial and carers need to be considered. Hospitals need more beds as the population in NY and York increases.	Noted.
49	The priority is commendable and essential. However, it is also essential to take action across the whole health and deprivation gradient in order to ensure some improvement across all sections of the community. Smoking and alcohol have been identified as priorities; we would also question whether obesity should be included in the Action Plan.	See 46, above.
50	We are supportive of improving the health of the local workforce and are developing a local partnership approach to a “Healthy Business Scheme” which aims to promote issues relating to alcohol, smoking, poor diet and lack of physical activity in private sector businesses.	Noted.
51	In past iterations of community plans, obesity has been a key priority as a health driver with long term consequences. Would this rate alongside smoking and alcohol in this priority?	See 46, above.
52	Clarification that ‘partners’ includes the private sector (as local employers) would be helpful here.	A reference to the inclusion of the business sector as key partners has been added to the beginning of the plan.
53	We feel that district councils should be the lead organisation in the delivery of this priority.	We have noted this and have incorporated district/borough councils, NYCC and the YNYER Enterprise Partnership as key partners leading on this in the proposed action plan.

Equality Impact Assessment (EIA)
North Yorkshire Community Plan 2014/17

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।
如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。
اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔



Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Central Services – Policy and Partnerships
Lead Officer and contact details	Diane Parsons diane.parsons@northyorks.gov.uk / 01609 532750
Names and roles of other people involved in carrying out the EIA	Neil Irving – Assistant Director (Policy and Partnerships)
How will you pay due regard? e.g. working group, individual officer	Via task group meetings, partnership meetings and through individual officers.
When did the due regard process start?	10 th October 2013
Sign off by Assistant Director (or equivalent) and date	Neil Irving - Assistant Director (Policy and Partnerships) – 25 th March 2014

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

The **North Yorkshire Community Plan 2011/14** (formerly known as the sustainable community strategy) identifies the three most critical issues facing communities in North Yorkshire and what actions are needed to tackle them in partnership. It is led by a partnership of organisations comprising Local Government North Yorkshire and York (LGNYY) and the Chief Executives Group for North Yorkshire and York. The Community Plan is now being refreshed to ensure that its priorities and actions fully reflect the challenges to be faced in the next few years. The **North Yorkshire Community Plan 2014/17** has been developed with partner organisations from LGNYY and the Chief Executives Group and via a partner consultation (November 2013 to January 2014) comprising Wider Partnership members. A task group was also set up to assist the development process, comprising nominated officers from the Chief Executives Group partner organisations. In identifying and proposing priorities for inclusion in the revised Plan, this group also helped to ensure that due regard was given to key cross-cutting themes; in particular to issues such as equality in access to services and the challenges posed by the rural nature of the county.

Section 2. Why is this being proposed? (e.g. to save money, meet increased demand, do things in a better way.)

The current Community Plan expires in 2014 and as such is due for a refresh. Legislation requires local authorities, in consultation with partners, to produce a sustainable community strategy “for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom”, although there is no longer any statutory guidance regarding the contents or format. It’s important that the Plan is reviewed and refreshed to make sure that it continues to focus on the most important issues for communities over the next three years.

Section 3. What will change? What will be different for customers and/or staff?

The current Community Plan 2011/14 focusses on the following three priorities and contains a small number of actions against which to monitor partners’ progress:

- Protecting and supporting vulnerable people
- Supporting economic growth and employment
- Enabling stronger local communities.

In identifying some priorities for inclusion in the revised **Community Plan 2014/17**, the task group proposed that the following criteria provided a useful test for determining whether an issue merited inclusion:

- What issues need some additional support to be able to happen; particularly issues which have the potential to create bigger problems in the next few years if we do nothing about them?
- Which issues require all or most of the Chief Executives Group partners to be involved?
- Which issues, if tackled through this plan, would help create a key linkage between other partnership plans?

On this basis, the following three priorities were proposed and developed through partner consultation as representing the most critical issues for communities in the next three years:

- **Facilitate the development of key housing and employment sites across North Yorkshire by delivering necessary infrastructure investments through partnership**
- **Supporting and enabling North Yorkshire communities to have greater capacity to shape and deliver the services they need and to enhance their resilience in a changing world**
- **Reduce health inequalities across North Yorkshire**

Therefore whilst there remains a strong message around supporting community resilience and helping economic growth, there is a shift (change) in focus for the period 2014-17 to help ensure that North Yorkshire is well placed to deal with the particular challenges and opportunities of the next three years. For some communities in North Yorkshire, this change may not be particularly 'visible' or tangible in its impact on quality of life and wellbeing during this period. However, there will be a gradual transition within certain communities - such as those where strategic site development is taking planned/taking place and those where communities are actively being supported to develop sustainable services for themselves – which will improve quality of life and/or change the supplier-deliverer relationship that public sector partners have traditionally had with local communities, to becoming enablers. This will rely heavily on the active engagement of other partners such as the voluntary and community sector and the business sector.

A couple of other issues were considered by the task group as potential priorities. These were:

- Alcohol
- Safeguarding
- Broadband.

However, these were not deemed to require a stand-alone objective to deal with them and there are other plans in place or underway which will specifically address these.

Section 4. What impact will this proposal have on council resources (budgets)?

The Community Plan is a voluntary statement of partnership priorities; it is not a service plan or contractual agreement from NYCC or any of the constituent partners. Some NYCC resources will necessarily be deployed in working towards achievement against the three priorities and linked action plan. However, it is expected that where resources are deployed that this is in the main part of planned service allocations and strategic interventions which will align with the Community Plan; such as delivery against the prevention and dementia strategies, for example. As such, there should be relatively little 'new' impact on NYCC budgets.

Section 5. Will this proposal affect people with protected characteristics?	If so, why will it have this effect? State any evidence you have for your thinking.
Age	The revised Community Plan identifies that older people are in most

	<p>need of support to help deal with loneliness, isolation and also dementia. Priority 2 therefore contains linked actions to help develop 'dementia-friendly communities', for example and also, on the preventative side, to ensure that health and social care services are more joined up in their delivery. Social care services are more likely to be used by older people, in particular by those aged 85+ and the aim is to provide appropriate services to the most vulnerable. Similarly, dementia is more likely to affect pension-age people than younger people in the community and dementia-friendly communities will help to ensure those living with dementia are able to get the support they need and continue to do the things they want to do for as long as possible. Priority 3 (reducing health inequalities) aims to develop stronger partnership approaches to issues such as the illicit sale of tobacco and alcohol and as such to improve longer term health outcomes for people living in the county. This is likely to have a particular impact on younger people – particularly those aged under 18 – where partners work to target sales to those who are underage.</p>
Disability	The Better Care Fund (see Priority 2) will work towards supporting people to be as independent as possible by bringing care closer to home and joining up services better, which will be of particular benefit to those who have a disability and wish to remain independent within their own homes.
Sex (Gender)	There is likely to be an indirect benefit to women from activities benefiting people who are vulnerable due to age and possible resultant disability. This is because women tend to live longer than men. In addition women are more likely to provide unpaid care so should benefit from actions to better target social care provision on the most vulnerable.
Race	No specific impact identified.
Gender reassignment	No specific impact identified.
Sexual orientation	No specific impact identified.
Religion or belief	No specific impact identified.
Pregnancy or maternity	No specific impact identified.
Marriage or civil partnership	No specific impact identified.

Section 6. Would this proposal affect people for the following reasons?	Why will it have this effect? Give any evidence you have.
Live in a rural area	Public sector service reductions are likely to have the biggest impact on

	rural communities where connectivity and access to services is critical to their ability to thrive and promote wellbeing for all. The action plan for Priority 2 will help to focus partners' efforts to work effectively with communities affected by service cuts to deliver sustainable local services/solutions and hence mitigate against disproportionately adverse impact in these areas.
Have a low income	Priority 1 within the Community Plan relates to economic development and maximising local benefit from construction of new homes and linked infrastructure improvements. These have the intention of increasing job opportunities and may benefit those who are currently not working. The ongoing drive to encourage more volunteering within certain services to help communities become more self-sustaining may also help people currently unemployed or under-employed to benefit from an opportunity to learn new skills and perhaps become more employable.

Section 7. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men?) State where this is likely to happen and explain what you think the effect will be and why giving any evidence you have.

See Section 5 on impact related to sex (gender).

Section 8. Only complete this section if the proposal will make things worse for some people. Remember that we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us.

Can we change our proposal to reduce or remove these adverse impacts?

No specific adverse impact has been identified during the development of the revised Community Plan for 2014/17. The Plan is a voluntary statement of partnership priorities; not a contractual agreement. The delivery of the individual priorities is the responsibility of the named partnerships, who are responsible for ensuring the equality impact is assessed and acted upon. If any adverse impacts are identified during the implementation of the action plan then the partners/partnership will work to mitigate impacts.

Can we achieve our aim in another way which will not make things worse for people?

See above.

Section 9. If the proposal is implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

The Chief Executives Group will be responsible for monitoring progress against the Community Plan's action plan and regular reports will be taken to their meetings to ensure that progress is being made and that any barriers are removed where possible. However, whilst the action plan contains a small number of targeted, measurable actions, it will be difficult in some cases – by 2017 – to precisely quantify the broader impact of those changes on specific groups or communities. For example, we may be able to quantify how many people have signed up to becoming 'dementia-friendly' but it may be difficult to be precise about the geographic spread (impact) of these individuals in their communities. Additionally, while we may be able to record new jobs created as a result of Priority 1 actions, the longer term benefits to people living and working in those communities may take longer than the

'life' of the Plan to be realised. As such, outputs will be recorded but longer term outcomes will be more difficult to quantify against the Community Plan in its own right. Each service area in NYCC and external partner involved with the Plan will also be responsible for specific monitoring and measuring against outcomes during this three-year period and these findings will also assist the Chief Executives Group in determining where longer-term impact/improvement has been achieved.

Section 10. List any actions you need to take which have been identified in this EIA			
Action	Lead	By when	Progress
Where a public sector partner is planning to reduce/remove a local service and this may impact adversely on the delivery of another service by another local partner, then all Chief Executives Group members will collaborate in a timely way to plan effectively and minimise impact on communities.	CEO Group partners	Ongoing	<i>Ensure regular information-sharing via partnership meetings.</i>

Executive Report to Council - Appendix 2A

Mid-term review of the third North Yorkshire Local Transport Plan 2011-16

Local Transport Plan 2011-16 Addendum

Contents

1. Introduction	2
2. Government Funding for Transport	4
Appendix 1 – Core elements of LSTF packages	10
Appendix 2 – Strategic Economic Plan programme of schemes	15
3. Passenger Transport	18
Rail	18
Bus Strategy	24
4. Transport and Public Health	27
5. Integration of Transport and Land Use Planning	38
Appendix 1 - Latest Position of Local Plans	41
6. LTP3 Key Outcome Indicators	45
7. Strategic Environmental Assessment (SEA)	51

Chapter 1 - Introduction

1.1 Background

Under the Transport Act 2000 (amended by the Local Transport Act 2008) all local transport authorities in England are required to produce and maintain a Local Transport Plan. The third North Yorkshire Local Transport Plan (LTP3) was adopted in December 2010 and covers the five year period 2011 – 2016. LTP3 sets the main transport priorities for the County and the actions that will be taken to contribute to achieving those priorities. Copies of the LTP3 are available on the County Council's website at:

<http://www.northyorks.gov.uk/article/26213/Local-transport-plan-three-LTP3>

In approving LTP3, and in line with the practice carried out for LTP1 and LTP2, the County Council agreed to carry out a mid-term review of LTP3 to ensure that any significant changes in circumstances are incorporated into the Plan. This addendum report has been prepared by the County Council to review the current position in relation to implementation of the LTP3 and also summarising key changes in transport policy and strategy, particularly where a change in central government policy has had a resultant impact on local government.

Importantly the adopted LTP3 explicitly recognises the current local government funding situation and sets out strategies to address these funding constraints. The LTP3 adopts a hierarchy of 'Manage, Maintain and Improve' with regards to transport infrastructure. In accordance with this approach, and taking account of the impact of the recent extreme weather on the highway network, the majority of Local Transport Plan funding is directed at highway maintenance. Evidence from the annual Citizens Panel survey and from recent Parish Council surveys indicates continued public support for giving priority to highway maintenance. This hierarchy has therefore not been revisited as part of the mid-term review.

1.2 Content of Report

This mid-term review covers the four policy areas set out below; in addition to an update on the LTP3 key outcome indicators and the Strategic Environmental Assessment. This report has been adopted by the County Council as an addendum to the main LTP3 report and is available via the County Council's website.

1.2.1 Government Funding for Transport

Chapter 2 of this report outlines the recent changes to the Government's approach to funding major transport improvements and sets out the main new funding streams that are available. This includes the devolution of a national funding pot of approximately £2bn per annum until 2020/21 in a competitive process for Local Enterprise Partnerships (LEPs) to bid into through the Local Growth Fund. Crucially a significant portion of this funding (approximately 50%) has been top sliced from Department for Transport budgets previously allocated to local transport authorities for improvements to transport infrastructure. The County Council are working closely with the York, North Yorkshire and East Riding LEP to ensure that the Strategic Economic Plan fully reflects the vital contribution of transport to the local economy. The mid-term review amends LTP3 to ensure that this new approach to transport funding by the Government is adequately reflected in the County Council's transport strategies and policies.

1.2.2 Passenger Transport

Chapter 3 provides a review of the County Council's passenger transport policies including the County Council's position in relation to High Speed 2 as well as an update on the

Council's Bus Strategy. The Government has published details of their proposals for the next phase of High Speed Rail (HS2) which includes links into the current East Coast Main Line in Selby district. The mid-term review will set the County Council policy on HS2 taking account of both the economic benefits and negative local environmental impact.

1.2.3 Transport and Public Health

The County Council became the lead authority for promoting public health in North Yorkshire in April 2013. Many public health considerations, including encouraging 'active travel' modes such as walking and cycling, are already embedded in LTP3. Chapter 4 takes into account the County Council's new public health duties, considers the existing synergies between the LTP3 and public health, and also ensures that the County Council's new public health role is reflected in transport strategies and policies.

1.2.4 Integration of Transport and Land Use Planning

Chapter 5 provides an update on the current position in relation to each of the local planning authority Local Plans and Local Development Frameworks. The chapter outlines how the County Council ensures that our transport planning role is integrated into their land use planning role (linked to the duty to cooperate) and includes examples of joint working.

1.2.5 Key Outcome Indicators

In order to monitor the success of LTP3 and to establish on-going trends the County Council has retained a series of key outcome indicators for the LTP period 2011-2016. Chapter 6 provides an overview of the key indicators and, where data is available, an update on outcomes and trends.

1.2.6 Strategic Environmental Assessment (SEA)

The LTP is a statutory strategic planning document and consequently the County Council was required by legislation to undertake an SEA of its likely impact on the environment. This included the adoption of a number of environmental indicators. Chapter 7 consists of a review of the latest position on the SEA indicators.

Chapter 2 - Government Funding for Transport

2.1 Introduction

Since completion of the Local Transport Plan in 2010 the Government's approach to funding transport improvements has changed significantly. Whilst the County Council still receives a block allocation of capital funding for transport improvements through the Local Transport Plan (LTP) process, a number of other new funding streams are now available. In general these tend to be announced at very short notice and are often set up to deliver schemes and initiatives in the short term (up to 3 years). The main 'new' funding streams that have become available are:

- Local Sustainable Transport Fund (LSTF)
- Local Pinch Point Funding
- Devolved Major Schemes Capital
- Linking Communities Cycling in National Parks Grant
- Local Growth Fund

Unlike the LTP block allocation the majority of this funding is available only through a competitive bidding process and comes with very specific requirements for its use. The following section gives details of the County Council's approach to this new funding and brief details each of the above funding streams.

2.2 North Yorkshire County Council Approach

The County Council is committed to improving the transport infrastructure for residents and visitors to North Yorkshire. As such wherever possible it will bid for funding from all suitable sources.

However, as stated above, many of the recent funding streams have required bids at very short notice and for the delivery of schemes in the short term. At the current time the financial pressures on Local Government are extreme and therefore it is often difficult to make available the staff and financial resources to prepare and, if successful, deliver these bids. Notwithstanding the above the County Council has made bids into the Local Sustainable Transport Fund, the Devolved Major Schemes capital funding, the Cycling in National Parks Grant and the Local Growth Fund and in Spring 2014 made further bids for the latest release of the LSTF (revenue round for 2015/16).

Unfortunately the strict criteria for delivery of schemes using Local Pinch Point funding means that the County Council has not been able to submit bids for this funding source. The main difficulty with this funding source is the requirement to deliver major infrastructure improvements within a very short timeframe (sometimes as short as 18 months from the announcement of the fund). In practice this means that all schemes must be fully designed and ready to start construction at the point at which the funding bid is submitted. To get to this stage of preparation the County Council would need to invest a minimum of approximately £0.5m for each scheme. In these times of financial austerity it is difficult to justify investing this amount of money with no guarantee of funding for the final scheme. However, to ensure a stronger position in terms of future funding opportunities, the County Council are considering a variety of options for funding this scheme preparation including working with the York, North Yorkshire and East Riding Local Enterprise Partnership to develop an advanced design fund (see below).

To date the County Council has been successful with two bids into the LSTF (a total of £5.314m) and a bid to the Devolved Major Schemes Capital (£9.6m). The County Council are awaiting the results of the two further LSTF bids and bids into the Local Growth Fund. A bid for funding from the Linking Communities - Cycling in National Parks Grant to maximise the legacy benefits in the Yorkshire Dales of the 2014 Tour de France starting in Yorkshire was unsuccessful. The County Council have also supported district council colleagues in the preparation of bids for non-transport, but related, funding, such as the annual Department for Environment, Food and Rural Affairs air quality grants.

2.3 Local Sustainable Transport Fund

When the Local Transport Plan was adopted in 2010 the principle of the Local Sustainable Transport Fund had recently been announced, but full details were not yet available. Details on the bidding process were announced in January 2011 and following a prioritisation and selection process (details of which are available in reports to the County Council's Executive dated 5 April 2011 and 24 May 2011) two packages of schemes were selected to be developed into LSTF bids. Full details are available on the County Council's website. These packages were:

- Harrogate Sustainable Transport Package - to improve access to existing and developing employment areas, major conference and exhibition facilities and retail and visitor attractions in the town.
- Whitby and Esk Valley Tourism Economy Package – to address traffic congestion and other transport capacity issues that constrain the growth of the tourist economy in the area, as well as boost the active travel 'offer' in the North York Moors National Park

In June 2012 the Government agreed to partially fund both packages. Appendix 1 to this report sets out the core elements of the packages which the Government agreed to fund. Delivery of these packages is now well underway.

2.4 Major Schemes Devolved Capital Funding

Prior to 2011, funding for major transport improvements (those costing more than £5m) was provided to local transport authorities such as North Yorkshire County Council through a process of direct bids to the Department for Transport (DfT). This was the mechanism through which the County Council successfully secured funding for the A684 Bedale, Aiskew and Leeming Bar bypass.

In 2012 as part of the Coalition Government's commitment to localism, they announced that funding for major schemes would now be devolved to consortiums of local authorities, to be known as Local Transport Bodies (LTB's). The national funding available for these major transport schemes would be allocated to LTB's on the basis of the population of the geographical area covered by the LTB.

Following a series of consultations and negotiations with neighbouring authorities and the local planning authorities a North Yorkshire Local Transport Body was set up in February 2013. Whilst this is administered by North Yorkshire County Council it is an independent body with a separate, Department for Transport approved, governance framework.

The membership of the North Yorkshire LTB (NYLTB) is shown in figure 1. The primary purpose of the NYLTB was to identify, prioritise and approve major transport schemes for implementation by 2018/19. Following approval of the schemes the LTB were to manage the programme of schemes and monitor the implementation of them.

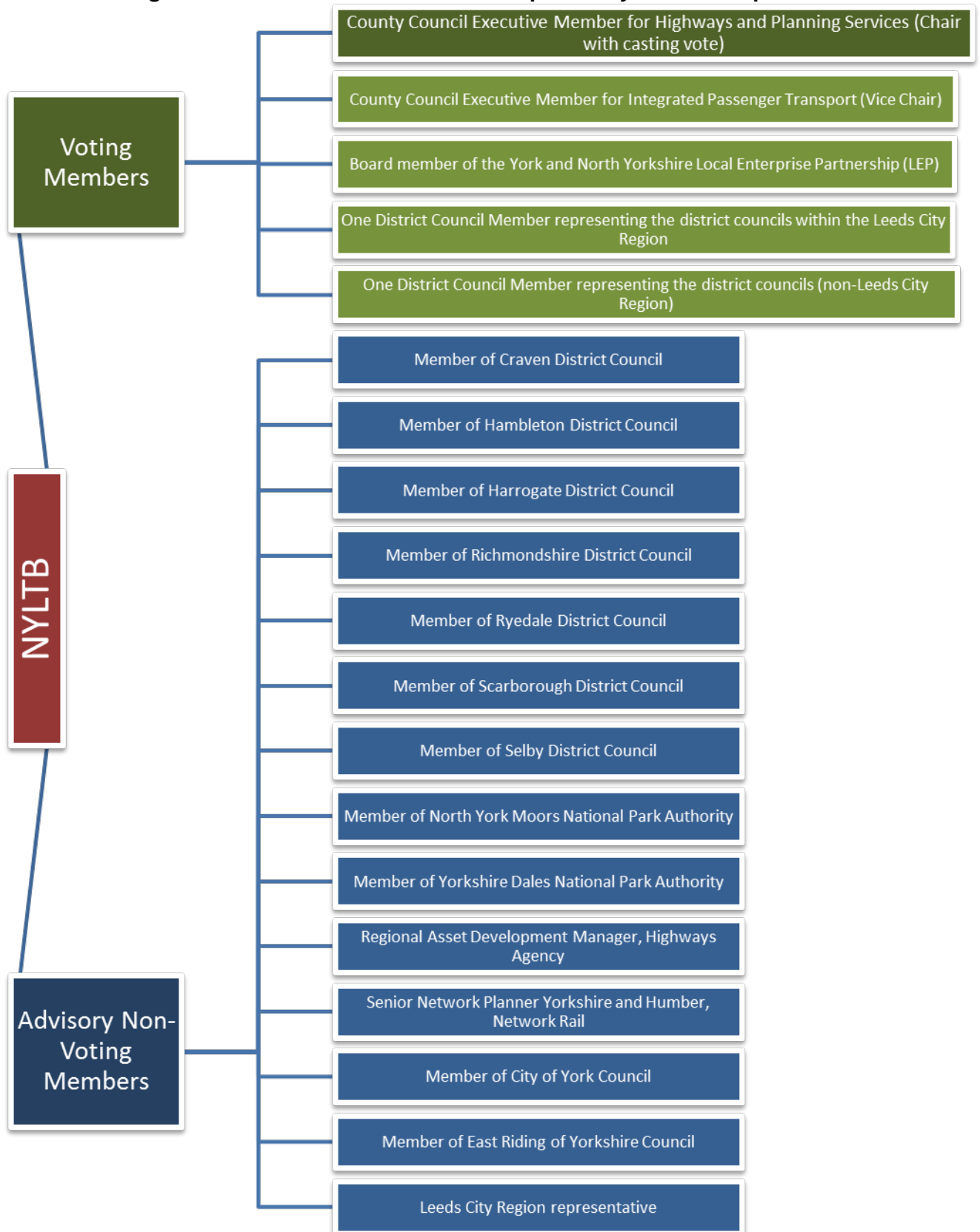
The Government's financial allocation for the period 15/16 to 18/19 for the NYLTB was provisionally a total £14.4m however the final allocation was reduced to £9.6m. To establish which schemes the LTB should allocate funding to they introduced a bidding process where any member of the LTB could submit a bid for funding.

In response to this bidding process the County Council reviewed all its existing Major Schemes and also considered a number of additional new schemes. Details of the review and assessment of these schemes were considered by the County Council's Executive at their meetings on 28 May and 23 July 2013. Details of these reports are available on the County Council website. A key consideration in selecting a scheme was the necessity to deliver the scheme by the 2018/19 deadline for funding from the devolved allocation. Whilst there were a significant number of strong schemes considered, very few were deliverable within the time frame of the allocation.

Following this process the County Council submitted a scheme to double track sections of the York – Harrogate – Leeds railway east of Knaresborough. The scheme consists of upgrading a section of rail line track east of Knaresborough to two tracks to allow two trains to pass each other. This would allow an increased frequency of rail services between York and Harrogate from the current one train per hour to two. Existing journey times are targeted to improve by up to 15 minutes (7-8 minutes between Harrogate and York) and performance and reliability would improve significantly. Further details can be found in Chapter 3.

Following the bidding and selection process, at a meeting of the NYLTB held on 29 July 2013 the Local Transport Body agreed to provide £9.6m towards the cost of re-doubling sections of the York – Harrogate – Leeds railway east of Knaresborough scheme. Further details of the governance and work of the North Yorkshire Local Transport Body are available at: <http://www.northyorks.gov.uk/article/27000/Local-transport-body-LTB>

Figure 1 – North Yorkshire Local Transport Body Membership



2.5 Local Growth Fund

In July 2013 the Government published guidance on Growth Deals setting out details of a Local Growth Fund. The purpose of this is to provide capital funding to Local Enterprise Partnerships (LEPs) to use to stimulate local economic growth in their areas. The main LEP covering North Yorkshire is the York, North Yorkshire and East Riding (YNY&ER) LEP with the Leeds City Region (LCR) LEP also having an influence in the Craven, Harrogate and Selby districts. Further details of the roles and responsibilities of these LEPs can be found on their websites at:

www.businessinspiredgrowth.com and www.leedscityregion.gov.uk/

The Local Growth Fund (LGF) consists of a national funding pot of approximately £2b per year for the period 2015/16 to 2020/21. Only funding for the financial year 2015/16 is confirmed with future years being after the next General Election and therefore being identified indicatively. The LGF is available for all LEPs to make competitive bids for funding for local interventions to boost local economic growth. The funding available is primarily capital and as such must be spent on providing infrastructure (e.g. new roads, rail, flood defences etc.) rather than supporting new services (e.g. bus and rail services)

All of the funding previously allocated to major transport schemes either through the original bidding process to the DfT or through the newly formed LTB's has now been included in the Local Growth Fund and will now be included in the bidding process. There is now no other source of Government funding available to deliver major transport schemes. However, schemes already approved by the DfT (such as Bedale, Aiskew and Leeming Bar Bypass) will automatically be funded through the LGF. Additionally, the original allocations to the Local Transport Bodies (for the NYLTB £9.6m) will not be part of the competitive bidding process and will automatically be allocated to the appropriate LEP but the specific schemes selected for funding from this money must be confirmed by the LEP.

The Government time frame for preparing bids for funding from the LGF was very tight. In the July 2013 guidance the Government announced that funding from the LGF would be allocated through LEP's preparing a local Strategic Economic Plan (SEP) the first draft of which had to be submitted to Government by the end of December 2013.

Given the time frames for preparation of the SEP the YNY&ER LEP agreed that the NY Local Transport Body should take the lead role in identifying and prioritising transport schemes for potential inclusion in the SEP and funding through the LGF. Whilst the geographical areas covered by the LEP and the LTB are different this approach was agreed by all members of the YNY&ER LEP. The NYLTB therefore invited all its member bodies to submit ideas for transport schemes for potential inclusion in the YNY&ER Strategic Economic Plan.

In line with the requirements of the Local Growth Fund the main criteria for schemes for potential inclusion in the SEP were:

- To make a significant contribution towards local economic growth (especially job creation and new housing delivery) in the LEP area.
- To be deliverable by 2020/2021 at the latest.
- To deliver additionality (e.g. delivery earlier, deliver more jobs) over and above what would otherwise be achievable without the use of LGF funding.
- To integrate with other priorities set out in the SEP

As part of this process of preparing the SEP North Yorkshire County Council re-assessed all of the major transport schemes originally considered for submission to the NYLTB alongside a number of other schemes that could potentially contribute to local economic growth. These were considered by the County Council's Executive at their meeting on 29 October 2013. Details of the schemes can be seen in the report to the Executive available at www.northyorks.gov.uk/. The Appendices to the Executive report set out the schemes submitted by North Yorkshire County Council to the NYLTB for potential inclusion.

Following consideration of the schemes submitted by NYCC and other partners the NYLTB recommended a programme of schemes prioritised into three bands (with Band 1 being the highest priority) to the YNY&ER LEP for inclusion in the Strategic Economic Plan. Details of the programme of schemes are included in Appendix 2 of this report.

The first draft of the YNY&ER Strategic Economic Plan was submitted to Government in December 2013. At the time of preparation of this document a final response from Government has yet to be published. This is expected in July 2014 alongside details of funding allocations for 2015/16 and potentially indicative allocations for the period to 2020/21. Details of the Strategic Economic Plan can be seen on the LEP website.

Appendix 1 – Core Elements of LSTF Packages

Harrogate and Knaresborough Sustainable Transport Package

NYCC LSTF - Core Elements

Whilst the County Council believe that all the elements of the Harrogate and Knaresborough Sustainable Transport Package would make a significant contribution towards maintaining economic growth in Harrogate whilst reducing carbon emissions there are a number of elements to the package that either make a smaller contribution (Area 2, Radial 1, Radial 3) or have opportunities in the longer term for alternative funding sources (Area 1).

The County Council has therefore identified some core elements of the package which they would like to deliver should the bid be considered for 'partial funding'

The core elements are based primarily around the Areas and Radials identified in section C1 of the bid. And consist of the following;

Area 3 - Improving sustainable access to Harrogate town centre.

Harrogate town centre is one of the three largest employment areas in the town and contains the bus / rail stations, the Harrogate International Centre, most of the towns retail and tourist offer, significant areas of office accommodation, and immediately adjacent to the town centre a large proportion of the visitor accommodation. Concentrating on initiatives in this Area will help boost the both the local retail/ leisure sector and also the visitor economy including the important conference and exhibition events sector.

Radial 2 – Improving sustainable access on the A661 Wetherby Road.

This corridor forms the main road access to the town centre from the strategic road network (A1 (M) via the A59 and A658). Reducing the number of local trips on this corridor will help to reduce congestion issues and improve journey time reliability on this key corridor.

This will help to improve access to Harrogate town centre from the strategic road network, whilst also improving access to the Great Yorkshire Showground, which hosts a range of shows, exhibitions and business conferences.

Cross Cutting Initiatives

In addition to the above measures there are a small number of cross cutting (area wide) initiatives that, whilst bringing great benefits to the town centre and A661 Corridor, will also encourage more sustainable travel choices across Harrogate and Knaresborough.

Revised proposals for Harrogate LSTF Bid

A simplified summary of the package components (PCs) that are being suggested for 'partial funding' is outlined below.

PC1 Improvements to local bus infrastructure and technology

- At traffic signals on routes leading in to the town centre and on key radial routes including the A59, A661 and A61 we will upgrade bus pre-emption measures to improve bus reliability and punctuality. This will help to improve bus punctuality, benefitting bus users and helping to promote bus use as a means of accessing the town centre including the HIC.
- Improvements to bus infrastructure on the A661 Wetherby Road Corridor

PC3 Traffic signal enhancements

- Improvements to the junctions on the A661 that allow access to the Great Yorkshire Showground that will help to improve traffic flow and journey time reliability along the corridor.

PC4 Cycling

- Improvements to cycling infrastructure in and around the town centre to improve links with the existing network
- Increase the amount of safe and secure cycling storage in the town centre
- Improving cycling links from the Great Yorkshire Showground and the Wetherby Road Corridor to the town centre, and other areas of Harrogate, which will help to link the south eastern areas of Harrogate to the town centre and improve east west access across the town.
- Provision of a cycling and pedestrian map and also associate information for Harrogate detailing all cycling links and advisory cycle routes and pedestrian routes. This will be hosted online and will also provide a range of good practice, hints and tips to encourage cycling and walking in the town. This will be provided in partnership with the Harrogate Cycling Group.
- Upgrade and refresh of pedestrian and cycling signage across the cycling / pedestrian network outside of the town centre to help encourage more people to walk and cycle in Harrogate- especially these links that improve access to the town centre.

PC5 Pedestrian Improvements

- Improving pedestrian links from the bus and rail stations to other areas of the town centre, particularly the Harrogate International Centre and the key retail and commerce areas of the town.
- Improving signing and links from the HIC to the rest of the town will raise awareness of the other attractions in Harrogate, encouraging visitors and delegates to explore Harrogate further; helping to increase footfall and visitor spend in the town centre.
- Improving information provision and way finding for pedestrians and cyclists in and around the town centre making it easier to walk and cycle in this area.

PC8 Travel Planning and Marketing

- Developing information and materials and associated branding to promote sustainable access to the Harrogate International Centre, Great Yorkshire Showground and other conference and business visitor destinations across the town. This will include accurate information on passenger transport options, links to car sharing opportunities and information on event specific temporary park and ride sites and advised traffic routes.
- A targeted promotional and advertising strategy related to services on the A661, in partnership with bus operators to demonstrate that passenger transport is now easier to choose and easier to use highlighting the convenience of the new ticketing measures and the range of services currently on offer across the area.

Summary of where the elements from the package components will be implemented

	PC1	PC3	PC4	PC5	PC8
Area 3 Harrogate Town Centre	X	X	X	X	X
Radial 2 A661 Wetherby Road Corridor	X	X	X		X
Cross Cutting Measures	X		X	X	

Partial Funding Spend Profile

Project	Spend Type	2012/13 £000s	2013/14 £000s	2014/15 £000s	Total £000s
Area 3 – Harrogate Town Centre	Revenue	20	90	50	160
	Capital	40	240	245	525
	Total	60	330	295	685
Radial 2 – A661 Wetherby Road	Revenue	20	80	50	150
	Capital	13	225	200	438
	Total	33	305	250	588
Cross Cutting Measures	Revenue	0	40	10	50
	Capital	50	150	130	330
	Total	50	190	140	380
Grand Total		143	825	685	1653

Section A8 of the bid identifies the level of local contribution with NYCC originally setting a 'direct' local contribution of £500k capital for the bid and £10k revenue towards the travel planning and travel awareness initiatives. This local contribution will significantly compliment LSTF funding and will be used to further enhance the measures contained within this revised proposal.

This local contribution will remain and it is possible that it will be increased by a further £540k. This has been identified for upgrading traffic signals across the town including the town centre, A661 and on other key radial routes such as the A59 and A61.

All the 'indirect' local contributions will remain, including a contribution of almost £500K from Transdev for the upgrading of buses on the A661 Wetherby Road corridor and also a contribution towards Real Time passenger information displays within Harrogate Bus Station and public realm improvements within the town centre.

Boosting the Tourism Economy in Whitby and the Esk Valley

NYCC / NYMNPA LSTF - Core Elements

The core element of the bid is the provision of a park and ride site and services. This is the element of the bid that the County Council believe will bring the greatest benefits to the local tourist economy whilst at the same time encouraging mode shift and the resultant carbon reduction.

Local businesses are very supportive of the P&R proposals with strong support expressed in the original consultation on the proposals including from local businesses and associations, such as the Whitby Hoteliers Association and the Whitby Museum. In addition, significant support was received from businesses on the West Cliff for routeing of the park and ride service through that area. The 2010 consultation on the complementary parking measures also saw strong support from local residents and businesses with 70% of respondents being in favour of the principle of the parking measures and park and ride.

Furthermore, Welcome to Yorkshire's Area Tourism Director, Janet Deacon was involved in the development of the bid and along with the Yorkshire Coast Tourism Advisory Board welcomes the package of measures, which support sustainable growth in the tourism economy.

The County Council has prepared a detailed revenue business case for the long term (post LSTF) operation of the P&R site & services. Based on medium income scenarios from the bus fares and newly introduced parking charges this indicated that by 2017/18 the service would operate on a break even basis. On low and high income scenarios there is a small annual deficit or profit. On this basis the County Council have concluded that the P&R is viable in the longer term. This includes the operating costs of the P&R Hopper service. As stated in the original bid this is an experimental service. Should this not prove successful as a fall-back position the service might be discontinued. Should this be the case the revenue business case is extremely robust with a significant operating surplus for all three scenarios.

This business case has been developed based on experience gained through our operation of two park and ride sites in Scarborough. Whilst these sites are slightly different to the proposed Whitby site, in that they operate year round, they still are able to give us an appreciation of how the business will develop and also mean that we have a greater understanding of the issues inherent in operating similar park and ride services. A revised section C2 detailing the capital and revenue funding sought in the bid is included as table 1 below.

This includes measures that primarily benefit the tourism economy of Whitby as well as measures to benefit the tourist economy of our partner bidders the North York Moors National Park.

Table 1 - Revised section C2

Project	Spend Type	2012/13 £000s	2013/14 £000s	2014/15 £000s	Total £000s
Park and Ride Site Construction*	Revenue	0	0	0	0
	Capital	200	2108	500	2808
	Total	200	2108	500	2808
Introduction of parking measures	Revenue	0	0	0	0
	Capital	238	209	0	447
	Total	238	209	0	447
Park and ride site operation	Revenue	0	0	70	70
	Capital	0	0	0	0
	Total	0	0	70	70
Hopper service operation	Revenue	0	0	100	100
	Capital	0	0	0	0
	Total	0	0	100	100
Park and ride and hopper service marketing	Revenue	0	25	25	50
	Capital	0	0	0	0
	Total	0	25	25	50
Plugging the gaps on the ROW network	Revenue	0	0	0	0
	Capital	100	86	0	186
	Total	100	86	0	186
Grand Total		538	2428	695	3661

- Elements of the project intended to boost the tourist economy of Whitby

- Elements of the project intended to boost the tourist economy of the North York Moors National Park

The local contributions towards the package elements remain:

- £500k capital contribution from NYCC to the Park and Ride site
- £682k revenue contribution to the site and service operating costs
- £55k contribution from the North York Moors National Park Authority towards the ROW network works

Strategic Economic Plan Programme of Schemes

Summary of scheme prioritisation

Category	Priority					
	Priority 1		Priority 2		Priority 3	
	Scheme	LEP contribution	Scheme	LEP contribution	Scheme	LEP contribution
Strategic transport corridors / connections	Essential junction improvements in Harrogate & Knaresborough (Harrogate BC)	£1.2m	A59 Kex Gill improvement - A59 package (County Council)	£23.5m	Improvements to the A64/York Road junction Tadcaster (County Council)	£7.1m
	A64 York to Scarborough road improvements (various)	£50m plus	Haxby station (City of York)	£5.1m	Improvements to the A64/Leeds Road junction Tadcaster (County Council)	£7.1m
	A1079 corridor improvements - Pocklington to York (East Riding & City of York)	£12.1m	Scarborough station front (County Council)	£2.1m	North Yorkshire & York connectivity package (City of York)	£1.9m
	Improvements to the A64/A162 Tadcaster junction (County Council)	£7.1m			Interurban bus corridor improvement package between North Yorkshire & Leeds City Region / Tees Valley (County Council)	£9.2m
	Signalisation of A1/A59 Allerton Park junction in Harrogate - A59 package (County Council)	£6m			Seamer station (County Council)	£6m
	Contribution to Harrogate line development - including improvements to station access and Harrogate bus/rail interchange re-development (County Council)	£6m			M65 Corridor to South Craven (Craven DC)	No scheme identified
	A1237 York Northern Outer Ring Road improvements (City of York)	£30m			Harrogate Northern Relief Road - A59 package (County Council)	TBC

	A6136 Catterick Garrison improvements (Richmondshire DC)	£1.75m			Climbing lanes on the A59 at Killinghall and Blubberhouses east - A59 package (County Council)	TBC
					A64 Musley Bank Junction upgrade, Malton (Ryedale DC)	£4.5m
Local sites - unlock employment/housing	South Skipton employment site (Craven DC)	£5.65m	Broughton Hall expansion near Skipton (Craven DC)	£0.9m		
	A64 junction upgrade at FERA, Sand Hutton (Ryedale DC)	£6.3m	Kirkbymoorside – improvements to access roads to facilitate expansion of high-tech engineering firms (Ryedale DC)	£0.6m		
	Access Infrastructure for Business & Technology Park, Agri-business park and Livestock Market, off A169, Malton (Ryedale DC)	£1.4m	Dalton industrial estate – access improvements (Hambleton DC)	£2.5m		
	North Northallerton Link Road (Hambleton DC)	£6m	Access and servicing infrastructure to unlock development of Pickering employment land (Ryedale DC)	£1m		
			Malton & Norton accommodating growth: general package of measures (Ryedale DC)	£0.85m		
Town centre improvements / addressing congestion issues			Starbeck level crossing (County Council)	£1.5m	Redevelopment of Malton public transport interchange (Ryedale DC)	£0.5m
			Transformation of Bentham town centre (Craven DC)	£0.2m	Selby bus/rail interchange re-development (County Council)	£5m

Maintenance of existing transport network	Newland bridge (East Riding)	£1.45m	A63 Selby bypass – exceptional major maintenance scheme (County Council)	£5m	Craven greenways (Craven DC)	£1.0m
	Maintenance of category 4 roads serving primary growth centres in North Yorkshire (County Council)	£24m	Maintenance of category 4 roads serving secondary growth centres in North Yorkshire (County Council)	£26m		
	'A' Road highway maintenance scheme East Riding (East Riding)	£16.7m				
Total		£175.65m		£69.25m		£42.3m+

Chapter 3 – Passenger Transport

3.1 Rail

3.1.1 Introduction

There have been two significant Government announcements followed by consultations that will have an impact on rail services in North Yorkshire.

High Speed Rail

At the end of the last administration consideration of a high speed rail network was being discussed in parliament and with all party support the then Labour and subsequent coalition governments articulated the ambition to build a High Speed Rail (HS2) network from London to the North of England.

HS2 Phase 1 would see a new high speed line from London to the Midlands, to be completed by 2026, and this passed through parliament with the Royal Assent of the High Speed Rail (Preparation) Bill in November 2013. HS2 Phase 2, the extension of the high speed network beyond the Midlands, with a Y shaped route to Manchester and Leeds, is due for completion by 2033. The preferred route for this and the connections to the West and East Coast Mainlines was published for consultation in the summer 2013.

Rail Decentralisation

In March 2012 a Command Paper – “Reforming our Railways: Putting the Customer First” was published, followed by a consultation on “Rail Decentralisation - Devolving decision-making on passenger rail services in England”.

The two documents led to an Expression of Interest from West Yorkshire Passenger Transport Executive (Metro), Transport for Greater Manchester (TfGM) and South Yorkshire Passenger Transport Executive (SYPTTE) in June 2012 to devolve rail powers to the North through a new body known at the time as ‘Rail in the North Executive’ and subsequently ‘Rail North’.

Rail North also commissioned the development of a Long – Term Rail Strategy for the North. Various drafts have been considered and the Strategy will be issued for approval by the North’s Local Transport Authorities in summer 2014. It is anticipated that this will provide a policy framework for the development of the rail network and services across the North over the next 20 years.

York-Harrogate-Leeds Rail Line

In late 2011 it was becoming clear that there was a good opportunity to develop a business case for investment in the railway line between York, Harrogate and Leeds. Network Rail were planning to modernise the infrastructure on the route between York and Harrogate, following on from similar work between Harrogate and Leeds. There had also been concerns from stakeholders along the line regarding the lack of investment, the relatively long journey times and the quality of the service particularly the rolling stock. In early 2013 North Yorkshire County Council, Metro, City of York Council and Harrogate Borough Council set out High Level Outputs for the line and agreed jointly to fund further analysis.

3.1.2 High Speed 2 (HS2)

In January 2013 the Government announced (with all party support) the development of a High Speed Rail Network from London – Birmingham with a link to the West Coast Main Line (Phase 1) to be built by 2026, followed by (Phase 2) the Y Network linking Birmingham – Manchester (and onto the West Coast Main Line) and Toton – Meadowhall - Leeds (and onto the East Coast Main Line) to operate from 2033.

The main messages at the time were:-

- The economic benefits – worth £50bn
- The creation of jobs during construction and once built
- The need for better connectivity between the major cities
- The need to accommodate a growing population and importance of improving North / South links
- Provide additional capacity on the rail network (particularly in and out of London)

In July 2013 the Government launched the consultation 'High Speed Rail: Investing in Britain's Future' with a closing date for consultation of 31 January 2014. This set out the preferred HS2 route from the Midlands north to Manchester and Leeds with connections to the "classic networks" on the West and East Coast Main Line, details of the link can be found at

http://www.hs2.org.uk/phase-two/route-consultation/document-library?phase2_consultation=643

The County Council's Executive considered the matter on 21 January 2014 and resolved to support the HS2 initiative and to engage in a productive way with HS2 Limited and Department for Transport officials. The following provides a summary of the main points from the County Council's consultation response:-

- Suggestion to build from the North to ensure maximum benefit for our area;
- Invest early and maintain investment for existing network, in particular East Coast Mainline to enhance services and reliability;
- Address concerns about the route, in particular the impact on local communities where HS2 joins and travels along the classic network;
- Ensure compensation arrangements properly compensate residents and businesses that are affected;
- Keep control of costs and bring the project in on time and on budget.
- There should be no detrimental impact on frequency, journey times or connectivity to any of the rail services that serve North Yorkshire in the lead up or as a result of the introduction of HS2. For North Yorkshire the links across the North whether city links or local services are as important as our links to London and these must be maintained and improved. The major rail investment planned in the years up to HS2 needs to ensure that connectivity with HS2 is optimised.

The complete North Yorkshire County Council response to the consultation can be found at https://www3.northyorks.gov.uk/n3cabinet_exec/reports_/20140121_/06highspeedrail/06highspeedrail.pdf

3.1.3 Rail Decentralisation - Devolving decision-making on passenger rail services in England

In March 2012 the Government issued the Command Paper – “Reforming our Railways: Putting the Customer First”. Within this document the Government put forward the concept of Devolving rail decisions to a Local Level and commented that:

“We believe in transferring power and responsibility to the appropriate local level, scaling back Whitehall’s command and control structure. In rail, this would mean giving communities the opportunity to take more decisions about the local services they require, and to have transparency over the cost of such services in comparison with other solutions to local transport priorities and wider local objectives. It would mean allowing the rail industry and local partners to lead delivery, and to deliver services that meet the needs of local communities and rail passengers.”

Alongside the Command Paper the Government also started consultation on “Rail Decentralisation - Devolving decision-making on passenger rail services in England”.

This consultation signalled the Government’s intention to put local communities back in control of the decisions and services as part of the localism agenda. It also sets out the Government’s approach to more local decision-making on local railways and transferring powers and responsibilities to the appropriate local level, and scaling back central government control.

The County Council’s response to this consultation supported devolution but with the following caveats:

- Protect Local Authority interests and influence; our principal concerns were to ensure there was proper democratic accountability and that financial risks were quantified and managed.
- that the DfT continued to be involved up to the letting of the new “Northern” franchise and beyond
- protect the capability to operate a railway
- the creation of a base line of services, at current levels, that ensures no reductions in level of rail services in the future or if there needs to be then a process is developed.

Following this consultation an Expression of Interest led by West Yorkshire Passenger Transport Executive (Metro), Transport for Greater Manchester (TfGM) and South Yorkshire Passenger Transport Executive (SYPTe) was submitted in June 2012 and later supported by all of the Local Transport Authorities in the North of England which set out a proposition for rail devolution in the North. The objectives were to:-

- Support Economic Growth
- Improve the Quality of the Railways
- Make the railways more accountable
- Deliver a more efficient railway

Over the following year a new body called Rail North consisting of the five Northern Passenger Transport Executives (PTEs) and thirty-three Local Transport Authorities, commenced work on a Long-Term Rail Strategy for the North. This strategy will form one of the base documents for the future. The proposition and business case for devolution was developed further and this was delivered to Government in September 2013. The Government responded in November 2013 by announcing the creation of a partnership between the DfT and Rail North rather than fully devolving powers to the North. The Partnership Principles include arrangements to ensure that the future Northern and Transpennine franchises commencing in February 2016 will be jointly designed and managed, whilst meeting the original objectives and principles of devolution.

North Yorkshire County Council with the other local transport authorities in the North support the principles of rail devolution for the North and have been working with the PTE's and the DfT to develop workable and democratic processes for Rail North and the DfT Partnership.

3.1.4 Long – Term Rail Strategy for the North

Rail North has been developing a Long-Term Rail Strategy for the North. This will aim to inform policy and investment for development of rail services across the North over the next 20 years and will inform future decision making by the Rail North / DfT Partnership and other organisations such as Network Rail and their Long-Term Planning Process.

Rail in the North serves complex and diverse communities, cities and regions with:-

- 15 million population
- 25% of UK GVA
- 534 stations in the North, 21% of the UK total
- 10 franchised and 2 open access operators
- Approximately 173 million passengers per year in 2011/12
- 66% growth in patronage from 2002 to 2012
- Freight flows to and from the North are more than the rest of the Country combined

The over-arching objective of the Strategy is to strengthen economic growth in the North, with the following key objectives:-

Connectivity

- Targeted improvements to journey times
- Improved frequencies
- Faster end to end journeys

Capacity

- On train to tackle overcrowding
- On track to meet additional demand for passenger and freight

Customer focused

- A more coherent and user friendly network
- Defined categories of train services
- Simpler fares

Cost effectiveness

- Lower running costs for freight and passenger services
- A more efficient network

Public consultation took place throughout 2013 on an early draft and approval for the final document will be sought from Local Transport Authorities in summer 2014. The County Council have supported and welcome the work carried out so far as the outcomes will benefit the County. More information about Rail North and the Long-Term Rail Strategy can be found at <http://www.railnorth.org/>

3.1.5 York – Harrogate – Leeds Railway Line

The Leeds - Harrogate - York rail line provides East – West connectivity between Leeds City Region and the City of York via the towns of Harrogate and Knaresborough. The line covers a mixture of environments, from urban inner city areas with relatively short gaps between stations (south of Horsforth and Hornbeam Park to Knaresborough), compared with the rural isolated stations elsewhere on the line in North Yorkshire.

With the exception of Leeds and York, Harrogate and Knaresborough represent the other major attractors on the route. All other stations are relatively small and other than Horsforth

are unstaffed. Many of these smaller stations however have significant catchment areas, primarily due to good road accessibility to / from the A61 and A59.

Figure 2 – Stations on Leeds-Harrogate-York Rail Line



The North Yorkshire stations along the line have double the footfall (just under 2.4 million – Office of the Rail Regulator footfall figures for 2011/12) of any other line in North Yorkshire, it is also one of the fastest growing in North Yorkshire, patronage having grown 20% in the last 5 years, despite under investment, relatively slow journey speeds and perceived poor quality of service and reliability.

There has been a long-term aspiration to make improvements to the line and in 2012 it became clear that due to a number of factors, including planned investment by Network Rail it was the right time to develop a business case to transform the line. During the early part of 2012 stakeholders set out Conditional Outputs for the line. These are:-

Connectivity

- Increased frequency with a target of 15 minute even-interval frequency Leeds – Harrogate. 30 minute frequency between Harrogate and York. Frequency includes Saturday and Sunday, and evenings.
- Improved journey times from Harrogate to Leeds and Harrogate to York with an in-train station to station journey time equivalent to 75% of off-peak car travel times, representing 20% reduction in journey times.
- Improved connectivity across the UK via Leeds and York especially to London, including direct services.
- Extended hours of operation (mornings / evenings and particularly weekends).

Capacity

- Sufficient capacity to meet continuing passenger demand growth.
- To accommodate rising demand from local land use development / economic interventions planned along the line and how these plans are being phased.
- Accommodate rising demand from other growth drivers, e.g. access to employment, education and health.

Performance

- 92.5% of York – Harrogate services and 95% of Harrogate – Leeds should arrive within 5 minutes of planned time, and with aspirations for higher reliability where it can be delivered.

With the Conditional Outputs agreed, North Yorkshire County Council, Metro, City of York Council and Harrogate Borough Council agreed to fund the development of a Department for Transport compliant business case for future investment (including overhead electrification) in the York – Harrogate – Leeds railway line. The Business Case was finalised in October 2013 and the key facts were:-

- The core Benefit to Cost Ratio (BCR) for improvements to the Leeds – Harrogate – York Rail Line, at a forecast capital cost of £93.34m, is 3.61 and rises to 4.27 with wider benefits, represents very high value for money.
- The best case scenario achieves:
 - Service frequency doubled across the whole route, together with early morning and later evening journeys are possible.
 - End to end journey time reductions of 15 minutes (or around 19%)
 - Generates a positive financial return over the life of the scheme.
- Long-term cost-reduction of operating the line, and with lower cost electric multiple units a positive Revenue : Cost ratio of 1.25.
- Over 13 million annual vehicle kilometres are removed from the highway network, with associated social, environmental and safety benefits, along with time benefits for existing road users.
- The scheme significantly enhances connectivity and economic productivity between employment, labour and international visitor markets in Leeds, Harrogate and York; driving both local and international competitiveness.
- Fast connectivity to both the East Coast Main Line and Trans Pennine Express at Leeds and York is secured, supporting the existing travel to national economic centres and international gateways together with future High Speed 2 (HS2) networks.

The Business Case was presented to Government in November 2013 and has been viewed very positively and was at the top of the list of the routes to be examined by the Electrification Task Force announced by the Department for Transport. To build on the early findings and help support the Business Case for electrification and also being aware of Network Rail's programme of investment in modernisation of the line (re-signalling, replacement of level crossings and gauge clearance), North Yorkshire County Council prepared a bid to the Local Transport Body for major scheme funding to carry out necessary re-doubling of part of the line east of Knaresborough. In 2013 the Local Transport Body and the North Yorkshire, York and East Riding LEP supported the bid and approved £9.6m of funding to invest in re-doubling by 2019 to help facilitate some of the Conditional Outputs mentioned earlier. North Yorkshire County Council is committed to the modernisation of the line and is working with DfT and Network Rail to achieve this.

For further information on the Business Case see <https://www.wymetro.com/harrogate/>

East Coast Mainline Authorities Group

The East Coast Mainline Authorities Group (ECMA) was formed in 2013 to represent all Local Authorities, LEP's and Transport Consortia along the East Coast Main Line (London Kings Cross - East Midlands - Yorkshire - North East - Scotland railway line).

The objectives of ECMA are to ensure that the East Coast Main Line continues to receive investment in the future to retain and improve connectivity to enable the economies and communities along the route to grow.

To achieve the objectives ECMA are developing a business case (to be published in summer 2014) that will be used as evidence by ECMA to inform the Government and the Rail Industry as to why the East Coast Main Line needs further and increased investment in railway Control Period 5 (2014 - 2019) and Control Period 6 (2019 - 2024) and beyond.

North Yorkshire County Council have supported ECMA since its inception and will be working closely with the group to achieve its goals.

3.2 Bus Strategy

3.2.1 Introduction

North Yorkshire County Council is already committed to saving £92m over the four years to 31 March 2015. Following recent announcements by the Government it now needs to find a further estimated £70m between 2015 and 2019.

Members of the Council have agreed to start a number of public consultations on its proposals for saving this money. Earlier this year the Council did some general consultation to gauge public support for reducing expenditure in particular areas, and found that reducing spending on concessionary fares and public transport were ranked high at that time. Whilst the Council is still committed to investing in public transport we have to look at reducing the amount of money we spend to support bus services in the county with a target to bring spending down to £1.5m. No decision on the withdrawal of bus subsidies will be taken without careful consideration of the impact and the results of comprehensive consultation process.

3.2.2 Context: Local Bus Services

80% of the passengers carried on bus services in North Yorkshire are carried on services provided by private bus companies on a commercial basis without subsidy. They are free to decide which routes they run, what fares they charge, how frequent the service is and when and how it is changed. The Council has no responsibility for and little influence over these services. Changes to these services, including the withdrawal of the whole service, can be made by giving 56 days notice to the Traffic Commissioner and there is no requirement to consult with users or the Council.

Under the Transport Act 1985, the Council has a duty to: "secure the provision of such public passenger transport services as the Council considers it appropriate to meet any public transport requirements within the county which would not, in their view, be met apart from any action taken by them for that purpose." This means we have to identify public transport requirements which would not otherwise be met and then provide what is needed. The Council is entitled to take account of the funding available when deciding what is needed and where.

At present we spend £4.4m a year on subsidising the network that carries 20% of bus passenger journeys which are not commercially viable. They are provided by private bus companies and are referred to as subsidised services because the Council pays the difference between the cost of providing the service, the fares paid by passengers and reimbursement for concessionary fares paid by the Council. We use competitive tendering to get the best price for these services. We also work with the Community and Voluntary sectors to enable them to provide alternative services such as Volunteer Car Schemes and Dial a Ride services.

In 2012/13, 3.3m passenger journeys were made on our subsidised services – the average subsidy per passenger journey then was £1.35. In most cases the services subsidised by the Council are the only ones available to the communities they serve.

In 2006 we produced a bus strategy which explains how and when we would consider providing funding for bus services. This was reviewed as part of developing our Local Transport Plan in 2011. The Bus Strategy gives priority to providing journeys to work, education, health and shopping and personal business. As part of the consultation process we engaged in considering proposals for bus subsidy, we will update this bus strategy, and the following sections set out these changes.

3.2.4 Policy Context

In revising our bus strategy we also need to reflect local and national policy and in this regard recent important national policy papers with an impact on public transport have been released by government:-

Transport for Everyone – an action plan to improve accessibility (December 2012)

This outlines government priorities for working together with operators, local councils and voluntary sector organisations to improve people's everyday experience of public transport, particularly those with disabilities.

Door to Door Strategy (March 2013)

This sets out the view that a modern transport infrastructure is central to improving wellbeing and quality of life. Our vision is for an inclusive, integrated and innovative transport system that works for everyone, and where making door-to-door journeys by sustainable means is an attractive and convenient option.

We aim to make the transport sector greener and more sustainable, to promote growth and reduce carbon emissions. Central to this is encouraging and enabling more people to make more of their door-to-door journeys by sustainable means: public transport, supported by walking and cycling.

Transport an Engine for Growth (August 2013)

'Transport is an engine for growth and essential for everything we do. When transport slows, everything slows. When it stops, everything stops. High-performing networks are essential for the UK to compete in the global race.'

'As a compact, well-connected island, transport should be one of our advantages. Instead, in recent decades we have been falling behind other countries. Parts of the UK's transport systems are as good as anywhere on the planet. For example, the Victoria line in London now runs 33 trains per hour at the busiest times, and our road networks are consistently ranked amongst the world's safest. However, many other parts need improvement.'

The paper later sets out priority for sustainable transport and the preservation of key services while giving local communities more say:

'In a tough Spending Round, transport will have to achieve savings and greater efficiency, but we will ensure that funding for key services on which people and businesses depend is protected. This includes funding in 2015/16 for buses, which are vital for helping people get work and supporting those with lower incomes.'

We will protect funding for buses in 2015/16 and give local authorities more say over how this funding is used. From January 2014, rather than paying all Bus Service Operator Grant (BSOG) directly to bus companies, we will pass to local councils outside London the subsidy that relates to services they pay for to allow decisions to be taken locally on how it should be spent.

In addition, we will support more local transport authorities outside London to set up Better Bus Areas to encourage councils and bus companies to work together to improve services and boost passenger numbers. In these areas BSOG for all services will be paid direct to the local authorities, rather than operators, together with a 20% top-up payment.

3.2.5 Revised Bus Strategy

Taking the need to reduce expenditure and with regard to national policy priorities the council has consulted on an overall strategy and for a range of measures to reduce expenditure.

This was subject to a very extensive consultation and scrutiny process before the council supported recommendations for areas of reduction or withdrawal of subsidy for bus services. The outcome of this will reduce expenditure on local bus services by approximately £2m pa, but to meet additional savings targets for 2015/16 and beyond the council will further review its subsidised bus network with a view to establishing the minimum practical network that will support the overall objective of maintain access to essential services and facilities.

3.2.6 School Transport Services

In 2011 the Council agreed that we should review all subsidised home to school transport provision to ensure greater fairness and equality in provision. We are now proposing changes to the schools transport network which caters for fare paying school children who are either going to their normal school but live under the statutory distance or are going to a preferred school. As part of this proposal we will assess the overall impact on the Council's funding and the continued viability of schools and this will form part of our final report in January 2014.

3.2.7 Bus Strategy

Our overall strategy is to ensure that as many communities as possible continue to have access to a public or community transport service and that these services give value for money. Our first priority is to provide services which meet the day-to-day transport needs of local communities. The following describes our approach to deciding whether to provide a subsidy and is reflected in the Bus Strategy.

- Performance – looking at the extent to which our contracts represent value for money. This is defined as contracts that do not cost more than £6 per passenger journey, or where a journey carries fewer than 3 passengers on average.
- Service frequency – reducing costs by maintaining services but with fewer journeys. This is generally meant to be that we will not tender services at a frequency of greater than two hourly, but also means reducing the number of days a service operates in some cases
- Subsidy for Town Services – withdrawing subsidy for town services. It is felt that because the average passenger journey length for these services is approximately 1.5km then people are able to access the services and facilities they need by other means (walking, cycling, taxis etc), and because these services were heavily used, there was an opportunity for these to be continued on a commercial basis with no subsidy from the council. Where this would not be possible for some people, we would work to develop a community led transport service.
- School Transport services for fare paying students – These measures are designed to move the burden of cost to parents where they exercise their right of choice in the selection of the school they wish their children to attend, and ensure that if we procure such services, they would represent good value for money.
- Not provide services which take pupils to a school which is not the normal school for their home address (a preferred school).
- Not provide services for non-entitled fare paying pupils to the normal school where the subsidy per passenger journey is more than £1.50.
- Where we are able to provide fare paying services to a school the minimum fare will be £1 per journey.

Chapter 4 - Transport and Public Health

4.1 Introduction

4.1.1 The County Council's new public health duty

The 2012 Health and Social Care Act transferred the responsibility for public health to local authorities from April 2013. The County Council now has a key role in working to improve the health of residents of North Yorkshire through the Health and Wellbeing Board and partnership working with Clinical Commissioning Groups (CCGs).

The North Yorkshire Health and Wellbeing Board works to better the health and wellbeing outcomes of people in the area and is a forum for local commissioners across the NHS, public health and social care. The Board is responsible for producing the Health and Wellbeing Strategy¹ based on the Joint Strategic Needs Assessment² and performance manages health outcomes which are measured in the Public Health Outcomes Framework. The Director of Public Health (a senior officer in the Health and Adult Services Directorate) undertakes the role of coordination in order to protect the health of the local population.

4.1.2 Public health links to transport

Public health focuses on both individual lifestyle choices and the wider determinants of health through the following key areas:

- Health improvement – promoting healthier lifestyles, increasing life expectancies and reducing health inequalities between different groups in society.
- Health protection – preparing for emergencies and preventing the spread of infectious diseases and environmental hazards.
- Health services – planning health services based on the needs of the population.

The County Council's approach to the following transport related areas impacts on the public health of the population of North Yorkshire: road safety; active travel (walking and cycling); and the environmental impacts of traffic. Public health considerations are already embedded throughout the main Local Transport Plan 2011-16 (LTP3) report and appendices with further detail provided in this chapter. It is also recognised that the County Council now has a number of public health commissioning responsibilities and several of these have links to transport: increasing the levels of physical activity in the local population; tackling social isolation; and reducing the public health effects of environmental risks and impacts.

This chapter of the LTP 2011-16 mid-term review will outline existing public health policy and identify the main links between public health and the County Council's transport strategy, objectives and delivery plan as set out in the LTP3. This chapter will also outline the County Council's approach to integrating transport and public health policy and strategies by building on what we are already doing in LTP3.

¹ North Yorkshire Joint Health and Wellbeing Strategy 2013-2018 <http://www.nypartnerships.org.uk/>

² North Yorkshire Joint Strategic Needs Assessment 2012 Report <http://www.nypartnerships.org.uk/>

4.2 Policy context

4.2.1 Public Health Related Transport Policy

Recent Government policy has placed an increasing emphasis on the health benefits of active travel. In January 2011 the Department for Transport and Department of Health released the joint guidance 'Transport and Health Resource: Delivering Healthy Local Transport Plans'³. The report outlines the advantages of health conscious transport planning including the benefits of increasing physical activity by walking or cycling in place of car use and also the impact of road safety improvements in reducing fatal and serious injuries. The guidance points out that public health commissioning responsibilities can assist with devising measures to increase daily activity for example, through promoting school age active travel.

The National Institute for Health and Care Excellence issued guidance in November 2012 promoting walking and cycling⁴. This report highlights the reduction in congestion, air pollution and carbon emissions that can be achieved by encouraging active travel and the resulting improvements to health and wellbeing as well as benefits to the local economy.

Public Health England and the Local Government Association produced a joint briefing in 2013 titled 'Obesity and the environment: increasing physical activity and active travel' which included evidence on the importance of implementing tools within the local transport plan to increase walking and cycling.⁵

The government recognises the economic benefits of encouraging active travel modes. A 2011 Transport for London⁶ study found that people walking to a town centre spent an average of £93 per week there compared with £56 for car drivers or passengers. Recent research also indicates that for every £1 spent on cycling provision the NHS recoups £4 in reduced health costs while the economy 'makes' 35p profit for every mile travelled by bicycle instead of car.⁷

The Department for Transport has in recent years demonstrated support for sustainable travel measures by providing funding, including through the 'Links to Communities' fund. Between 2011 and 2015 the Government, through the Local Sustainable Transport Fund (LSTF), is contributing £560 million in grant funding to transport authorities in England for sustainable travel measures to help reduce carbon emissions and support economic growth through projects to improve walking and cycling infrastructure, provide better traffic management, improve road safety and encourage modal shift. The County Council was successful in obtaining funding for two LSTF⁸ packages and further detail is provided in this Chapter and Chapter 2 of this document.

³ Transport and Health Resource – Delivering Healthy Local Transport Plans <http://www.gov.uk/>

⁴ NICE Public Health Guidance 41 - Walking and cycling: local measures to promote walking and cycling as forms of travel or recreation November 2012 <http://guidance.nice.org.uk/>

⁵ Public Health England & Local Government Association November 2013 'Healthy people, healthy places briefing – Obesity and the environment: increasing physical activity and active travel' <http://www.gov.uk/>

⁶ Transport for London (2011) Town centre study 2011. London: Transport for London

⁷ Burgess, K. (2013) Going Dutch on cycling could cut £1.6bn a year from health budget <http://www.thetimes.co.uk/> [Accessed 17 January 2014]

⁸ Further information on the LSTF projects is available at: <http://www.northyorks.gov.uk/>

4.2.2 Transport Related Environmental Policy

Air Quality

The Department for Environment, Food and Rural Affairs (Defra) has recently consulted with local authorities regarding options to improve Local Air Quality Management in England. Local air quality monitoring and management is primarily the responsibility of district councils. However, where an air quality action plan is being prepared for a designated Air Quality Management Area (a defined area where there is a recognised air quality issue) county councils have a statutory duty (Environment Act 1995, Part IV s.86) to participate in action plan development by submitting proposals which aim to assist in the achievement of air quality standards, particularly in cases of transport related air quality problems. Defra consider that the current level of local air quality reporting distracts resources from air quality improvement and therefore aim to change from a focus on review and assessment towards action planning together with increased public health input. This would place a greater responsibility on district councils and also the County Council, as the local authority with statutory duties for both public health and the local highway network, to develop action planning and report on the measures taken to improve air quality.

Noise

Defra's Noise Policy Statement for England⁹ identifies that noise exposure can cause annoyance and sleep disturbance which in long term cases can cause adverse health effects. The European Commission Environmental Noise Directive (2002/49/EC) requires member states to draw up strategic noise maps identifying local noise issues. Following the identification of local noise issues the 'competent authorities' are expected to draw up an action plan to reduce noise. This directive does not set any noise limit values (unlike for air quality) nor prescribe specific measures that should be taken to reduce noise. In accordance with the Environmental Noise (England) Regulations 2006 (as amended) Defra have produced strategic noise maps for England which estimate (through computer modelling) noise levels near major roads, railways and airports as well as the main centres of population. Where significant local noise issues are identified Defra will work with the relevant local authorities (including local highway authorities) to consider whether any action to reduce noise is appropriate and/or deliverable.

4.2.3 Overview of North Yorkshire Public Health Policy

As outlined in the introduction to this chapter the North Yorkshire Health and Wellbeing board is responsible for producing the Health and Wellbeing Strategy¹⁰ based on the Joint Strategic Needs Assessment¹¹. The 2012 Joint Strategic Needs Assessment (JSNA) provides analysis of the current and future health and wellbeing needs of individuals and communities in North Yorkshire. The JSNA identifies health inequalities and key issues within the County by examining available health indicator data including transport related issues such as the number of people engaged in physical activity and road traffic collisions.

⁹ Noise Policy Statement for England Department for Food Environment and Rural Affairs March 2010 <http://www.defra.gov.uk>

¹⁰ North Yorkshire Joint Health and Wellbeing Strategy 2013-2018 <http://www.nypartnerships.org.uk/>

¹¹ North Yorkshire Joint Strategic Needs Assessment 2012 Report <http://www.nypartnerships.org.uk/>

The data analysis included in the JSNA feeds into the Joint Health and Wellbeing Strategy 2013-2018 which sets out the overarching vision and strategy for health and wellbeing in North Yorkshire. The Strategy recognises the challenges specific to North Yorkshire including the rural nature of the county which can lead to social isolation and difficulties delivering services efficiently. The commissioning intentions of the six Clinical Commissioning Groups (CCGs) which cover the North Yorkshire area must also align with the strategic objectives of the Health and Wellbeing Strategy.

An annual report is produced by the Director of Public Health which provides a snapshot of public health needs in North Yorkshire and highlights key recommendations.¹² The 2013 report 'What is Public Health?' has a number of recommendations for actions to improve health and wellbeing in North Yorkshire. One of the key recommendations is to ensure that the public's health and wellbeing should be a "central consideration in the decision-making of all of the organisations and agencies within North Yorkshire; particularly North Yorkshire County Council, the clinical commissioning groups and the district councils, recognising that public health is about the big picture in our society not just individual choice and behaviour." It is therefore important that public health remains a key consideration in the County's local transport plan.

4.3 Local Transport Plan 2011-16 and public health

Public health considerations are already embedded throughout the main LTP 2011-16 report and appendices with various sections referring to road safety, active travel, social isolation, and the environmental effects of transport. There are several key outcome indicators which are public health related including air quality management area pollutant levels, road safety statistics and modal share of journeys to school. Details of the LTP3 key outcome indicators are included in Chapter 6 of this report. Local Transport Plans are required to be assessed through a Strategic Environmental Assessment (SEA) and addressing human health is a key requirement of the SEA. Further detail on the Strategic Environmental Assessment is available in Chapter 7 of this report. There is also a statutory duty to assess health impacts within the equalities impact assessment of Local Transport Plans and therefore the LTP3 has already been fully considered in terms of the health impacts.

The transfer of responsibility for public health to local authorities will also assist in further strengthening the links between transport and public health policy. The designation of the Director of Public Health as the senior officer responsible for coordination with the Business and Environmental Services directorate and the appointment of a Public Health Project Officer with a remit that includes liaison with Business Environmental Services (including in relation to transport policy and road safety) will help to facilitate early engagement and improved coordination between the directorates. This section outlines how the County Council's transport strategy, objectives and delivery plan set out in LTP 2011-16 already aligns with North Yorkshire's public health priorities, and also identifies the ways in which public health and transport policy will be integrated further in the four key areas of: road safety, active travel, social isolation, and the environmental effects of transport.

¹² Report of the Director of Public Health for North Yorkshire <http://www.nypartnerships.org.uk/>

4.3.1 Road safety

One of the five objectives of the LTP3 is safety and healthier travel which aims to improve transport safety and security as well as promoting healthier travel. The LTP3 identifies several groups and issues that require particular attention in terms of road safety including older drivers (as the population of older people is set to rise in the County) and younger drivers who feature highly in the numbers of killed and seriously injured generally as a result of their relative lack of experience and road skills as well as the likelihood of riskier driving behaviour. Road safety remains a statutory duty of the County Council and since 2011 we have continued to use a range of methods with the aim of improving road safety. This includes the continuation of the York and North Yorkshire Road Safety Partnership '95 Alive' through which the County Council has taken a lead role in reducing road casualties in North Yorkshire through coordinated multi agency education, engineering and enforcement measures. The Road Safety and Travel Awareness Officers continue to work with road users in North Yorkshire to deliver road safety education, training and publicity. The partnership takes a targeted approach that focusses resources and expenditure on the highest risk groups, routes and on those who are most vulnerable to involvement in a collision. This approach has resulted in road safety improvements. There have been established road safety improvements since 2007 and over the last 3 years there has a continuing downward trend in the number of people killed or injured in road collisions in the County.

Public Health are represented on the 95 Alive officer working group and the Director of Public Health is the designated senior lead officer who represents public health on the partnership's steering group. The County Council will continue to strengthen links between all lead partners including public health. The public health team bring a different perspective on road safety which will be beneficial to achieving a further reduction in casualties, for example, the public health team could review and benchmark future road safety strategy against public health guidance on road safety including World Health Organisation guidance.

There has been much recent debate amongst road safety and environmental commentators about the relative benefits of introducing 20mph zones. One recent report suggests that the implementation of 20 mile per hour speed limits in predominantly residential areas where 30 mph ones have usually been in place would save lives, prevent injuries and reduce health inequalities¹³. The report suggests that lower traffic speeds may also bring benefits in terms of reduced traffic congestion and air pollution and encourage more individuals to walk or cycle. The report suggests that a small amount of resources could fund the introduction of 20mph signs and assist in the longer term challenge of changing perceptions of appropriate driving speeds, as it is recognised that enforcement alone will not necessarily change driver behaviour. The County already has several locations where 20mph zones are in place but their effectiveness in practice is not yet clear. More research is required to determine whether the anticipated benefits would be forthcoming before funding the introduction of further 20mph limits within the County. During the next LTP period it is recommended that the Business and Environmental Services and Health and Adult Services directorates work together, through the 95 Alive partnership, to investigate the potential effects of introducing 20 mph speed limits. This should involve a broader review of the available evidence and, where resources allow, this could involve funding a study or facilitating University based research into the impact of current 20mph zones and the effects of introducing 20mph limits more widely in North Yorkshire.

¹³ Dorling, D. (2014) '20 mph speed limits for cars in residential areas, by shops and schools' in *If you could do one thing...* British Academy for the humanities and social sciences

4.3.2 Active Travel

The benefits of encouraging active travel (e.g. walking and cycling) are recognised in the 2011-16 LTP and we will continue to encourage people to choose healthier and more sustainable types of travel such as walking, cycling and public transport (particularly on shorter trips) by communicating the health, financial and environmental benefits. Since the time of publishing the 2011-16 LTP there have been significant developments in terms of funding for sustainable travel. At the time of writing the third LTP the full details of the Local Sustainable Transport Fund were not yet available and the 2014 Yorkshire Grand Depart of the Tour de France were not yet on the County Council's horizon, however over the next 12 months they will form an important part of the County Council's approach to sustainable and active travel.

The County Council produced a Sustainable School Travel Strategy as part of the requirements of the Education and Inspections Act 2006, which places a duty on local authorities to promote sustainable travel to school. This strategy is currently being refreshed. This has involved liaison between various County Council directorates including Health and Adult Services, Business and Environmental Services, and the Children and Young People's Service. There are a number of indicators within LTP 2011-16 which are public health related. The modal share of journeys to school indicator was a very useful indicator for both transport and public health, in terms of effective targeting of interventions to increase active travel to school and then assessing the impact. Whilst this is no longer a national indicator, many local authorities, such as Leeds City Council have seen the benefit of continuing to gather and use the data locally. The Sustainable School Travel Strategy recognises the importance of collecting mode of travel data through the school census, however due to changes in the way that data is collected the results of the mode of travel school census question are not currently available for analysis. Officers from Business and Environmental Services are therefore working with colleagues in the Children and Young People's Service to ensure that the school census continues to include the mode of travel question and to enable this useful data to be collated and analysed.

Due to local government budget constraints there is less funding available to deliver the LTP over the 2011-16 period. This has resulted in reduced funding for improvements to the transport network. Whilst the funding situation has impacted on the County Council's ability to deliver pedestrian and cycling infrastructure improvements the County Council has continued to deliver improvements by sourcing third party funding such as government grants (for example the LSTF) and developer contributions. Between 2011/12 and 2013/14 inclusive the County Council spent £1.4 million on cycle & pedestrian schemes. This figure includes external grant funding such as Links to Communities funding and the Local Sustainable Transport Fund as well as schemes funded from the Local Transport Plan Integrated Transport Block funding allocated to the County Council. These (non-maintenance) schemes included new footways and cycle tracks in towns and villages to allow people to walk and cycle to work, school and shopping and new pedestrian crossing facilities to allow people to cross busy roads safely and more easily. A couple of examples of schemes which have recently been implemented are the Cutpurse Estate pedestrian accessibility scheme in Richmond and the Bilton to Ripley cycle route which has proved popular with both visitors and local residents.

Road Safety and Travel Awareness Officers continue to promote active travel to the wider population, for example through Walk to Work Weeks, and supporting the government's Change 4 Life campaign with linked activities. They also provide a vital role in auditing and commenting on business travel plans as part of the planning process, to ensure that new developments enable and encourage active travel through their design and the implementation of behaviour interventions. There are opportunities for the Road Safety and Travel Awareness team to link with Public Health in the promotion of active travel, especially to those most at risk from the effects of obesity and sedentary lifestyles. The Road Safety and Travel Awareness Officers also continue to promote sustainable travel to schools, for example by providing resources to all schools for initiatives such as Walk to School Week and various curriculum resources throughout the year. The County Council promotes cycling for children in schools through government funded Bikeability training which continues to have a high demand and was delivered to over 4000 children in North Yorkshire in 2012/13 with similar numbers in 2013/14.

As indicated above the Government has in recent years provided grant funding for active travel measures via a competitive bidding process and has encouraged transport authorities to make clear links the health benefits of new cycle and pedestrian infrastructure schemes. The government has funded two North Yorkshire LSTF packages and delivery is underway for both projects:

- Whitby & Esk Valley
 - £3.661 million was awarded to the County Council to deliver the Whitby Park and Ride facility as well as the Esk Valley hopper bus service and improvements to the rights of way network in the North York Moors.
 - Rights of way network improvements include gateway improvements, surface improvements and signposting within the North York Moors National Park to facilitate active travel in the national park including to and from public transport including bus services and the Esk Valley Railway.
 - This project is being delivered in partnership with the North York Moors National Park Authority

- Harrogate & Knaresborough
 - £1.65 million was allocated for a package of measures to support the economic development of Harrogate through a reduction in traffic congestion and introduction of sustainable travel options.
 - In addition to traffic signal upgrades and improvements to bus priority systems, the project will also deliver improved cycle and pedestrian infrastructure improvements in Harrogate.
 - The above improvements are combined with travel planning and marketing measures (delivered by the LSTF funded Sustainable Travel Project Officer) to promote sustainable travel to conference and exhibition visitors and local residents.
 - One of the ways in which sustainable modes of travel including walking, cycling and public transport usage will be promoted is using electronic media. A dedicated website and smartphone application are being developed which will encourage people to explore the town on foot and by cycle. The electronic media will enable users to plan journeys and calculate calories burned and CO2 savings from choosing not to travel by car.

The LSTF projects are time-limited and funded until March 2015. With the public sector funding cuts there is no opportunity for the County Council to fund a continuation of this work which is over and above the authority's statutory transport and highway duties. However, the County Council will investigate whether there are any external sources of funding (including bidding for LSTF 2015/16 funding) which could be used to support a continuation of the active travel promotion through the role of Sustainable Travel Project Officer which could potentially be extended to other urban areas in the County and also to work more closely with businesses and places of work in relation to travel planning.

Where future funding opportunities arise Public Health will be involved, where appropriate, in proposed transport schemes to ensure that the County Council's health expertise is fully utilised, for example, when developing bids to government for sustainable travel funding. It is also recognised that Business and Environmental Services can provide professional and technical assistance to the public health team where required, for example, in relation to public transport, road safety, active travel and traffic engineering and also pedestrian and cycle infrastructure, including public rights of way. In the development of new transport infrastructure pedestrians and cyclists are considered as part of the risk assessment and when designing highway improvements, such as a junction improvement, pedestrians and cyclists should continue to be considered in the design of any new road/junction layout. Where possible, and funding and space allows, measures to improve pedestrian and cyclist facilities should be considered. For example, on highway cycle route lines may be provided or Advanced Stop Lines could be provided if space allows or upgraded pedestrian crossing facilities could be considered.

Promoting healthier lifestyles through increasing physical activity levels in both adults and children is also a priority for North Yorkshire's public health team. This is classed as 'health improvement' which aims to increase life expectancy and reduce health inequalities. The public health team have a role in terms promoting and educating people about healthier living, including exercise and active modes of travel. The public health team has historically worked with CCGs to promote exercise options through GPs and it may be possible in the future to tailor this communication and education to encourage the use of active travel options. For example, active travel could be suggested as an option in certain cases or potentially Public Health could work with the Public Rights of Way team to promote and publicise the health benefits of leisure walking on local routes. This could encourage more individuals to exercise, which contributes to better health outcomes.

As indicated above public health are in a unique position whereby they have access to people at key decision making times in their lives such as during a baby's first year or when a child starts school. Active modes of travel can be promoted to individuals at these key life stages as at these times people are already in a position of change, so there is potential to positively affect their travel behaviour. Of all state school pupils in North Yorkshire 53% of primary school pupils and 36% of secondary school pupils walk to school, which is below the England averages of 59.5% and 42.0% respectively.¹⁴ Relative to the England average, a similar percentage of North Yorkshire primary pupils' cycle to school (1.0%) and relatively fewer secondary school pupils (1.1%) travel to school on their bicycles. School is a setting in which young people have the greatest opportunity to be active. However, fewer children now walk to school than in previous generations and very few cycle to school. The majority of young people are receiving less than 2 hours of physical education in the school day with only small minorities playing sport after school¹⁵. The Public Health team can work with the Road Safety and

¹⁴ North Yorkshire's joint strategic needs assessment report 2012 <http://www.northyorks.gov.uk/>

¹⁵ Start Active, Stay Active, Department of Health 2011 <https://www.gov.uk/>

Travel Awareness team, Children and Young People's Services and schools to reinforce the message of encouraging active travel by promoting the health benefits of walking and cycling to school, where this is appropriate and achievable e.g. where students live within reasonable walking or cycling distance and thus incorporating exercise into the school journey.

One of the key recommendations of the Director of Public Health's 2013 report is that the enthusiasm and sense of wellbeing created by the hosting of the Grand Depart of the 2014 Tour de France be harnessed with the aim of creating a social and physical activity legacy in the county. The County Council is working to ensure that the highway network is ready for the event and also coordinating with Tour de France regional partners to ensure that the event and its lasting legacy is a success. The Road Safety and Travel Awareness team are working with regional colleagues to produce a rural cycling guide application providing information about how to ride the routes and challenges in the scenic and popular routes enjoyably and safely. An urban cycling guide DVD has already been produced in conjunction with regional collaborators on a co-funded basis. As indicated above the team continues to deliver Bikeability cycle training to all primary school pupils in the County. There is also a Le Tour supporting education pack for schools and various local activities are planned. North Yorkshire Sport are working closely with the Road Safety Team on Legacy programmes, particularly the instigation of a Cycling as Sport competition between all secondary schools in the county, culminating in a County championship competition at the cycling circuit in York. This initiative will enable students in all secondary schools, even in very rural areas where they are bussed to school, to take part and so develop an interest in cycling. The County Council is working with British Cycling to deliver the Go Ride Programme in schools within the Yorkshire Dales. The programme provides a fun and safe way to introduce young riders to the world of cycle sport and provides a platform to improve bike handling skills. In addition, Public Health has a representative on the Tour de France legacy committee and has agreed to contribute funding towards a proposal by Sustrans to map several "Tour of Yorkshire" cycle routes.

4.3.3 Social Isolation

The effects of social isolation and maintaining access to health care services is a key public health concern and consequently transport and public health policies and strategies should be carefully integrated in this area.

LTP3 recognises that the travelling needs of those aged over 70 years should be carefully considered to ensure that this cohort continues to lead independent lives with full access to services. Through the Clinical Commissioning Groups (CCGs) the public health team have a clear link to the general population including groups such as the elderly. The County Council, through the Public Health team, may be able to disseminate road safety and transport information e.g. through General Practitioners and healthcare providers, to targeted groups of the local population. The Public Health team have recently contributed funding for social isolation projects within the County and are also investigating the potential to develop community hubs which draw on existing community assets to support more vulnerable members of the community and aim to reduce social isolation. The Road Safety and Travel Awareness Team deliver a programme of driver education and training for people aged 50 and over, in order to keep people driving safely for longer. For the predominantly rural population of North Yorkshire, for many people if they were to lose access to the car this would greatly impact on social isolation. Specific support is also offered through carers support groups to help those who may have to take up driving again after a significant gap, due to the illness of their spouse or partner who can then no longer drive.

Encouraging people to walk has been found to increase social inclusion by increasing access to social networks and amenities¹¹. In rural North Yorkshire due to the remote location of many settlements it is not possible to completely remove dependence on vehicular transport including the private car, however where-ever possible, and particularly in towns and villages, the County Council will encourage and promote walking for both physical and mental well-being.

At an early stage in the development of new transport policy, including future local transport plans, the public health team will be involved to ensure that health issues are considered and to ensure that, where-ever possible, negative public health consequences are avoided. Guidance may also be sought from the Director of Public Health as to whether it is necessary to carry out a health impact assessment before the implementation of a new transport policy.

4.3.4 Environmental Effects of Transport

Transport can have a negative impact on health particularly where poor air quality is caused by exhaust fumes. In public health terms air quality is a health protection issue. The County Council continues to encourage cleaner means of travel e.g. public transport, walking, cycling which help to reduce air quality problems caused by traffic.

The County Council works alongside district councils to investigate how traffic can be managed or reduced at locations where there are transport related air quality issues. Over the last three years the County Council has worked closely with several district Councils to develop air quality action plans for the three transport related Air Quality Management Areas (AQMAs) in North Yorkshire. This has involved the identification of a number of measures to reduce the impact of transport emissions on air quality at these locations. One of these measures is the implementation of the Brambling Fields junction improvement on the A64 which is aimed to help reduce congestion and traffic related air pollution in Malton town centre by routing traffic away from the 'Butcher Corner' junction.

The County Council and district councils will continue to monitor the impact of the interventions on air pollutant levels in the Air Quality Management Areas and consider potential remedial measures. Due to funding constraints the County Council will consider opportunities for third party funding such as s106 and Community Infrastructure Levy contributions from developments that have a direct impact on an Air Quality Management Area. It may also be possible to identify spin-off or combined benefits from other planned works, for example traffic signal works. Other revenue funded travel awareness type measures will be provided by the re-prioritisation of relevant Road Safety and Travel Awareness staff workloads although this would potentially have an impact on other duties including road safety initiatives.

It is recognised in LTP3 that traffic noise can negatively impact on health. Defra noise modelling has identified several locations where noise is calculated to exceed acceptable levels. However, these are localised and low in comparison to more densely trafficked urban areas. As indicated in LTP3, the County Council will continue to seek to minimise noise levels from new highway schemes and where possible from the existing highway and continue to work with partners to contribute to initiatives that may reduce noise.

The County Council's Public Health duty means that the County Council has a role in increasing public awareness of air quality and noise as public health issues. The Director of Public Health's 2013 report used the Malton Air Quality Management Area as a case study and highlighted the fact that elevated levels of nitrogen dioxide are associated with adverse health effects because of impacts on the respiratory system. The report also

highlighted the partnership working to develop action plan measures with the aim of reducing the ambient levels of nitrogen dioxide from road vehicle exhaust emissions in the Malton Air Quality Management Area. The Director of Public Health can provide a link between Public Health England and the County Council as well as district councils by disseminating the latest air quality and noise research and guidance.

4.4 Going Forward

This chapter highlights the work that the County Council is already doing in relation to transport and public health. The chapter also sets out an approach to building on existing work and ensuring that wherever appropriate public health is a consideration within the delivery of the local transport plan. To achieve this aim the Public Health team will be involved at an early stage in transport policy and strategy development. Also regular liaison between the health team and transport colleagues will take place including through formal partnerships e.g. the 95 Alive road safety partnership.

In the development of the next local transport plan the Public Health team will help to determine whether there are any additional public health related indicators relevant to transport which could be monitored. These indicators may draw on existing public health intelligence and data sources. The National Institute for Health and Care Excellence (NICE) produces several pieces of guidance around topics relevant to the current and future LTP's. Where quality evidence exists, NICE guidance is routinely used to inform decision making at both NHS and Local Authority levels. As part of Public Health's contribution to County Council policy and strategy development, the next LTP will be supported by the transport related NICE guidance, using the auditing tools provided by NICE as a framework for a joint approach to addressing health issues.

Given the current public sector funding constraints it is realistic to expect that the availability of funding for delivering new pedestrian and cycle improvements over the remainder of the LTP period and beyond 2016 is limited. Funding has been provided to the County Council until 2014/15 for the promotion of sustainable travel to school, under the general duty contained within the Education and Inspections Act. It is unknown whether funding will continue beyond this period. However, despite financial barriers the economic benefits of encouraging more walking and cycling are clear and therefore the County Council will encourage the Local Enterprise Partnership to consider incorporating sustainable travel in new transport schemes funded through the Local Growth Fund. Further detail on the County Council's approach to working with the LEP is outlined in Chapter 2 of this report. The County Council will also consider opportunities for external funding of cycle and pedestrian improvements, for example through developer contributions or grant funding.

Chapter 5 – Integration of Transport and Land Use Planning

5.1 Background

As identified in section 3.4 and the Local Economies appendix of the extant Local Transport Plan planned new housing and employment developments will have a significant impact on the transport network. Conversely the transport network can be a constraint on the location of new housing and employment development. The third LTP (2011-16) identifies that working with the relevant local planning authorities the County Council would develop a series of Strategic Transport Improvement Master Plans (STIMPs) to identify the necessary transport measures to facilitate developments proposed in their Local Development Frameworks.

5.2 Progress

After engagement with the Local Planning Authorities (LPA'S) and revisions to the requirements around the preparation of Local Development Frameworks and Local Plans following the election of the coalition Government in 2010 it was concluded that the preparation of a formal STIMP was no longer the most appropriate means of identifying required transport infrastructure to support local plans.

Notwithstanding this the County Council has, and will continue to work closely with the ten authorities responsible for the preparation of local plans (7 District Councils, 2 National Park Authorities and NYCC for Minerals and Waste). In August 2011 the County Council established new mechanisms for coordinating its engagement with the Local Planning Authorities across North Yorkshire in relation to the planning, funding and delivery of critical infrastructure to enable, in particular, the delivery of major housing and employment developments. Driven by the cross-Directorate Infrastructure Delivery Steering Group, which in turn reports to the County Council's Management Board, these new mechanisms are helping to support and shape the preparation of Local Plans, as well as essential infrastructure funding streams such as the Community Infrastructure Levy.

The Local Highways Authority works alongside and supports these wider joint working mechanisms. In particular it:

- helps to assess the transport impact of potential local plan land allocations (especially for housing and employment land)
- advises on options for the locations of land allocations
- advises on improvements to the transport networks and infrastructure necessary to accommodate increased travel resulting from new land allocations.
- helps to identify appropriate funding to deliver the necessary transport improvements.

In many cases this has involved the County Council facilitating and previously partially funding the use of the County Council's local transport models to help the planning authorities assess the transport impact and necessary improvements arising from local plan land allocations. Transport models for Catterick Garrison, Harrogate, Malton / Norton, Northallerton, Scarborough, Skipton & South Craven and Selby are being used for this

purpose. Wherever available the County Council will continue make the local transport models available for use by the local planning authorities and will advise the LPA's on their use. However, the County Council is no longer able to fund the use of these models by the LPA's.

Appendix 1 to this chapter provides an update on the latest position of the local plans covering North Yorkshire (excluding Minerals and Waste) together with an indication of the scale of land allocations and a brief description of the co-operative working being undertaken with the County Council as Local Highway Authority (LHA).

In addition to the local plans in Appendix 1 North Yorkshire County Council is the planning authority responsible for Minerals and Waste planning outside of the National Parks. The County Council is therefore preparing a Minerals and Waste Joint Local Plan with the North York Moors National Park and City of York Council. However, working with the North York Moors National Park Authority this plan also covers the North York Moors National Park area. The County Council (in their role as Local Transport Authority) are assisting with the preparation of this plan through the identification of transport issues associated with potential allocations for mineral extraction and the management and disposal of waste. The potential transport impacts of these allocations need to be considered especially carefully as a large proportion of the vehicle movements associated with the above are heavy goods vehicles. The LTA are using the experience gained through the co-ordination of Freight Quality Partnerships to help assess the impact of and likely local reaction to additional heavy goods vehicle movements.

5.3 Funding

As has been highlighted elsewhere in the Local Transport Plan and this addendum the amount of public money available to the County Council for the provision of new infrastructure is very limited. The impact of new land allocations in the emerging local plans is such that in most cases major transport infrastructure improvements are necessary and the costs of these are significantly in excess of the available funding available to the County Council. It is also a long established principle that wherever feasible new developments should fund their necessary transport infrastructure. The County Council do not normally provide funding to deliver new developments identified in local plans.

Notwithstanding the above and whilst the co-ordination of the provision of this funding is primarily a responsibility of the Local Planning Authority (LPA) developing the local plans the County Council (as LTA) continues to assist the LPAs in determining the necessary level of funding for new transport infrastructure and identifying potential funding sources. A brief summary of these is set out below:

- S106 (Section 106 of the Town and Country Planning Act 1990) – This is a long established means of developers providing for necessary 'off site' transport works. This involves a planning condition as part of any planning permission to ensure that sufficient funding is provided to the County Council to carry out the required works.
- S278 (Section 278 of the Highways Act 1980) - This is a long established means of developers providing for necessary 'on site' transport works. This is a means by which developers provide new transport infrastructure on (e.g. estate roads) or

directly linked to (e.g. new access junctions) the development site. This new infrastructure is normally 'adopted' by the highway authority for future management and maintenance.

- CIL (Community Infrastructure Levy) – A relatively new approach to the provision of funding by developers to allow the provision of essential infrastructure (not just transport) to serve the community where the development is taking place. In broad terms this allows the planning authority to agree a Levy, chargeable per square metre of new or additional floorspace. This is applied across identified areas, which may include the whole, of the plan area and then used to provide essential infrastructure wherever it is needed in the plan area. This mechanism has the benefit that it can accumulate a large number of small contributions towards funding infrastructure and does not rely on a single big development providing a sufficient funding to deliver the large infrastructure projects.
- LGF (Local Growth Fund) - In July 2013 the Government published guidance on Growth Deals setting out details of a Local Growth Fund. The purpose of this is to provide capital funding to Local Enterprise Partnerships to use to stimulate local economic growth in their areas (see Chapter 2 of this addendum). Through bids prepared by the LEP's this funding may (if the bid is successful) be available to help provide the necessary infrastructure to deliver local plan allocations. Further details of the bids to the LGF are available in the Strategic Economic Plan which is available at www.businessinspiredgrowth.com

Further details of the local plan development process and identification of the required transport services and infrastructure should be available on the websites of the relevant LPAs.

Appendix 1 – Latest Position on Local Plans

Local Plan	Plan Progress & Period Covered	Scale of Allocations	Local Highways Authority Co-operation
Craven District	<ul style="list-style-type: none"> • Current Local Plan (1999) needs replacing. • Pre-publication draft of the Local Plan- Consultation 2014, submission Autumn 2014. Examination early 2015. • Transport Assessments Feb 2014 onwards 	<p>Consultation documents indicate circa 160 housing units per year and approx. 27 ha employment land allocated over the local plan period of 15 years (outside Yorkshire Dales National Park).</p>	<p>Advisory role in the preparation of Transport Assessment work, site allocation and transport infrastructure evidence in preparation for Examination in public</p> <p>Representation at Examination in Public</p>
Hambleton District	<ul style="list-style-type: none"> • Approved Core Strategy (partial Plan review underway). Anticipated revised Plan will be adopted in late 2015. • CIL charging schedule- 'Draft charging schedule' – consultation and submission – Jan/March 2014. Examination June/July 2014 	<p>6540 units of housing in Development Plan Period 2004-2026</p> <p>75 ha employment land 2005-2021</p>	<p>Advisory role in the preparation of Transport Assessment work, site allocation and transport infrastructure evidence in preparation for Examination in public</p> <p>Representation at Examination in Public</p>
Harrogate Borough	<ul style="list-style-type: none"> • Review of Core Strategy (2009) • Sites and Policies DPD- Examination In Public April/May 2014 • CIL- Examination Spring 2014 • Town Centre Master Plan- working groups Feb/March 2014 	<p>Approx. 7800 homes in total 2004-2023/24 (390 per year)</p> <p>Approx. 28 ha of employment land</p>	<p>Advisory role in the preparation of Transport Assessment work, site allocation and transport infrastructure evidence in preparation for Examination in public</p> <p>Representation at Examination in Public</p> <p>Representation and advisory role at the Town Centre master planning groups</p>

Local Plan	Plan Progress & Period Covered	Scale of Allocations	Local Highways Authority Co-operation
Richmondshire District	<ul style="list-style-type: none"> • Currently updating Local Plan with development decisions based on adopted Local Plan 1999-2006 and the emerging policies of the Local Plan 2012-2028. • Core Strategy examination - Feb 2014 • CIL – preparing 	<p>15 year target of 2700 (180 dwellings per year) as identified in August 2012 Core Strategy</p> <p>In total 12 ha employment land to 2028 (August 2012 Core Strategy)</p>	<p>Advisory role in the preparation of Transport Assessment work, site allocation and transport infrastructure evidence in preparation for Examination in public</p> <p>Advisory role in the preparation of CIL- help the LPA identify necessary Infrastructure requirements</p> <p>Representation at Examination in Public</p>
Ryedale District	<ul style="list-style-type: none"> • Local Plan has been adopted for 2012-2027 in September 2013. (Note: pending legal challenge the adopted Plan remain in place - Hearings April 2014) • Strategic Transport Assessment required for sites allocations doc. Feb/March 2014 	<p>The Local Plan 2012-2027 sets a target of 3000 homes (200 units per annum) and approx. 37 ha additional employment land.</p>	<p>Advisory role in the preparation of Transport Assessment work, site allocation and transport infrastructure evidence in preparation for Examination in public</p> <p>Representation at Examination in Public</p>
Scarborough Borough	<ul style="list-style-type: none"> • Draft SHELAA complete, expanded to become Strategic Housing and Employment Land Availability Assessment and includes an assessment of available employment land. • Draft policies revision- Consultation on-going • Local development scheme 2014 provides detailed timetable for Local Plan preparation • Submission of local plan Q4 2014 	<p>Forecast land supply 12 ha employment land. Target of 11,800 dwellings between 2008 and 2026 (SBC draft core strategy 2009)</p>	<p>Advisory role in the preparation of Transport Assessment work, site allocation and transport infrastructure evidence in preparation for Examination in public</p> <p>Representation at Examination in Public</p>

Local Plan	Plan Progress & Period Covered	Scale of Allocations	Local Highways Authority Co-operation
	<ul style="list-style-type: none"> • Local Plan Examination Q2/Q3 2015 • Local Plan Adoption Q4 2015. • South Cayton- Strategic Transport Assessments- Spring/ Summer 2014 • CIL: Not currently being progressed further due to low levels of viability. Viability evidence to be re-visited Q1 2015. 		
Selby District	<ul style="list-style-type: none"> • December 2013 – Core Strategy was challenged by Samuel Smith Old Brewery (Tadcaster). Selby submit their evidence February 14th. Pending challenge the core strategy remains in place. • Sites and Policies Allocations Document and associated Transport Assessment- Spring/ Summer 2014 • CIL- under preparation. Preliminary Draft Charging Schedule consultation now completed. 	Approx. 4800 new homes and 49 ha (net) new employment land up to 2026	<p>Advisory role in the preparation of Transport Assessment work, site allocation and transport infrastructure evidence in preparation for Examination in public</p> <p>Representation at Examination in Public</p>
North York Moors National Park	<ul style="list-style-type: none"> • Local Development Plan sets out a 3 year programme of work for producing documents that will make up LDF. 	The Core Strategy and Development Polices (November 2008) identified that due to the environmental constraints of the Park there are limited opportunities for	Advisory role

Local Plan	Plan Progress & Period Covered	Scale of Allocations	Local Highways Authority Co-operation
		<p>new housing development. Future housing completions are likely to be small in number (around 20 units a year focused on service centres and service villages).</p>	
<p>Yorkshire Dales National Park</p>	<ul style="list-style-type: none"> • New Local Plan under preparation (see YDNP LDS for details) 	<p>The Housing Development Plan 2012-2025 identifies approx. 12 dwellings per annum.</p>	<p>Advisory role</p>

Chapter 6 – LTP3 Key Outcome Indicators

6.1 Funding, performance management and indicators

As set out in Chapter 2, the funding regime for local transport and highways schemes has changed significantly since the third LTP was published. LTP3 was developed during the period before austerity measures were fully implemented and it was only after LTP3 had been adopted that the full scale of the austerity measures became clear. However, an addendum to the plan was issued in March 2011 which set out the revised funding situation and the updated performance management indicators, in light of the funding changes.

In summary, and as set out in Chapter 2, direct capital funding by way of the LTP capital allocations has decreased significantly, various funding streams have been withdrawn and now new bidding competitions have been opened up to local transport authorities (LTAs). The approach for bidding for 'major schemes' (traditionally those costing more than £5m) has been reviewed and decisions about how the devolved major scheme funding is spent locally have been taken by the newly formed Local Transport Boards and subsequently the LEPs.

All of the above has reduced the funding available to deliver our programmes and has required a fundamental review of our methods of delivery and our selection of schemes and projects. However, this review of approach was undertaken during the time when the draft LTP was being finalised to enable delivery using the new approach to start as soon as the new plan period commenced.

Working with our Highways North Yorkshire partners, we have invested in technology to allow smarter working practices, reduced bureaucracy and more responsive highway operations teams. We have focussed on the management and maintenance of our existing network, with investments in improvements being predominantly funded through developer contributions and external funding sources such as the LSTF.

We have continued to give precedence to those areas of our work which we are legally obliged to carry out, like maintenance of the highway asset, furtherance of road safety policy and scheme delivery and provision of some socially necessary bus services. However, activity in those areas of statutory responsibility has had to be slightly restricted due to reductions in capital and the Council's own revenue funding.

6.2 What has this meant in terms of delivery?

Improvement works have reduced significantly, with some exceptions being funded predominantly by external sources or Government bidding competitions. Developer contributions secured through the planning process allow targeted improvements to be made and work is continuing with each of the planning authorities on development of the Local Plans and in some cases a Community Infrastructure Levy (CIL).

In Integrated Passenger Transport the budget for supported local bus services will have reduced by 75% by the end of LTP3. Consequently this has resulted in the tendered bus network being considerably smaller than in previous years.

As previously stated, at the time of publishing LTP3, the full extent of the funding situation for local transport authorities was unclear. At the adoption stage for the plan, it was difficult to set meaningful targets and trajectories for the spending programme and an addendum to the report was later published setting out that the

County Council’s approach would be to collect key outcome indicator data and monitor trends, rather than to set targets which would have to be pitched so low as to not be ‘realistic and meaningful.’ The indicators that we do monitor still give us an indication of how we are performing in terms of meeting our key performance questions, which in turn relate to the five objectives of the third LTP.

The Local Area Agreement (LAA) and the requirement to monitor the national indicator set from that, was removed by the Coalition government at the start of their tenure in Parliament. However, many of the indicators that comprised our LAA suite of transport indicators remain important to the County Council or have been carried into the current mandatory indicators set by the Coalition Government. Therefore, we continue to monitor them as we did prior to 2011.

6.3 Funding position and indicative allocations

Figure 1 below sets out our current funding position compared to previous years and projections for future financial years.

Figure 1 – Funding Position and Indicative Allocations

	09/10 £000s	10/11 £000s	11/12 £000s	12/13 £000s	13/14 £000s	14/15 £000s	15/16 £000s	16/17 £000s
Integrated Transport	11,940	11,908	4,474	4,091	4,091	5,753	3,000*	3,000*
Maintenance	27,208	28,858	25,252	24,065	21,839	20,571	28,000*	28,000*
Total LTP/DfT Allocation	39,148	40,766	29,726	28,156	25,930	26,324	31,000*	31,000*

*indicative allocation - an estimate based on details announced in the June 2013 Spending Review

In addition to the significant cuts to transport funding, there have been annual ‘unprecedented’ weather episodes which have resulted in significant amounts of unplanned spending. As these episodes become more common, it is becoming evident that greater amounts of funding will need to be made available to support network resilience works. Some additional funding has been made available by Government to help deal with the effects of the winter damage and in the last three years approximately £12.6m additional funding has been provided. Whilst this funding will go some way to helping improve the condition of the highway damaged by poor weather conditions, there is still a significant amount to be done.

6.4 Performance tables

The following tables set out the data that has been collected since the start of LTP2 (2005-2011) and into the current LTP plan period (2011-2016). They show, where possible, the year on year progress for each indicator. Figure 2 lists the indicators and the data that has been collected. The data in figure 2 is traffic-light colour coded

to give an 'at a glance' view of whether indicators have improved, worsened or stayed the same.

Figure 3 sets out the detail behind each indicator. Some of the data that we set out to collect is no longer available; where this is the case, we have given an explanation in figure 3. Figure 3 also details the approach we have taken and indicates where there are gaps in the data. In some cases data is only collected in alternate years or on a less than annual frequency and this is also explained in figure 3.

Figure 2 - LTP Key Outcome Indicator Table

LTP No	Key Outcome Indicator	Notes	2005	2006	2007	2008	2009	2010	2011	2012	2013
1	Bus Punctuality in Harrogate and Scarborough			0.63	0.75	0.74	0.79	0.84	0.86	0.85	
2	Bus Usage on key corridors		See narrative, no longer collected								
3	Local Bus Patronage		14.8m	16.6m	16.9m	17.7m	17.4m	16.9	17.3	17.3	16.4
4	Ease of access to key services						74%			80%	
5	Air quality management area pollutant levels	Knareborough						36.68	40.43	37.47	TBC
	pollutant levels in AQMA: Average value (highest reading in brackets)							(44.17)	(54.07)	(56.98)	
	Intervention level is 40µg/m3	Ripon						34.47	37.34	37.47	TBC
All figures are for NO ₂ µg/m3 (Derived from district council data)								(43.36)	(46.30)	(50.55)	
		Malton						41.67	40.78	41.67	TBC
								(47.00)	(49.00)	(48.00)	
6	Road transport CO ₂ emissions		2170*	2178*	2217*	2067*	1966	1946	1930	TBC	
7	Road transport vehicle mileage in North Yorkshire (DfT Table TRA8904)		7919	8257	8345	8045	7881	7811	7813	7635	
8	Number of people killed in road collisions		85	69	81	52	46	50	49	35	51*
9	Number of people killed or seriously injured in road collisions			703	709	656	597	491	454	473	456*
10	Number of people slightly injured in road collisions		2531	2307	2470	2243	2217	1954	1872	1893	1727*
11	Number of children killed or seriously injured in road collisions			49	49	43	39	28	21	28	20*
12	Modal share of journeys to school	Based on academic years			30	27	27	See narrative, no longer collected			
13	Recycling materials used in highways operations (% of total)								6.69	TBC	n/a
14	Carbon footprint of highway maintenance and improvement works by NYCC (tonnes of CO ₂ for every £1m turnover)								171.6	TBC	n/a
15	% of Principal 'A' Road network (in poor condition) where maintenance should be considered soon			4%	3%	4%	5%	4%	4%	4%	3%
16	% of Non Principal B and heavily used C road networks (in poor condition and) where maintenance should be considered soon						11%	11%	11%	9%	4%
17	% of lesser used C road and unclassified road network (in poor condition and) where maintenance should be considered				15%		18%	18%	20%	21%	25%
18	% of heavily used (cat1a,1 and 2) used footways where structural maintenance should be considered						8%	10%	3%	4%	4%
19	% of lesser used (category 3,4 and 5) footways where structural maintenance should be considered										n/a

Figure 3 - Key Outcome Indicators Narrative

LTP No	Key Outcome Indicator	Narrative
1	Bus Punctuality in Harrogate and Scarborough	Punctuality is recorded on Fridays in the early summer months to represent the most challenging period for journey time consistency and compliance. Performance has been improving; last year's performance was a slight worse than in earlier years, but in general the trend is towards improving punctuality.
2	Bus Usage on key corridors	This data is no longer recorded. This is due to the lack of influence that the County Council has on the commercially operated bus routes.
3	Local Bus Patronage	This indicator is now collated by the Department for Transport as part of the national bus operators' questionnaire. The results for 2012/13 are not as good as expected, but reflect a national decline. Analysis suggests this was due in part to poor weather in the early part of the year and also to the Olympic games where travel by bus reduced as more people stayed in to watch the games.
4	Ease of access to key services	This is collected every three years through the Citizens Panel. The data shows that perception of people's ability to access to services remains relatively high.
5	Air quality management area pollutant levels pollutant levels in AQMA: Average value shown, (highest reading including in brackets) All figures are for NO ₂ µg/m ³ (Derived from district council data)	Air quality values in Malton have remained relatively constant in the last three years. The primary scheme in the air quality action plan, Brambling Fields junction improvement, only opened in September 2012, so it is likely that traffic movements have not yet fully settled down and that is the reason for no discernible trend as yet.
		Air quality values in Harrogate have worsened. Background concentrations have increased overall. The air quality action plan, developed by Harrogate Borough Council in partnership with NYCC highways officers for the two Harrogate AQMAs, was completed in 2013 so it is anticipated that air quality levels should start to improve with the introduction of the measures in the plan. Funding for air quality measures is limited, but officers will continue to seek out opportunities for additional funding, and will also look to seek air quality add-on benefits from planned schemes wherever possible.
6	Road transport CO ₂ emissions	Correlates to decreasing traffic mileage and continued improvements in vehicle fuel technology.
7	Road transport vehicle mileage in North Yorkshire	The trend of decreasing mileage has continued overall despite a plateau effect in 2011. The reasons for this are not clear, although it is thought that the economic down turn, cost of fuel and the success of new sustainable transport measures, plus perhaps the Olympics effect, encouraging healthier lifestyles, may all be contributory factors.
8	Number of people killed in road collisions	The overall trend in casualty numbers has continued to fall. Allowance must be made for the variations that can occur from year to year – numbers rarely fall in every category every year. For example, the number of fatalities in 2012 was the lowest ever seen in North Yorkshire, at 31. In the same year there were moderate increases in the numbers of people seriously injured and the number of children injured.
9	Number of people killed or seriously injured in road collisions	
10	Number of people slightly injured in road collisions	
11	Number of children killed or seriously injured in road collisions	Provisionally for 2013 there have been 475 KSI casualties in North Yorkshire, a rise of 2 compared to 2012. Slight casualties are lower than in 2012, with 1727 to the end of 2013. Provisional records indicate there were 51 fatalities during 2013 compared to 31 in 2012. The increases have mainly been among the riders of large motorcycles (31% of all fatalities in 2013 compared to 10% in 2012). This is thought to be due, at least in part, to better weather conditions resulting in increasing numbers of motorcyclists on the county's roads this year back to more normal levels after an exceptionally wet spring and early summer in

LTP No	Key Outcome Indicator	Narrative
		<p>2012. These numbers are also considered alongside usage data that shows there was a significant increase in motorcyclists using some of the most popular routes during 2013, up to 51% more than during the same sample periods in 2012.</p> <p>Therefore the data for 2013 indicates that 2012 was an exceptionally low casualty year – an outlying year – and that although there have been some increases during 2013, these are within normal, expected fluctuations so the general overall trend continues to be downward.</p>
12	Modal share of journeys to school	This data is no longer automatically collected as part of the annual school census. H&T staff are working with colleagues in CYPs to establish if there is a way in which this data could continue to be collected.
13	Recycling materials used in highways operations (% of total)	Thus far only one year's worth of data has been collected by our infrastructure term contractor. Therefore, until the figures for 2013 are provided it is not possible to determine whether or not improvements have been made.
14	Carbon footprint of highway maintenance and improvement works by NYCC (tonnes of CO2 for every £1m turnover)	Thus far only one year's worth of data has been collected by our infrastructure term contractor. Therefore, until the figures for 2013 are provided it is not possible to determine whether or not improvements have been made.
15	% of Principal 'A' Road network (in poor condition) where maintenance should be considered soon	Figures reflect the continued high priority afforded to this by the County Council.
16	% of Non-Principal B and heavily used C road networks (in poor condition and) where maintenance should be considered soon	Improved figures due to continual investment. Figures reflect the continued high priority afforded to this by the County Council.
17	% of lesser used C road and unclassified road network (in poor condition and) where maintenance should be considered	Increasing deterioration, particularly in terms of 'edge failure' and the amount of 'surface course deterioration.' Worsening condition reflects the County Council's priority being afforded to the higher class of road (those used the most). See 15 and 16 above.
18	% of heavily used (cat1a,1 and 2) used footways where structural maintenance should be considered	Consistency over recent years has been maintained due to effective targeting of the maintenance programme.
19	% of lesser used (category 3,4 and 5) footways where structural maintenance should be considered	No data as yet due to a need to improve the data quality. There is a need to work with Symology (our software provider) to extract and analyse the data captured during routine highway safety inspections.

Chapter 7 - Strategic Environmental Assessment (SEA)

Mid-Term Monitoring Report

7.1 Introduction

At the time that North Yorkshire's third Local Transport Plan was produced a Strategic Environmental Assessment was undertaken to consider the significant environmental effects of the plan.

Strategic Environmental Assessment (SEA) is a requirement for certain plans and programmes that are likely to exhibit significant effects on the environment. When the Local Transport Plan 3 was produced Government Guidance¹⁶ suggested that SEA was a requirement for Local Transport Plans.

The Strategic Environmental Assessment was undertaken in line with the Environmental Assessment of Plans and Programmes Regulations, 2004 (SEA Regulations). A requirement of these Regulations is that:

*“The responsible authority shall monitor the environmental effects of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action”.*¹⁷

This report shows how the environmental effects identified in the Strategic Environmental Assessment have been monitored to date and gives an early indication of whether any remedial action may be necessary. It also considers the effectiveness of the overall approach to SEA monitoring of this plan and recommends changes to future monitoring where relevant.

7.2 The Purpose of SEA Monitoring

It is important to monitor environmental effects for a number of reasons, not least because the SEA Regulations require it. There are, however, a number of clear benefits to monitoring:

- Monitoring can improve the implementation of the LTP, particularly if the LTP's environmental performance is not proceeding as predicted;
- The SEA monitoring data can be used to inform the development of the next LTP;
- The SEA monitoring of LTP3 can help determine how environmental effects should be predicted in future rounds of Local Transport Planning, for instance as LTP4 is developed; and
- The monitoring data can form part of the environmental baseline to future SEAs.

¹⁶ Office of the Deputy Prime Minister, 2005. A Practical Guide to the Strategic Environmental Assessment Directive (available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf)

¹⁷ HM Government, 2004. The Environmental Assessment of Plans and Programmes Regulations 2004 17 (1). [URL: <http://www.legislation.gov.uk/uksi/2004/1633/regulation/17/made>]

7.3 Results of the Original Environmental Report and the Monitoring Proposals Set Out

The Environmental Report set out a series of environmental objectives, refined through consultation, to reflect the requirements of both stakeholders and the SEA Directive and national regulations¹⁸. A total of 16 environmental objectives were established relating to the broad SEA topics which are defined in the SEA Directive. These topics include biodiversity, population, human health, water, air, climatic factors, material assets, cultural heritage and landscape. For ease of recognition, the SEA topics along with their associated environmental objectives are listed in the first two columns of Table 1. The purpose of the environmental objectives is to ensure that all relevant environmental issues are taken into account in an integrated and balanced way and allow decision-makers to evaluate the impacts of strategies in a coherent manner.

In the Environmental Report the objectives of LTP3 were assessed for compatibility against the environmental objectives. Though broadly the SEA objectives were seen to be compatible or have a neutral relationship with the LTP objectives, a number of areas of uncertainty were identified. In addition, the 'local economies' LTP objective was seen to be incompatible with a number of environmental objectives¹⁹. No mitigation was proposed in the Environmental Report.

For each SEA Objective a number of draft indicators were established in order to enable the environmental effects of LTP3 to be quantitatively monitored. Wherever it was considered relevant, the indicators used to measure the SEA objectives were aligned with the LTP3 key outcome indicators in order to maximise efficiency and to ensure a consistent approach to data collection. These indicators are considered in section 5 below.

7.4 Status of Monitored Indicators in April 2014.

A number of draft indicators were proposed in the original Environmental Report. These have been measured over the LTP3 plan period to date, wherever possible. In many cases this allows early indications of a trend to be observed.

While some indicators utilise readily available information, others have been more difficult to gather information for various reasons. For instance some indicators were poorly defined in the original SEA or in other cases data collation by external agencies is no longer undertaken. The status of each SEA indicator (data collected, data not collected, indicator amended etc.) is outlined in Table 1.

7.5 Monitoring Results and Analysis of Key Findings

Available data, including reference to the data source and limitations are detailed in Table 1 below.

¹⁸ To fulfil the requirements of the SEA Directive, objectives must cover biodiversity, population, human health, fauna, flora, soil water air, climatic factors, material assets, cultural heritage, landscape and the interrelationships between them.

¹⁹ For full details please refer to the Environmental Report available at: <http://www.northyorks.gov.uk/article/26213/Local-transport-plan-three-LTP3>

Table 1: SEA Monitoring Results to Date and Trends

SEA Topic/s	Environmental Objective	Draft Indicator Proposed in SEA	Status (collected, Indicator modified, additional indicator proposed, not collected)	2011 (unless otherwise stated)	2012	2013	Trend	Source / Limitations
Human health, population, interrelationships	1. Minimise the noise and vibration from transport related activities in sensitive areas	Noise mapping	Not Collected. The original proposed indicator was not clearly defined in the SEA. Some data on the percentage of disturbed area in terms of noise and visual intrusion was published in 2007 however this data has not been collected at regular intervals. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
		Tranquillity mapping	Collected where possible.	In 2006 North Yorkshire was ranked as the third most tranquil county council / unitary authority in England after Northumberland and Cumbria.	-	-		CPRE, 2006 / Limitation: It is not clear whether further data on this indicator will be produced.
		Planning applications with conditions on access attached	Not collected. Difficult to collate data required in order to monitor this indicator and it is not considered to be an effective measure of the effect of transport on this SEA objective. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
Air, human health, population	2. Reduce the impacts of the transportation network on air quality	Average journey time per mile during morning peak (NI167)	Not collected. This indicator forms part of the National Indicator (NI) set which has been abolished since the SEA report was produced and the Government no longer collects and/or reports this data. Due to the significant cost implications of data analysis, North Yorkshire County Council is not able to continue to collect this data.	-	-	-	N/A	
		Number of AQMA's	Amended and Collected. Indicator amended to 'number of transport related AQMA's' to provide further clarification.	3	3	3		Derived from district council data.
		Additional indicator proposed. It is considered that the following indicator would be effective in indicating effects and should be included in the SEA monitoring plan: 'Air quality management area pollutant levels - pollutant levels in AQMA: Average value shown, (highest reading included in brackets) All figures are for NO ₂ µg/m ³ '.	Knaresborough = 40.43 (54.07)	Knaresborough = 37.47 (56.98)	-	Trend based on average values	Derived from district council data	
			Ripon = 37.34 (46.30)	Ripon = 37.47 (50.55)	-	Trend based on average values		
Mode of transport used to travel to school (NI198)	Not collected. This indicator forms part of the National Indicator (NI) set which has been abolished since the SEA report was produced and the Government no	-	-	-	N/A			

SEA Topic/s	Environmental Objective	Draft Indicator Proposed in SEA	Status (collected, Indicator modified, additional indicator proposed, not collected)	2011 (unless otherwise stated)	2012	2013	Trend	Source / Limitations
			longer collects and/or reports this data. It is suggested that this indicator is dropped from the SEA monitoring plan.					
Climatic factors/ Material assets	3. Reduce greenhouse gas emissions from transportation and through the maintenance of the network	Study of low carbon asphalt	Not Collected. This study did not take place due to changes in funding. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
			Additional indicator proposed. It is considered that the following indicator would be effective in indicating effects and should be included in the SEA monitoring plan: 'road transport CO ₂ emissions'. This indicator aligns with an LTP3 key outcome indicator.	1930	Data not yet available	Data not yet available		North Yorkshire County Council collected data.
		Percentage of principal roads where maintenance considered and undertaken	Collected. Wording altered slightly to '% of principal A road network (in poor condition and) where maintenance should be considered soon' to align with LTP3 indicator.	4 %	4 %	3%		North Yorkshire County Council collected data.
		Percentage of non-principal roads where maintenance considered and undertaken	Collected. Wording altered slightly to '% of Non-Principal B and heavily used C road networks (in poor condition and) where maintenance should be considered soon' soon' to align with LTP3 indicator.	11 %	9 %	4 %		North Yorkshire County Council collected data.
		-	Additional indicator proposed. It is considered that the following indicator would be effective in indicating effects and should be included in the SEA monitoring plan: '% of lesser used C road and unclassified road network (in poor condition and) where maintenance should be considered' to align with LTP3 indicator.	20%	21%	25%		North Yorkshire County Council collected data.
Landscape	4. Preserve and enhance the county's natural landscape	Major schemes and their location to green belts	Collected	0	1 (Brambling Fields Junction- in excess of 10km from nearest greenbelt)	0	No major schemes have taken place in close proximity to greenbelt between 2011 and 2013.	North Yorkshire County Council collected data.
		Location and areas of green belts	Not collected. The above indicator 'major schemes and their location to greenbelt' is considered to be more effective at measuring the impact of LTP3 on this objective. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
		Utilising green infrastructure to inform, preserve and enhance the natural landscape	Not collected. Indicator is insufficiently defined to measure. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
		Green infrastructure projects implemented	Not collected. Indicator is insufficiently defined to measure as green infrastructure comprises many	-	-	-	N/A	

SEA Topic/s	Environmental Objective	Draft Indicator Proposed in SEA	Status (collected, Indicator modified, additional indicator proposed, not collected)	2011 (unless otherwise stated)	2012	2013	Trend	Source / Limitations
			different categories of spaces from allotments to public parks and linear features. Other indicators (e.g. for access routes and BAP habitat give a proxy measure of green infrastructure). It is suggested that this indicator is dropped from the SEA monitoring plan.					
		Km of new access routes created	Not collected. This proposed indicator is not considered effective in measuring effects in relation to this SEA objective. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
Landscape	5. Protect and enhance townscape character	Location and number of conservation areas	Collected	301	302	302	The highest number of conservation areas are in Hambleton and Harrogate.	Source: North Yorkshire Historic Environment Record. Limitation: the dates of designation are not stated for all records. Where the date of designation is not listed, it is assumed that these conservation areas were designated prior to 2011 (the baseline).
		Percentage of conservation areas with management proposals	Not collected. This proposed indicator is not considered effective in measuring effects in relation to this SEA objective. The below indicator 'number of conservation areas at risk' is considered to be more effective at measuring the impact of LTP3 on this objective. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
		Number of conservation areas at risk	Collected	3	3	2		Source: English Heritage, 2011 / English Heritage 2012 / English Heritage 2013
		Adoption of North Yorkshire Highway Construction Manual	Not collected. The North Yorkshire Highway Construction Manual has not yet been adopted. As it is not possible to measure this indicator should it be adopted in the future, it is suggested that it is dropped from the SEA monitoring plan.	-	-	-	N/A	
Cultural heritage including architectural and archaeological heritage	6. Conserve, enhance and improve access to the historic assets of the county	Number and percentage of designated historic assets at risk	Collected	Buildings at Risk = 47	Buildings at Risk = 46	Buildings at Risk = 45 (0.37%)		Source: English Heritage Heritage at Risk Register 2011, 2012, 2013. English Heritage Yorkshire and Humber Heritage Counts 2013.
				Places of worship at risk = 8	Places of worship at risk = 7	Places of worship at risk = 8 (percentage unknown)		
				Scheduled monuments at risk = 389	Scheduled monuments at risk = 369	Scheduled monuments at risk = 311 (18%)		

SEA Topic/s	Environmental Objective	Draft Indicator Proposed in SEA	Status (collected, Indicator modified, additional indicator proposed, not collected)	2011 (unless otherwise stated)	2012	2013	Trend	Source / Limitations
				Registered Parks and Gardens at Risk = 4	Registered parks and gardens at risk = 5	Registered parks and gardens at risk = 6 (14.63%)		
				Registered Battlefields at Risk = 2	Registered battlefields at risk = 2	Registered battlefields at risk = 1 (25%)		
				Protected wreck sites at risk = 0	Protected wreck sites at risk = 0	Protected wreck sites at risk = 0 (0%)		
				Conservation areas at risk = 3	Conservation areas at risk = 3	Conservation areas at risk = 2 (0.78%)		
		Number of designated historic assets and their settings affected, either positively or negatively by LTP3 proposals	Data not currently available.	-	-	-	Data not currently available	
		Number of registered parks and gardens	Collected	-	41	41		English Heritage - Heritage Counts 2013
		Number of visits to historic sites	Collected	Visitor admission trends (% change 2010 / 2011 – data collected for Yorkshire and Humber as a whole) Historic houses / castles = + 5% Other historic properties = + 3% Visitor / heritage centres = - 6%	Visitor admission trends (% change 2011 / 2012 – data collected for Yorkshire and Humber as a whole) Historic houses / castles = - 8% Other historic properties = - 6% Visitor / heritage centres = - 6%	Data not yet available	Between 2011 and 2012 there has been a decrease in the number of visitor admissions to historic houses / castles, visitor / heritage centres and other historic properties.	Source: Visit England Annual Survey of Visits to Visitor Attractions, 2011 and 2012.
		Percentage of planning applications for which archaeological investigations are required prior to approval in relation to transport.	Not Collected. Difficult to collect data and difficult to make specific to transport (e.g. mixed developments). It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
Biodiversity, fauna, flora, soil	7. Conserve and enhance	Percentage of SSSIs in favourable	Amended and collected. Indicator amended to '% area of SSSI land in the 'area favourable' and 'area	-	-	2014-98.21%		Natural England SSSI Condition Summary for

SEA Topic/s	Environmental Objective	Draft Indicator Proposed in SEA	Status (collected, Indicator modified, additional indicator proposed, not collected)	2011 (unless otherwise stated)	2012	2013	Trend	Source / Limitations	
	biodiversity across the county	condition	unfavourable recovering' categories' in order to better capture improvements in the condition of SSSIs in the region.					North Yorkshire.	
		Percentage of SSSIs in unfavourable condition	Amended and collected. Indicator amended to '% area of SSSI land in the 'area unfavourable no change' and' area unfavourable declining' categories.	-	-	2014-1.79%		Natural England SSSI Condition Summary for North Yorkshire.	
		Percentage of county covered by national and international protected areas / sites	Collected	Special Areas of Conservation	-	-	12.68%		Data derived from Natural England GIS datasets.
				Special Protection Areas	-	-	11.17%		
				Sites of Special Scientific Interest	-	-	13.63%		
Percentage of county covered by woodland	Collected	Approximately 7.8% coverage	-	-		Data derived from GIS datasets. Includes accessible woodland, ancient woodland, community forests, Forestry Commission land and Woodland Trust sites.			
Biodiversity, fauna, flora, soil	8. Reduce the adverse impacts of transport on biodiversity across the county	Proportion of local sites where positive conservation management has been or is being implemented (NI197)	Amended and collected. This indicator forms part of the National Indicator (NI) set which has been abolished since the SEA report was produced and Government no longer collects and/or reports this data. Suggest the wording is amended slightly to '%of Local Sites where positive conservation management is being or has been implemented in last 5 years' to align with data collected by North Yorkshire County Council.	29.2%	37.5%(2011/2012)	48.5% (2012/2013)		North Yorkshire County Council collected data.	
		Types of BAP habitat created or enhanced	Amended and Collected. Indicator amended to 'total area of UK priority habitat within North Yorkshire (reported for a selection of priority habitats present in the region)' to align with available data.	Lowland Dry Acid Grassland	-	-	17,026.86 ha		Natural England.
	Blanket Bog			-	-	53,255.76 ha			
	Lowland Meadows			-	-	1,110.17 ha			
	Lowland Calcareous Grassland			-	-	6,709.54 ha			
	Upland Calcareous Grassland			-	-	7,594.57 ha			
	Reedbeds			-	-	2,425.32 ha			
Water	9. Reduce and minimise the negative impact of transport on the county's water resources	Percentage of the region's total river length to be in good or fair condition in terms of both chemical and biological quality	Amended and collected. Indicator amended to 'Percentage of total river length to be in good or moderate overall condition' (reported for a sample of 3 rivers in North Yorkshire) to align with Water Framework Directive data.	Swale, Ure, Nidd and Upper Ouse catchment	79.69%	72.17%	-		Water Framework Directive Surface water classification status and objectives 2011 and 2012. http://data.gov.uk/dataset/wfd-surface-water-classification-status-and-objectives
				Derwent (Humber) Catchment	66.45%	68.21%	-		
				Esk and Coast Catchment	86.90%	79.15%	-		

SEA Topic/s	Environmental Objective	Draft Indicator Proposed in SEA	Status (collected, Indicator modified, additional indicator proposed, not collected)	2011 (unless otherwise stated)	2012	2013	Trend	Source / Limitations	
		Number of category 1/2 pollution incidents where source is transport	Data not currently available.	-	-	-			
Human health, population	10. Encourage healthier lifestyles through transport choice	Index of multiple deprivation	Not collected. This proposed indicator is not considered effective in measuring effects in relation to this SEA objective. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A		
		Obesity statistics	Amended and collected. Indicator amended to 'excess weight in adults' to provide further clarification.	-	-	67.9%		The Public Health Outcomes Framework, Public Health England, 2013	
		Number of cycling trips	Amended and collected. Indicator amended to 'Average daily cycle flows (24 hours) at selected sites in North Yorkshire' to align with data collected by North Yorkshire County Council.	C388 Clapham to Ingleton (Craven District)	13	15	17		North Yorkshire County Council collected data. Limitations- data has been presented from a selection of 7 monitoring sites throughout North Yorkshire (one in each district). These 7 sites are intended to give an indication of general trends.
				u/c Northallerton Road, Brompton (Hambleton District)	58	55	54		
				u/c Oatlands Drive, Harrogate (Harrogate Borough)	63	70	71		
				A6136 Catterick Road, Colburn (Richmondshire)	14	19	23		
				A166 Scoreby Lane, Stamford Bridge (Ryedale)	61	50	71		
				A171 Scalby Road, Scarborough (southbound only) (Scarborough)	61	60	101		
A1041 North of Selby Bypass (Selby)	24			25	27				
Percentage of journeys to work by cycling	Collected	2%	2%	Data not yet available		2011 statistic from Census 'adults who usually cycle to work' compared against Department for Transport statistic (mid October 2011- Mid October 2012) 'proportion of residents who cycle (any length or purpose) at least 5 times per week'.			
Human health, population	11. Improve safety and security	People killed or seriously injured KSI in road traffic accidents (NI148)	Collected	454	473	456		North Yorkshire County Council collected data. Figures provided for 2013 are provisional.	
		Children KSI in road traffic accidents (NI148)	Collected	21	28	20	2012	2013	North Yorkshire County Council collected data. Figures provided for 2013 are provisional.

SEA Topic/s	Environmental Objective	Draft Indicator Proposed in SEA	Status (collected, Indicator modified, additional indicator proposed, not collected)	2011 (unless otherwise stated)	2012	2013	Trend		Source / Limitations
							2012	2013	
		All road casualties with slight injuries	Collected	1872	1893	1727	2012	2013	North Yorkshire County Council collected data. Figures provided for 2013 are provisional.
Population	12. Reduce community severance	Public perception studies	Not collected. This indicator is insufficiently defined. It is suggested that this indicator is dropped from the SEA monitoring plan.				N/A		
		Public transport information satisfaction	Data not currently available.						
		Local bus service satisfaction	Collected	-	80%	-			Data established from Citizens Panel
		Bus services running on time (NI178)	Amended and collected. This indicator forms part of the National Indicator (NI) set which has been abolished since the SEA report was produced and Government no longer collects and/or reports data. It is suggested that the indicator is changed to 'Bus punctuality in Harrogate and Scarborough' to align with LTP3 indicator.	0.86	0.85	-			North Yorkshire County Council collected data
		Number of days of temporary traffic controls or road closures on traffic roads caused by road works	Amended and collected. Indicator amended to 'Number of days of temporary traffic controls or road closure on traffic sensitive roads caused by NYCC promoted roadwork's per km of traffic sensitive road' to provide further clarification and to align with local authority collected data.	0.27	0.37	-			North Yorkshire County Council collected data
Population	13. Improve accessibility to services and facilities	Working age people with access to employment by public transport and other specified modes (NI176)	Not collected. This indicator forms part of the National Indicator (NI) set which has been abolished since the SEA report was produced and the Government no longer collects and/or reports this data. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A		
		-	It is suggested that an additional indicator, 'Ease of access to key services' is added to the SEA monitoring plan for this objective.	74% (2009)	80%	-			North Yorkshire County Council collected data
		Local bus passenger journeys in the authority area		17.3m	17.3m	16.4m			North Yorkshire County Council collected data
Population	14. Encourage and promote cycle, pedestrian and public transport passenger movement	Access to services and facilities by public transport, walking, cycling (to increase the number of inaccessible parishes which have access to community transport journey opportunities and to increase overall patronage (NI175)	Not collected. This indicator forms part of the National Indicator (NI) set which has been abolished since the SEA report was produced and Government no longer collects and/or reports data. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A		

SEA Topic/s	Environmental Objective	Draft Indicator Proposed in SEA	Status (collected, Indicator modified, additional indicator proposed, not collected)	2011 (unless otherwise stated)	2012	2013	Trend	Source / Limitations
			It is suggested that an additional indicator, 'Ease of access to key services' is added to the SEA monitoring plan for this objective.	74% (2009)	80%	-		North Yorkshire County Council collected data
Population	15. Improve access to public amenities and open areas	Percentage of total length of footpaths and other rights of way, easy to use by the public	Collected	63.95%	71.97%	No data available		North Yorkshire County Council collected data. NYCC stopped collecting this data in 2012 (2012 figure represents a part year figure).
Material Assets	16. Support the development of the local economy by ensuring good transport links whilst protecting the environment	Rural access to opportunities programme	Not collected. This indicator is not possible to measure. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
		Urban renaissance programme	Not collected. This indicator is not possible to measure. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
		North Yorkshire Geographic Programme	Not collected. This indicator is not possible to measure. It is suggested that this indicator is dropped from the SEA monitoring plan.	-	-	-	N/A	
			It is suggested that an additional indicator, 'recycling materials used in highways operations (% of total)' is added to the SEA monitoring plan.	6.69	Data not yet available	Data not yet available		North Yorkshire County Council collected data

Key

	Trend
	Declining
	No change
	Improving
	Data unavailable at present/not enough data presented to establish trend

7.6 Analysis of Key Findings

Table 2: Analysis of Key Findings

SEA Topic	Analysis
Air	<p>A clear link exists between transport and air quality. The number of transport related AQMAs within the plan area has remained the same since the implementation of LTP3, however two of the three AQMAs have experienced an increase in average pollutant levels. In Ripon this increase has been very minor and an air quality action plan developed by Harrogate Borough Council in partnership with NYCC was completed in 2013. It is therefore anticipated that air quality levels should start to improve with the introduction of the measures of the plan. In Malton the increase has been slightly greater however the primary scheme in the Malton Air Quality Action Plan, Brambling Fields junction improvement, was opened in September 2012 and it is anticipated that this scheme will lead to a reduction in NO₂ concentrations in Malton AQMA. It is not therefore considered that any further remedial action is necessary at present.</p>
Climatic Factors	<p>A clear link exists between transport and the emission of greenhouse gases. The government have set ambitious and legally binding climate change targets and therefore this SEA topic should be carefully monitored. Over recent years road traffic CO₂ emissions in the region have generally been improving due to improvements in vehicle fuel technology and a reduction in vehicle mileage however it is not currently possible to establish the trend in road traffic CO₂ emissions over the LTP3 plan period as data for 2012 and 2013 is not yet available. It is recommended that this data is used to inform the SEA monitoring programme once available.</p>
Cultural Heritage	<p>Transport schemes have the potential to impact upon cultural heritage assets. Initial monitoring results indicate that there has generally been a reduction or no change in the number of historic assets at risk during the plan period. The exception to this is Registered Parks and Gardens which have experienced an increase in assets at risk however the 'at risk' status of these assets is not attributed to transport schemes. There has been a decrease in the number of visits to historic sites over the monitoring period, however it is not clear whether this is due to accessibility or other factors (e.g. cost, reduced opening hours, marketing etc.).</p>
Human Health/ Population	<p>LTP3 interventions have the potential to impact upon human health and quality of life in the county. Initial monitoring results indicate that although obesity is high in North Yorkshire (3rd most overweight county in England) the number of cycling trips is generally increasing or remaining fairly constant. In terms of road safety, the number of injuries and fatalities in road accidents has generally improved slightly or remained relatively constant over the monitoring period with slight fluctuations. Fluctuations can in part be attributed to weather conditions and changes in the number of motorcyclists using the County's roads. Ease of access to key services has improved, as has access to footpaths and other rights of way. Bus service satisfaction is generally quite high although the number of bus passenger journeys has experienced a decline in 2012/2013. This reflects a national trend and analysis has attributed this partly to poor weather conditions</p>

	and to a reduction in bus travel during the Olympic games (as people stayed in to watch the games). Road closures/road works can impact upon the accessibility of services and community severance. Monitoring results indicate an increase in the number of days of temporary traffic controls or road closures over the plan period to date. It is possible that this increase may, in part, be a result of LTP3 interventions.
Landscape	Transport schemes have the potential to impact upon landscape and townscape character. Since the implementation of LTP3 there have been no major transport schemes that have taken place in or close to greenbelt designations. There has also been a decrease in the number of conservation areas that are at risk.
Material Assets	The impact that transport schemes have on the environment and the supply of natural resources can be reduced by the utilisation of recycled materials in construction works. As monitoring results are only currently available for 2011 in relation to the percentage of recycling materials used in highways operations in North Yorkshire, it is not yet possible to establish a trend and to infer whether the implementation of LTP3 has had a positive or negative environmental effect in relation to material assets. It is recommended that this data is used to inform the SEA monitoring programme once available. There has generally been an improvement in the condition of the A and B road network. This improvement in the condition of transport infrastructure may represent a net positive environmental effect of LTP3 as the majority of LTP3 funding is directed at highway maintenance.
Biodiversity, Fauna, Flora, Soil	Nationally air pollution from transport, disturbance, and severance of habitats can have significant implications for biodiversity. Although in North Yorkshire it is not possible to establish a trend for many of the biodiversity indicators as data is only available for one year, it can be seen that a high proportion of SSSIs are in 'favourable' or 'unfavourable recovering' condition (98.21%). There has also been a significant increase in the number of local sites where positive conservation management has been/is being implemented.
Water	Pollution incidents/construction work associated with transport schemes have the potential to impact upon the water environment. There has been a decrease in the condition of two out of the three river catchments monitored since the implementation of LTP3. This could be due to a number of factors. Data relating to pollution incidents (where transport is the source) is not currently available. It is recommended that once this information is available it is used to inform the SEA monitoring programme and to establish whether transport is likely to be a factor in the declining condition of rivers in the county.

7.7 Conclusions

The current condition of the environment has been compared against the conditions at the start of the plan period (2011). Analysis of the trends that have occurred over the last three years enables us to establish whether any changes to the environment have occurred that may be a result of the implementation of LTP3.

As demonstrated in Table 1 above, the majority of indicators have experienced an improvement since the implementation of the plan (2011) and 2013 or have experienced no change in this time. It is not possible to establish a trend for 9 indicators as data is only

currently available for one year; however this data has been presented for comparison in future monitoring reports and for consideration in the development of LTP4. A number of indicators have experienced a decline since the implementation of LTP3 although in the majority of cases this decline is very minor and is not considered to represent unforeseen adverse effects of LTP3 (as outlined in Table 2, analysis of key findings, above). It is therefore not considered that any remedial action is currently necessary.

7.8 Recommendations

Due to a number of reasons outlined in Table 1, it has not been possible to collect data for a number of draft indicators that were proposed in the SEA. It is recommended that these indicators are dropped from the SEA monitoring plan, and wherever possible / considered necessary, alternative indicators have been proposed.

This SEA monitoring report has identified a number of recommended changes to the SEA monitoring plan (identified in the status column in Table 1) going forward including:

- The deletion of indicators that are not considered to effectively measure effects relating to an SEA objective or that are no longer measured by the Government/other bodies;
- Amendments to the wording of a number of indicators in order to provide further clarification or to align with available datasets; and
- The addition of new indicators, either to replace indicators that have been removed or where it is considered that the new indicator would be effective in measuring potential effects.

It is envisaged that these proposed changes to the monitoring plan will improve the practicality of collecting data to inform future monitoring reports and improve the effectiveness of the indicator set in measuring the environmental performance of LTP 3.

7.9 Further Information

Further information regarding this SEA Mid-Term Monitoring Report can be obtained from:

The Environmental Policy Officers
Natural Environment Team, Waste and Countryside Services
North Yorkshire County Council
County Hall
Northallerton
North Yorkshire
DL7 8AD
mwsustainability@northyorks.gov.uk
Telephone: 01609 532 422

Executive Report to Council - Appendix 3A

APPENDIX 1:

KEY LEGISLATION:

The current Discretions Policy will need to cover the following Legislation:

1. *The Local Government Pension Scheme Regulations 2013 [R]*
2. *The Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014 [TP]*
3. *The Local Government Pension Scheme Regulations 1997 (as amended) [L]*
4. *The Local Government (Discretionary Payments) Regulations 1996 (as amended) [IA]*

These are the discretions covered in this report.

Discretions in relation to scheme members (excluding Councillor members) who ceased active membership on or after 01.04.08 and before 01.04.14. These Discretions are covered in the Councils current policy, which will be kept as a record and reference for any cases where decisions made in relation to this group of members is challenged or needs further action.

1. *The Local Government Pension Scheme (Administration) Regulations 2008 [A]*
2. *The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) [B]*
3. *The Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [T]*

The Discretion Policy does not cover, but does link with existing Discretions Policies which cover the following Regulations:

1. *Local Government Pension Scheme Regulations 1997 (as amended) – in relation to active councillor members, and councillor members who cease active membership on or after 01.04.98 or between 01.04.98 and 01.04.08*
2. *Local Authorities (Members' Allowances) (England) Regulations 2003 [SI 2003/1021]*
3. *Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended)*
4. *Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended)*

Executive Report to Council - Appendix 3B

APPENDIX 2: LIST OF CHANGED DISCRETIONS:

List of Amended Discretions for LGPS 2014:

Regulation	Discretion	Policy
20(1)(b) (Ref R)	<p>An employer can specify in an employee's contract what other payments or benefits, other than those specified in R20(1)(a) and not otherwise precluded by R20(2), are to be pensionable.</p> <p>The employee's pay is "all the salary, wages, fees & other payments paid to him/her for his/her own use in respect of his/her employment". The employer may opt to specify in an employee's contract any other payment or benefit that may be pensionable, excluding the following items which are not deemed pensionable under the Regulation:</p> <ul style="list-style-type: none"> ◆ Expenses (travel, subsistence, other expenses allowances) ◆ Payments in lieu of notice of termination ◆ Payment in consideration of holidays ◆ Payments made as an inducement not to terminate employment ◆ Any amount treated as the money value for the provision of a motor vehicle or any amount paid in lieu of such a provision <p><i>NOTE: The only change to this area is that under the Regulations, non-contractual overtime and additional hours become pensionable.</i></p>	<p>NYCC reserves the right to specify what, if any, other payments or benefits are to be pensionable in accordance with the Regulations and will automatically include "detriment" or "protected" pay as pensionable pay.</p>
9(1) and 9(3) (Ref R)	<p>From 1 April 2014 Banded Contribution rates for employees will be based on actual pensionable pay received.</p> <p>Employers to assess the relevant contribution band to determine the rate of employee contribution.</p> <p><i>Note: LGPS 2014 allocates contribution bands based on actual pay received, and not on whole time equivalent pay as was used in the LGPS 2008 Regulations</i></p>	<p>On 1st April each year, NYCC will allocate the appropriate band for all members' pensionable pay based on the previous years' pensionable pay and include incremental progression and cost of living increases where known as at 1 April. This will not change during the financial year unless there is a post change. For new posts commencing during the year, their band will depend on starting salary.</p> <p>Only permanent changes to pensionable pay will result in re banding.</p> <p>If members have variable or nil hours contracts, the relevant band will be based on an assessment of the total pensionable pay received in the previous year. For new variable or nil hours posts, banding will be by reference based on the whole time equivalent of the salary, and reviewed 6 months after appointment so as ensure the correct band has been allocated (based on total pensionable pay in the first 6 months after appointment). If any member believes this would be inaccurate, they should ask their Line Manager to contact the Employment Support Service for further information.</p>

List of Additional Discretions for LGPS 2014:

Regulation	Discretion	Policy
16(2)(e) and 16(4)(b) (Ref R)	<p>Whether, how much, and in what circumstances to contribute to a shared cost APC scheme</p> <p>If a scheme member wishes to buy more pension, one means of doing this is through an Additional Pension Contribution. There is a discretion as to whether the employer wishes to share the cost of Additional Pension Contribution or buy additional pension for employees through an Employer Additional Pension Contribution</p>	<p>NYCC will contribute to Shared Cost APC Schemes only when an employee has opted to buy back 'lost' pension due to a period of authorised unpaid leave (including sickness and child related leave) within 30 days of returning to work from that leave. In these circumstances, the employee will pay one third of the cost of the Shared Cost APC and the employer will pay two thirds of the cost</p>
30(8) (Ref R)	<p>Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement</p>	<p>NYCC will not waive any actuarial reduction on benefits paid on flexible retirement</p>
30(8) (Ref R)	<p>Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age</p>	<p>NYCC will not waive any actuarial reduction on benefits paid which a member voluntarily draws before normal pension age</p>

Regulation	Discretion	Policy
Sch 2 Paras 1(2) and 2(2) (Ref TP)	Whether to “switch on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.	NYCC will not switch on the 85 Year Rule for any employee voluntarily drawing benefits on or after age 55 and before age 60
3(1), Sch 2, paras 2(1) and 2(2) (Ref TP) 30(5) and 30A(5) (Ref B)	Whether to waive any actuarial reduction on pre and/or post April 2014 benefits	NYCC will not waive any actuarial reduction and pay any pension strain costs arising out of voluntary early retirement or flexible retirement
95 (Ref R)	Whether, if the member has committed treason or been imprisoned for at least 10 years for one or more offences under the Official Secrets Acts, forfeiture under R91 or recovery of a monetary obligation under R93 should deprive the member or the member’s surviving spouse or civil partner of any GMP entitlement	NYCC will consider each case on its merits.

Removed Discretions:

Regulation	Discretion	Policy
12 (Ref B)	<p>To grant extra membership to active employees (Augmentation)</p> <p>The employer has the authority to increase the membership of an active member of the scheme, The maximum additional period is 10 years or the period by which the member would have attained had he continued in active service up to age 65, whichever is the shortest. Full payment for the additional period must be made within 6 months of the award.</p> <p><i>Note: This discretion is now defunct and will not feature on the LGPS 2014 Discretions Policy</i></p>	NYCC will not grant extra membership to active members.

APPENDIX 3 – CURRENT EMPLOYERS DISCRETION POLICY:

NORTH YORKSHIRE COUNTY COUNCIL STATEMENT OF POLICY

LGPS EMPLOYER DISCRETION POLICY

With effect from 1st April 2009

(as amended 2013)

This document incorporates the North Yorkshire County Council policies under the following LGPS Regulations as at 1st April 2009 as amended by the Local Government Pension Scheme (Miscellaneous) Regulations 2012. For ease of reference, each discretion in this document is marked 'Ref A', 'Ref T' etc. to correspond with the relevant Regulation.

- Ref 'A'** *The Local Government Pension Scheme (Administration) Regulations 2008*
- Ref 'T'** *The Local Government Pension Scheme (Transitional Provisions) Regulations 2008*
- Ref 'B'** *The Local Government Pension Scheme (Benefits, Membership and Contributions Regulations (as amended) 2007 (to include amendments contained in the Local Government Pension Scheme (Miscellaneous) Regulations 2012)*
- Ref 'L'** *The Local Government Pension Scheme Regulations 1997 (as amended)*
- Ref 'OT'** *The Local Government Pension Scheme (Transitional Provisions) Regulations 1997 (as amended)*
- Ref 'IA'** *The Local Government (Discretionary Payments) Regulations 1996 (as amended)*

The following is a statement of North Yorkshire County Council's (NYCC) policy on the exercise of discretions under the Local Government Pension Scheme Regulations (as detailed above). The policy represents clear guidance on the exercise of any particular discretion.

<p>4(1)(b) (Ref B)</p>	<p>An employer can specify in an employee’s contract what other payments or benefits, other than those specified in regulation 13(1)(a) and not otherwise precluded by regulation 13(2), are to be pensionable.</p> <p>The employee’s pay is “all the salary, wages, fees & other payments paid to him/her for his/her own use in respect of his/her employment”. The employer may opt to specify in an employee’s contract any other payment or benefit that may be pensionable, excluding the following items which are not deemed pensionable under the Regulation:</p> <ul style="list-style-type: none"> ◆ Non contractual overtime ◆ Expenses (travel, subsistence, other expenses allowances) ◆ Payments in lieu of notice of termination ◆ Payment in consideration of holidays ◆ Payments made as an inducement not to terminate employment ◆ Any amount treated as the money value for the provision of a motor vehicle or any amount paid in lieu of such a provision 	<p>NYCC reserves the right to specify what, if any, other payments or benefits are to be pensionable in accordance with the Regulations and will automatically include “detriment” or “protected” pay as pensionable pay.</p> <p>See Appendix 1 for NYCC guidance on pensionable and non pensionable pay</p>
<p>22(2) (Ref A)</p>	<p>Option to extend the normal time limit for a member to elect to pay voluntary contributions to cover a period of absence from duty</p> <p>Members who have had an optional absence may upon their return to work apply to their employing authority within 30 days of returning to work to repay any outstanding contributions. Employer’s have the discretion to extend this time limit beyond 30 days.</p>	<p>NYCC will extend the 30 day deadline if there is evidence of administrative shortcomings.</p>
<p>T9 and L12 etc (Ref T)</p>	<p>Option to allow ‘outsourced’ manual worker to make a late option to continue to pay 5% contribution rate upon return to the LGPS (where option is made more than 30 days after rejoining the LGPS)</p>	<p>NYCC will extend the 30 day deadline if there is evidence of administrative shortcomings.</p>
<p>30(2) (Ref B)</p> <p>30(5) (REF B)</p>	<p>To grant applications for early payment of benefits on or after age 55 and before age 60.</p> <p>Any member between the ages of 55 and 59 (see note below) may seek their employer’s agreement to receive an immediate payment of accrued pension benefits.</p> <p><i>Note: The now revoked 85-year rule whereby the officer’s age when added to whole years of service must be equal to 85 before full payment of benefits can be made. Where the age and service total is less than 85, benefits are paid at an actuarially reduced rate for relevant service. The further away from the “rule of 85”, the proportionately greater the actuarial reduction. As at April 2009, protections under the ‘rule of 85’ for existing members had not been announced by the Government.</i></p> <p>It should be noted that an application for early release of benefits might also be made from a member with deferred benefits.</p> <p><i>A deferred pension brought into early payment on compassionate grounds cannot be reduced.</i></p> <p>To waive, on compassionate grounds, the percentage reduction applied to the early payment of benefits.</p> <p>The employer may determine on compassionate grounds that a member’s retirement pension and grant should not be reduced if the member does not meet the “rule of 85”. It should be noted that an application of this nature might also be made from a member with deferred benefits. Therefore, two policy decisions will need to be taken.</p>	<p>NYCC will consider applications based on the merits of each case according to the criteria and process detailed in the attached Early Retirement Policy (Appendix 2)</p> <p>In the event of application for early payment of benefits from employees affected by TUPE regulations, NYCC will take legal advice where appropriate.</p> <p>Applications from deferred members will only be considered on compassionate grounds, taking into account the costs of waiving any reduction, unless the member is still in the employment of NYCC and benefits have been deferred under previous protection arrangements. All applications will be considered by the relevant Service Director and the Chief Executive.</p> <p>See 30 (2) above. Applications from active</p>

		members will be considered under the Early Retirement Policy (Appendix 2). Applications from members with deferred benefits will only be considered on compassionate grounds; such benefits cannot be reduced.
30A (ref B)	<p>To waive, on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits paid early.</p> <p>The employer may determine on compassionate grounds that a members' retirement pension and grant should not be reduced if paid early under Regulation 30(A)</p> <p>Where a tier 3 ill health retirement pension has been paid and subsequently ceased, LGPS member becomes a 'deferred Pensioner' who has ceased to be employed by NYCC and is not receiving payment of benefits. He or she may seek early release of pension benefit from age 55 (as preserved benefits into payment) on compassionate grounds.</p>	Applications from deferred Pensioners will only be considered on compassionate grounds, taking into account the costs of waiving any reduction. All applications will be considered by the relevant Service Director and the Chief Executive.
16(4)(b)(ii) (Ref A)	Where an active member has previous LGPS service, they may elect to aggregate this with their ongoing service within twelve months of becoming an active member, or "such longer period as their employer may allow".	NYCC will permit aggregation beyond 12 months.
18(1) (Ref B)	A member who has attained the age of 55 who, with his employer's consent reduces the hours he works, or the grade in which he is employed, he may elect in writing to the appropriate administering authority and such benefits may, with his employer's consent, be paid to him notwithstanding that he has not retired from that employment. Employer consent is necessary for flexible retirement from age 55 until age 75.	NYCC will consider applications in accordance with its policy on early/flexible retirement attached as Appendix 2 See Appendix 2
18(3) (Ref B)	An employer may choose to waive, in whole or in part, any such reduction	
12 (Ref B)	<p>To grant extra membership to active employees (Augmentation).</p> <p>The employer has the authority to increase the membership of an active member of the scheme. The maximum additional period is 10 years or the period by which the member would have attained had he continued in active service up to age 65, whichever is the shortest. Full payment for the additional period must be made within 6 months of the award.</p> <p>Note : <i>Augmentation allows the employer to increase the employee's membership at any point during their employment, at any age and is not conditional upon a form of retirement unlike the Discretionary Payments Regulations that only permit increased membership in redundancy and efficiency cases.</i></p>	NYCC will not grant extra membership to active members.
13 (Ref B)	From 1st April 2008, the employer has the authority to grant additional pension to a member by up to £5,000 per annum.	NYCC will not grant additional pension to a member
Sch1 (Ref T) 66(8) (Ref L) 66(9)(b) (former Ref L)	<p>A scheme member who wishes to elect to convert In House AVC's into a period of scheme membership must do so within 30 days of ceasing to be an active member "or such longer period as the employer may allow".</p> <p>The legislation states that an employee must make an election within 30 days of retiring if he wishes to transfer his AVC benefits into the LGPS. The employing authority may allow the member to make this election beyond 30 days of retiring.</p>	NYCC will extend the 30 day deadline if there is evidence of administrative shortcomings.

<p>49 (1) and (2) (Ref A)</p>	<p>Where a scheme member is paid a refund of contributions, the employer must pay a Contributions Equivalent Premium (CEP) to the DSS. An element of this is recovered from the refund paid to the scheme member. The balance may be recovered from the Fund.</p> <p>Where an employer pays a refund through the payroll they may deduct from the fund the CEP that was paid to the DSS to reinstate the employee in the State Pension Scheme.</p>	<p>NYCC reserves the right to recover the balance from the Fund.</p>
<p>72 (Ref A)</p>	<p>A scheme member who meets the normal criteria for a refund of pension contributions is not entitled to such a refund if he/she ceased employment due to an offence of a fraudulent character or due to grave misconduct unless the employer directs that a total or partial refund may be made.</p> <p>The employer may over rule the LGPS legislation and pay a refund of contributions to a member who is entitled to a refund had they simply resigned but who instead was dismissed due to an offence of a fraudulent character or due to grave misconduct.</p>	<p>NYCC will consider whether or not to make a refund based on the merits of each case and in light of advice from Internal Audit.</p>
<p>72 (1)and (3) (Ref A)</p>	<p>If a scheme member is convicted of, and ceases employment as a result of, an offence in connection with his/her employment which was gravely injurious to the state or liable to lead to a serious loss of confidence in the public service, the employer can apply to the Secretary of State or the Office of the Deputy Prime Minister for the issue of a forfeiture certificate. If the Secretary of State issues a certificate the employer may direct that certain of the person's rights are forfeited.</p> <p>The employing authority may apply to remove the member's entitlement to receive his pension.</p>	<p>NYCC will consider whether or not to apply for and enact a certificate based on the merits of each case and in light of advice from Internal Audit.</p>
<p>73 (1)and (2) (Ref A)</p>	<p>Where the Secretary of State has issued a forfeiture certificate but the employer has not applied the certificate, nor notified the scheme member of an award of benefits under the LGPS, the employer may direct that interim payments are made out of the Pension Fund until such time as it decides to apply the forfeiture certificate or to make an award of benefits.</p> <p>The employer may instruct the pension fund to pay the pension until a decision is taken by the employer to forfeit the pension.</p>	<p>NYCC will not direct that interim payments are made from the Fund pending a decision.</p>
<p>74 (2) (Ref A)</p>	<p>Where a member (i) ceases employment in consequence of a criminal, negligent or fraudulent act or omission in connection with that employment and (ii) has incurred a monetary obligation arising therefrom to the employer and (iii) is entitled to pension benefits under the LGPS, the employer may recover the amount of the monetary obligation or the value of the member's pension rights, if less, other than transferred in pension rights, from the Pension Fund and reduce the member's benefits accordingly.</p> <p>If member dismissed due to a criminal, negligent or fraudulent act in connection with his employment and it costs the employer money, the employer may recover the outstanding amount from the member's benefits. If the pension entitlement is below the amount owed the employer may recover the full value of the pension benefits. If the pension benefit is not due to be brought into payment immediately then this amount may be noted and deducted from the pension at a later date. The employer may only recover local government benefits, not benefits transferred in from another approved scheme.</p>	<p>NYCC will consider whether or not to recover and reduce benefits accordingly based on the merits of each case and in light of advice from internal audit.</p>
<p>76 (2) and (3)</p>	<p>Where (i) a member ceases employment in</p>	

(Ref A)	<p>consequence of an offence involving fraud or due to grave misconduct in connection with that employment, and</p> <p>(ii) the employer has suffered a direct financial loss resulting therefrom, and</p> <p>(iii) the member is entitled to benefits under the LGPS and a forfeiture certificate has been applied, or the member is entitled to a refund of pension contributions</p> <p>the employer may direct that the amount of the direct financial loss, or the refund of contributions if less, be recovered from the Pension Fund.</p> <p>Virtually as 74 above, but with the issue of forfeiture certificate the money is recovered by the pension fund, not the employer.</p>	<p>NYCC will consider whether or not to recover and reduce benefits accordingly based on the merits of each case and in light of advice from internal audit.</p>
83(8) (Ref A)	<p>If a scheme member wishes to transfer pension rights into the NYPF from a non-local government source, he/she must opt to do so within 12 months of joining the LGPS "or such longer period as the employer may allow".</p> <p>With effect from 1st April 2008, this regulation also includes any AVC arrangements dated prior to membership of the North Yorkshire Pension Fund</p> <p><i>Note: It is common practice in pension schemes (eg the NHS) to only allow transfers into a scheme within the 1st year of the member joining the scheme. This is because it is more beneficial for the member as the member's salary is usually lower upon joining the scheme than in later years resulting in increased years bought. In addition the money transferred in may be used for investment over a longer period of time.</i></p> <p>For previous LGPS membership with an employer other than NYCC, various inter fund transfer regulations apply.</p>	<p>NYCC will allow members to opt to transfer pension rights beyond the 12 month period if there is evidence of administrative shortcomings. See Appendix 3 for guidance</p> <p>The Administering Authority will provide guidance on individual queries but must be contacted within the 12 month period above.</p>
11(2) (Ref B)	<p>Whether to allow a member to select final pay period for fees to be any 3 consecutive years ending 31st March in the 10 years prior to leaving</p>	<p>NYCC will allow members to so choose.</p>
3 (Ref B) And 9 (Ref T)	<p>From 1st April 2008, Banded Contribution rates for employees based on whole time equivalent pensionable pay were introduced.</p> <p>Employers to assess the relevant contribution band for members thus determining the rate of employee contribution.</p>	<p>On 1st April each year (commencing 1st April 2008) NYCC will allocate the appropriate band for all members' pensionable pay based on previous year's pensionable pay and include incremental progression and cost of living increases where known as at 1st April</p> <p>Only permanent changes to pensionable pay will be taken into account in banding. Banding will not change during the following financial year unless there is a post change.</p> <p>For new posts commencing post 1st April in each year, band will depend on starting salary.</p> <p>For members on variable or nil hours contracts, relevant band will be based on assumed full time equivalent for each post.</p> <p>For new variable or nil hours contracts commencing post 1st April, banding will be by reference to similar posts or advice from Line Manager.</p> <p>If members believe banding is inaccurate, Line Manager to contact the Manager, Payroll Services, NYCC for further information.</p>
45 (1) and (2)	<p>An employer may deduct contributions from an</p>	<p>NYCC will only deduct contributions if the MOD do</p>

(Ref A)	employee's pay or reserve forces pay if an active member is granted leave of absence to go on reserve forces service	not arrange for these to be paid directly to the Administering Authority See Guidance for Employing Volunteer Reservists October 2008.
20 (Ref B)	<p>From 1st April 2008, regulations introduced tiered ill health retirement. If an employer determines, in the case of a qualifying active member:-</p> <p>(a) To terminate his employment on grounds that his ill health or infirmity of mind or body renders him permanently incapable of discharging efficiently the duties of his current employment</p> <p>And</p> <p>(b) That he has a reduced likelihood of obtaining any gainful employment before his normal retirement age,</p> <p>They shall agree to his retirement pension coming into payment before his normal retirement date and decide whether Tier 1, 2 or 3 payments are payable</p>	NYCC will be guided by the recommendation of an Independent Registered Medical Practitioner (IRMP).
31 (Ref B)	<p>Employer to decide whether deferred beneficiary meets permanent ill health criteria</p> <p><i>Note: Scheme members who have left employment and are entitled to preserved benefits may obtain access to the payment of their pension benefits early on ill health grounds. The IRMP will be asked to certify that the employee, who has left a local government employment before he is entitled to the immediate payment of retirement benefits, has become permanently incapable of discharging efficiently the duties of that employment because of ill health or infirmity of mind or body.</i></p> <p>No enhancement to the service will apply where preserved benefits are being bought into payment on ill health grounds.</p>	<p>NYCC will be guided by the recommendation of an Independent Registered Medical Practitioner (IRMP)</p> <p>Applications from former employees with deferred benefits will be managed by former Service; the Service is responsible for referring the former employee to the Independent Registered Medical Practitioner (IRMP) via the Health and Wellbeing Service and notifying the former employee of the outcome of the application. Payment of pension benefits will commence from the date of the employee's letter requesting that the preserved benefits be brought into payment.</p>
30A (3) (ref B)	<p>To grant an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60</p> <p>Where a tier 3 ill health retirement pension has been paid and subsequently ceased, LGPS member becomes a 'deferred Pensioner' who has ceased to be employed by NYCC and is not receiving payment of benefits. He or she may seek further Ill Health Retirement benefit payments (as preserved benefits into payment) on an unrelated medical condition.</p> <p>See above</p>	<p>NYCC will be guided by the recommendation of an Independent Registered Medical Practitioner (IRMP).</p> <p>See above</p>
6(3) (Ref T) 42(4) (Ref L) 9 (Ref OT)	<p>Whether to accept (late) elections after 31.3.1998 from members who want to count membership between 1.4.72 and 5.4.88 for widower's pensions.</p> <p>If late election is allowed, the employer must pass a resolution, within 6 months of agreeing to accept the election, to state that the membership will count for widower's pensions</p>	NYCC will extend the deadline where there is evidence of administrative shortcomings.
17(3) (Ref OT)	Whether to extend time limit for repayment of a previous refund during the period 1.4.74 and 31.12.79	NYCC will extend the time limit where there is evidence of administrative shortcomings
Reg 8 (SI 2006/966)	Whether to recover employee contributions that had been reduced or waived after 40 years' pensionable local government service	NYCC will not seek to recover such contributions

<p>Reg 33 to 38 Ref (IA)</p>	<p>Whether to award an injury allowance following loss of employment or reduction in pay or death in service through permanent incapacity after sustaining an injury or contracting a disease as a result of anything he or she was required to do in carrying out duties of job.</p>	<p>NYCC will consider each case on its merits using the criteria and guidance referred to in Appendix 4 'Injury Award Scheme'.</p>
<p>81 (1)(b) (Ref A)</p>	<p>Whether to agree to bulk transfer payment where two or more members' active membership ends on their joining a registered non local government scheme</p>	<p>NYCC will consider whether or not to agree on the merits of each case after consideration with the Administering Authority and after having taken appropriate actuarial advice.</p>

The decision maker retains the right to deviate from the policy in exceptional circumstances. NYCC retain the right to amend these policies at any time. The policies confer no contractual rights. The policy in force at the time of a relevant event occurring will be the one that is applied.

Signed :

Position : Chief Executive

Date :

Note

Unless otherwise stated, the application of these discretions will be in accordance with the Officers Delegation Scheme with advice from the Corporate Director – Strategic Resources and the Assistant Chief Executive – Business Support – who is accountable for the proper and consistent application of this policy on behalf of NYCC.

PENSIONABLE PAY

When is pay pensionable under the Local Government Pension Scheme Regulations?

The Pay and Reward programme removed and replaced many historic features of pay to provide an improved package of pay and benefits for staff.

Also, the New Look LGPS 2008 covers what elements of pay are pensionable and, as importantly, what aren't.

This is therefore a good opportunity to set out categories of pay and awards available to NYCC employees and whether or not they are pensionable under the LGPS regulations. Pensionable payments are included in the total 'pay' figure each year on which both the employee and the employer pay pension contribution. Where appropriate, pensionable pay is taken into account for the final salary figure when calculating retirement benefits:-

<i>Pensionable</i>	<i>Non Pensionable</i>
<i>Salary, wages and fees</i> <i>Detriment or protected pay</i> <i>Market Supplement Payment</i> <i>Additional Contribution Payment</i> <i>Acting Up Payment</i> <i>Honoraria Payments for Additional</i> <i>Temporary duties</i> <i>Stand By Allowance</i> <i>Sleep In Allowance</i> <i>Residential Duty Payment</i> <i>Evening Duty Allowance</i> <i>Night Work Allowance</i> <i>On Call Payment</i> <i>First Aid Payment</i> <i>Lettings Allowance</i> <i>Work on Public Holiday Payment</i> <i>Weekend Working Allowance</i> <i>Contractual Overtime – see below</i>	<i>Recruitment Payments</i> <i>Retention Payments</i> <i>Exceptional Service Awards</i> <i>Long Service Recognition Payment</i> <i>Recognition of Good Attendance Award</i> <i>Expenses (e.g. travel, subsistence)</i> <i>Any Payment 'representing money value for provision of vehicle or paid in lieu' (e.g. mileage payments or similar payments to cover expenses)</i> <i>Telephone Rental Payment</i> <i>Cycle Allowance</i> <i>Thank You Payment</i> <i>Non Contractual Overtime – see below</i>

Overtime

For LGPS purposes, 'overtime' includes all hours worked above the normal contractual hours of the individual employee. The notable exception is any employee with a 'nil hours' contract where **all** hours worked are pensionable.

When overtime is contractual, i.e. the employee under their contract is **obliged** to work the extra hours, the resulting pay is **pensionable**.

When overtime is voluntary, i.e. the employee can **choose** whether to work extra hours or decline, the resulting pay is **not pensionable**.

For contracts with 'set' hours, e.g. 18.5, 25 or 37 hours per week, pensionable pay will be limited to those hours unless and until there is a contractual change.

Other Working Arrangements

With variable hours' contracts, eg between 5 and 15 hours per week, pensionable pay will be limited to the actual hours worked up to the maximum number of hours specified in the contract.

Also, with annualised hours' contracts, pensionable pay will be limited to the maximum number of hours specified.

For any queries on pensionable pay, contact EmploymentSupportService@northyorks.gov.uk or Principal Adviser – Policy, Pensions, Health and Wellbeing on Sheila.Somerford@northyorks.gov.uk or 01609 532921.

LOCAL GOVERNMENT PENSION SCHEME**NYCC EARLY RETIREMENT POLICY October 2006**
(Revised and updated 1.4.09 and 2013)**1. INTRODUCTION**

This Policy is intended to cover all of the County Council's employees who have membership of the Local Government Pension Scheme, but specifically excludes retirement on the grounds of ill-health. Individuals covered by that particular circumstance will have consideration for retirement dealt with under the regulations of the Local Government Pension Scheme and should also refer to the NYCC Attendance Management Policy.

In previous years the Local Government Pension Scheme has come under increasing pressure due to the number of staff retiring early. The normal age at which retirement benefits become payable is 65 years, though members may elect to retire with accrued benefits at the age of 60, Retirement before this age should always be a last resort when all other alternatives such as re-training, re-deployment etc, have been exhausted. This document, as amended in October 2006, also sets out the County Council's Policy on flexible retirement, i.e. the ability to work for the County Council whilst in receipt of a local government pension after the age of 55.

Allowing staff to retire early has the following consequences:-

- i) It can be used to benefit service delivery and/or the efficient operating of the Authority
- ii) There is a loss to the Pension Fund, firstly through the non-collection of anticipated pension contributions, and secondly because the pension is paid out earlier and for a longer period. The cost of the payment of pension would normally be recovered, under cost centre management arrangements, directly from the business unit budget where the employee is based. This is known as 'strain' cost.
- iii) If the early retirement of staff is not carefully managed it can lead to a loss of much needed expertise and knowledge from the Authority and this is addressed by the County Council's Policy on flexible retirement.

There are a number of circumstances when retirement benefits may be paid before normal retiring age and this Policy looks at those in more detail. As stated, however, it does not include retirement on the grounds of ill-health, for which there are separate arrangements under the Local Government Pension Scheme. In the interests of equity amongst all staff, applications for early retirement will not be approved in place of appropriate disciplinary action or formal action under the capability procedure.

2. RETIREMENT ON THE GROUNDS OF REDUNDANCY

When employment is lost due to redundancy, the Local Government Pension Scheme provides for the immediate payment of pension benefits to any employee who contributes to the Scheme, who is aged 55 years or over and with more than three months of service. Employees who are made redundant aged under 55 years will have any accrued pension benefit deferred.

To qualify for early payment of pension on these grounds, the statutory definition of redundancy must be met, together with Regulation 19 of the Local Government Pension Scheme Regulations (Benefits Membership and Contributions) Regulations 2007. Further details, together with redundancy benefits, can be found in the Personnel Manual.

Where an employee is entitled to pension benefits these will include:-

- (a) Pension benefits as they may have accrued at the date of retirement and as they may subsequently be adjusted annually.
- (b) A lump sum payment calculated on relevant reckonable service at the date of retirement.

Added years will not be granted to accrued reckonable service. In the Early Retirement Policy Document of 2002, the County Council's policy was not to award Added Years to reckonable service. Compensatory Added Years were abolished from October 2006, and the ability to award a discretionary, one-off, lump sum payment, not exceeding two years' pay (104 weeks), was introduced. This one-off lump sum payment will not be granted.

3. RETIREMENT IN THE INTERESTS OF THE EFFICIENT EXERCISE OF THE AUTHORITY'S FUNCTIONS

This Scheme will be applied at the discretion of the Chief Executive, following a recommendation from a member of the County Council's Management Board. The Scheme is voluntary and no employee will be required to accept early retirement under the Scheme against their wishes.

In cases other than those concerning redundancy or permanent ill-health, the Authority will consider applications for retirement where it is possible to identify an increase that can be achieved in the operating efficiency of the Authority's services.

In considering applications, and/or the recommendation of a Member of the Management Board, the Chief Executive will have regard to the following criteria:-

- i) The availability of a clear statement on the benefits gained and the way in which the early retirement is to be funded. Normally, the statement will demonstrate how the additional costs arising out of the early retirement can be met within the first five years from the date of retirement.
- ii) Whether there will be any additional consequential savings to the Authority.
- iii) Whether the early retirement will facilitate an increase in the efficiency of the business unit in question, for example through the introduction of more effective working methods or the provision of an opportunity to introduce new skills into service delivery.
- iv) The health of the employee, if that is such that the individual suffers from a serious medical condition but which is insufficient to meet the definition of ill-health retirement within the pension regulations.
- v) Whether approving the early retirement will facilitate reorganisation of staffing within the business unit to better facilitate service delivery.
- vi) Any other circumstances which may be relevant to the decision and which may contribute to the more efficient exercise of the Authority's functions.
- vii) Whether there are compassionate grounds for the early payment of benefits, for example, the need of the employee to care for a seriously ill close relative who has a need for constant care and where assistance is not available from other agencies. Such access will only be granted in the most exceptional of circumstances.

It should be noted that the above criteria are not listed in any rigid order of merit or importance, though any application made will not be approved unless funding and efficiency considerations are satisfactorily addressed.

Where an application is approved by the Chief Executive the employee will receive:-

- a) Pension payments as they have accrued at the date of retirement and as they may subsequently be adjusted annually.
- b) A lump sum payment calculated on relevant reckonable service at the date of retirement.

Added years will not be granted to accrued reckonable service. In the Early Retirement Policy Document of 2002, this Council's policy was not to award Added years to reckonable service. Compensatory Added

Years were abolished from October 2006, and the ability to award a discretionary, one-off, lump sum payment, not exceeding two years' pay (104 weeks), was introduced . This one-off lump sum payment will not be granted.

4 (a) RETIREMENT AT THE EMPLOYEE'S REQUEST

Any member of the Local Government Pension Scheme who has attained the age of 55 years can elect for the early payment of pension benefits, but where the employee is under 60 years, early payment of such benefits will be at the discretion of the Chief Executive following any recommendation from a Member of the Board.

Applications should be made by staff who are 55 or over and less than 60. With effect from 2013, the early/flexible retirement process will be automated and full details on its application can be found at the Employment Support section of the Staff Information on the Intranet Until that time, application should be made on the NYCC Early / Flexible Retirement Application Form, a copy of which is attached to this document.

In reaching his/her decision, the Chief Executive will have regard to a number of criteria including:-

- i) The availability of a clear statement on the benefits gained to the Service or the Authority.
 - ii) Whether there will be any additional consequential savings to the Authority, or costs incurred through early release of pension benefits.
 - iii) Whether the early retirement will facilitate an increase in the efficiency of the business unit in question, for example through the introduction of more effective working methods or the provision of an opportunity to introduce new skills into service delivery.
 - iv) Whether approving the early retirement will facilitate reorganisation of staffing within the business unit to better facilitate service delivery
 - v) The personal circumstances of the employee.
 - vi) Any other circumstances which may be relevant to the decision that the Chief Executive is asked to take.
- a) Where an application is approved by the Chief Executive, the employee will receive:-
 - b) Pension benefits as they have accrued at the date of retirement as they may subsequently be adjusted annually, but actuarially reduced as appropriate in accordance with the relevant Local Government Pension Scheme Regulations. The NYCC Employer Discretion Policy 2009 as amended states the Council will not waive this actuarial reduction and pay any 'pension strain' costs arising out of the early retirement.

A lump sum payment calculated on relevant reckonable service at the date of retirement, actuarially reduced in accordance with the relevant Local Government Pension Scheme Regulations.

4(b) FLEXIBLE RETIREMENT AT EMPLOYEE'S REQUEST

Flexible retirement provisions allow employees aged 55 and above to apply to the County Council for consent to receive pension benefits as set out below yet continue to work for the County Council where there is a reduction in either hours worked or pay grade. Applications for consent must be made by staff aged 55 but less than 75.

Guidelines:-

'Reduction in hours' must be permanent and significant e.g. from 5 days per week to 3 days, **and**

'Lower grade' must be permanent and at least one full grade i.e. from Band 9 to Band 8
(A suitable vacancy must be available and filled by normal recruitment and selection process unless in exceptional circumstances and in the exigencies of the service).

Flexible retirement will be at the discretion of the Chief Executive following recommendation from a Member of the Board. Applications should be made by staff who are 55 or over and less than 60. With effect from 2013, the early/flexible retirement process will be automated and full details on its application can be found at the Employment Support section within the Staff Information site on the intranet. Until that time, application should be made on the NYCC Early / Flexible Retirement Application Form, a copy of which is attached to this document.

In reaching his/her decision, the Chief Executive will have regard to a number of criteria.

These criteria will include:-

- i) The availability of a clear statement on the benefits gained to the Service or the Authority.
- ii) Whether there will be any additional consequential savings to the Authority, or costs incurred through early release of pension benefits.
- iii) Whether the early retirement will facilitate an increase in the efficiency of the business unit in question, for example through the introduction of more effective working methods or the provision of an opportunity to introduce new skills into service delivery.
- iv) Whether approving the early retirement will facilitate reorganisation of staffing within the business unit to better facilitate service delivery
- v) The personal circumstances of the employee.
- vi) Any other circumstances which may be relevant to the decision that the Chief Executive is asked to take.

Where an application is approved by the Chief Executive, the employee will receive:-

- a) Pension benefits as they have accrued at the date of retirement as they may subsequently be adjusted annually, but actuarially reduced as appropriate in accordance with the relevant Local Government Pension Scheme Regulations. The NYCC Employer Discretion Policy 2009 as amended states the Council will not waive this actuarial reduction and pay any 'pension strain' costs arising out of the early retirement.
- b) A lump sum payment calculated on relevant reckonable service at the date of retirement, actuarially reduced in accordance with the relevant Local Government Pension Scheme Regulations.

Note: The criteria applied must constitute a proportionate means of achieving a legitimate aim; for example, in terms of service delivery/efficiency.

Under Age Discrimination legislation, it is not possible to determine an application for early or flexible retirement on the grounds of age and/or length of service (or related costs).

5. ACCESS TO THE SCHEME AND OTHER CONDITIONS APPLICABLE

The persons covered by this Policy will be North Yorkshire County Council employees who are pensionable and are subject to the Local Government Pension Regulations, are members of that Scheme (or, where applicable, are eligible for membership of that scheme) and who at the date of termination of employment have attained the age of 55 years.

Applications or recommendations under the terms of the Policy will be made to and considered by the Chief Executive.

The employment groups covered by the Scheme are as follows:

- The JNC for Chief Executives of Local Authorities
- The JNC for Chief Officers of Local Authorities
- National Joint Council for Local Government Services
- The Joint Negotiating Committee for Local Authority Services (Building and Civil Engineering, Engineering Craftsmen, Electricians and Heating Ventilating and Domestic Engineers).
- The Soulbury Committee (insofar as the staff concerned are covered by the Local Government Pension Scheme).

The JNC for Youth and Community Workers (insofar as the staff concerned are covered by the Local Government Pension Scheme).

An employee who is considering early or flexible retirement should in the first place discuss this with their line manager who should complete the application form (attached) and submit to the relevant HR Service. HR, in turn, will contact the North Yorkshire Pension Fund for details of any costs involved in that early or flexible retirement. Completed application form (signed by employee and line manager) together with report from the North Yorkshire Pension Fund to be forwarded to the Head of Service.

The Head of Service should discuss the application with the employee and line manager and determine whether or not it can be supported using the criteria in this policy. The Head of Service may consult with Finance and Human Resources as appropriate.

If the Head of Service feels able to support the request, he should prepare a business case and forward, with application form and other evidence in support, to the relevant member of Management Board. Whether supported or not, the application should then be forwarded to the NYCC Pension Liaison Officer who will pass to the Chief Executive to consider and (where appropriate) consult with the Head of Human Resources Services. If at any stage, the application is not supported, the reasons should be noted. The decision of the Chief Executive will be final. Except in wholly exceptional circumstances, an individual can only re-apply for early or flexible retirement after a period of twelve months has elapsed since the date of the last application.

Applications or recommendations in respect of the Chief Executive or the Chief Officers will be considered by Members in accordance with the County Council's Constitution.

The number of approved early retirement cases will be monitored by the Chief Executive against agreed BVPI targets as part of the quarterly Key Staff Indicators report, a copy of which will also be sent for information to the Executive Member for Corporate Affairs.

A copy of the completed form should be retained by the applicant, on the employees personnel file and a copy sent to the North Yorkshire Pension Fund.

NYCC EARLY/FLEXIBLE RETIREMENT APPLICATION FORM

(For use by members of the Local Government Pension Scheme)

Members of the LGPS and aged 50 as at 1st April 2008 have the right to apply for early/flexible retirement until 1st April 2010 when 55 becomes the earliest age for all. Full details are contained in NYCC Early Retirement Policy 2006 (amended April 2009)

See reverse for information on completing this form

TO BE COMPLETED BY LINE MANAGER

Service/Directorate details.....
Name of Applicant..... Current Job Title.....
Full/part time (hours)..... Band.....
Date of Birth.....Emp. Ref..... NI no.....

Grounds of application (attach separate sheet if necessary):

.....
.....
.....

In the case of flexible retirement application, has new post been offered? Yes/No

(if no, see reverse)

Details of proposed new post:.....

.....
Job Title..... Band.....
Full/part time(hours)..... Established/fixed term..... Any other
relevant details.....

Signed by Applicant..... Dated.....

I **support/do not support** this application

Signed by Line Manager Dated.....

Cost of Early/Flexible Retirement (as supplied by the North Yorkshire Pension Fund)

Please attach completed/returned Estform1

£.....Dated.....

TO BE COMPLETED BY AD/HEAD OF SERVICE

I **support/do not support** this application because of the benefits to service delivery and/or the efficient operating of the Service **and attach statement** in accordance with 4(a)(i) or 4(b)(i) of the NYCC Early Retirement Policy 2006(as amended April 2009)

In the case of flexible retirement, I also confirm the reduction in hours and/or lower grade is permanent and significant in accordance with NYCC Policy.

Signed AD/Head of Service..... Dated.....

TO BE COMPLETED BY MEMBER OF MANAGEMENT BOARD and CHIEF EXECUTIVE

I **support/do not support** this application in accordance with the criteria and Guidance set out in NYCC Early Retirement Policy 2006 (as amended May 2007)

Signed..... Dated.....

Member of Management Board

Signed..... Dated.....

Chief Executive

***For members of the Local Government Pension Scheme
How to make an application for Early or Flexible Retirement.***

1. Applicants should read the NYCC Early Retirement Policy 2006 (as amended April 2009) for full details, guidance and criteria. An application for either **early or flexible retirement** cannot be made until the age of 55 although members of LGPS and aged 50 as at 1.4.2008 have a preserved right to apply for early or flexible retirement until 1.4.2010 when 55 becomes earliest retirement age for all.
2. For early retirement applications, Applicants and Line Manager should discuss whether this can be supported after considering the guidance and criteria in the Policy.
3. For flexible retirement applications, Applicants will either be seeking a reduction in hours ('permanent and significant' – see policy for guidance) in their present post or applying for an alternative post with reduction in hours ('permanent and significant') or grade (of at least one Band) or both. Applicants should include details of the new proposed post and where appropriate, contact details of new line manager.

Applications for flexible retirement cannot be submitted until new post or reduced hours in existing post is confirmed.

4. The completed form, signed by both applicant and Line Manager (with statement in support if available) should be sent to appropriate HR Service to request estimate of retirement benefits and costs to NYCC (if any) of early/flexible retirement. Estform 1 can be downloaded from the intranet or contact North Yorkshire Pension Fund (NYPF) on 01609 532340 or pensions@northyorks.gov.uk for further details on how to action.
5. Application form and completed Estform 1 to be forwarded to Assistant Director/Head of Service with any supporting information.
6. Assistant Director/Head of Service to consider application having regard to supporting information and the NYCC Early Retirement Policy 2006 (as amended April 2009) in particular, the criteria for establishing whether the proposed new post is a permanent and substantial reduction in hours and/or grade and paragraphs 4(a)(i) and 4(b)(ii). If supported, business case to be attached to signed form. If not supported, reasons should be supplied.
7. The application (whether or not supported) to be considered by the appropriate Member of Management Board for the Service and the Chief Executive. The completed application (once signed by appropriate member of Management Board) should be sent to the Principal Adviser – Policy, Pensions, Health and Wellbeing (01609 532921) for collating before forwarding to the Chief Executive
8. The Principal Adviser will return copy to Applicant and Line Manager, HR Service and the North Yorkshire Pension Fund.
9. If the application is not supported, the Applicant should discuss with their Line Manager and, where appropriate, seek advice from HR Service.
10. For information about this process, please contact Sheila Somerford, Principal Adviser – Policy Pensions and Health and Wellbeing on Sheila.Somerford@northyorks.gov.uk or 01609 532921.

TRANSFER OF PENSION RIGHTS INTO LGPS AFTER 12 MONTHS

Regulation 83(8) The Local Government Pension Scheme (Administration) Regulations 2008

If a scheme member wishes to transfer pension rights into the LGPS he/she must opt to do so within 12 months of joining the LGPS 'or such longer period as the employer may allow'

It is common practice in pension schemes e.g. the NHS to only allow transfers into a scheme within the first year of the member joining the scheme. This is because it is more beneficial for the member as the member's salary is usually lower upon joining the scheme than in later years resulting in increased years bought. In addition the money transferred in may be used for investment over a longer period of time.

With effect from 1st April 2008, this regulation also includes any AVC arrangement dated prior to membership of the North Yorkshire Pension Fund (LGPS)

NYCC EMPLOYER DISCRETION POLICY (LGPS) 2009

NYCC will allow members to opt to transfer pension rights beyond the 12 month period if there is evidence of administrative shortcoming.

GUIDANCE NOTES;

1. A scheme member is not given appropriate advice/information to enable him/her to transfer pension rights
2. A scheme member contacts NYCC NYPF or a previous pension scheme regarding transfer within 12 months but does not receive correct or sufficient information to enable them to make a proper decision
3. A scheme member believes that the action he/she has taken within 12 months is sufficient to have effected transfer
4. A scheme member has used his/her best endeavours to effect transfer within 12 months of joining the scheme but the transfer has not taken place for reasons outside of his/her control, e.g. investigation into mis-selling, winding up of previous fund, transfer of more than one fund, difficulties in tracing previous fund.

For further details of the above, please contact the NYCC Pension Liaison Officer at sue.giffin@northyorks.gov.uk or 01609 533118 or the Principal Adviser Policy, Pensions, Health and Wellbeing at Sheila.Somerford@northyorks.gov.uk or 01609 532921

Injury Allowance Payment Scheme (as amended 2013)

With effect from 1st April 2008

Guidance Notes

Introduction

This Scheme is part of the Local Government (Discretionary Payments) Regulations 1996 (as amended by the Local Government (Discretionary Payments) Regulations 2011) and applies where the relevant injury or incident occurred on or after the 1st April 2008 or where an employee dies on or after that date as a result of a qualifying injury or disease.

Allowances are decided and paid by the Council and not by the North Yorkshire Pension Fund. However, any payment awarded is administered by the Pension Fund.

The Council may review the allowance at any time and the award of an allowance is not an admission of any liability.

Who can apply?

Any employee of North Yorkshire County Council who is eligible to be a member of the Local Government Pension Scheme. Membership of the scheme is not necessary.

Background

The scheme applies where an employee sustains an injury or contracts a disease as a result of anything he/she was required to do in carrying out his/her work and as a result, suffers permanent incapacity. Such incapacity results in the employee being unable to work again or only able to work in a 'reduced capacity' that is, his or her remuneration or potential remuneration is permanently reduced or, in his or her death.

The Council can make an award of up to 85% of his or her final pensionable pay less deductions as detailed later in these guidelines.

In coming to a decision, the Council will have regard to all the circumstances of the case.

It is necessary to establish that the injury occurred 'during the course of employment'. If the accident/injury occurred during the journey to or from work or on his/her way to a lunch break, this would not be construed as 'during the course of their employment' unless the employee was travelling in a vehicle with the Council's express permission and the vehicle was at the time being operated on behalf of the Council (other than as a public service vehicle).

Applications under the Scheme must be made without unreasonable delay (what is considered a reasonable timeframe will depend on the specific circumstances of the case).

In the case of claim arising out of loss of employment, an injury allowance is only payable if the employee is in receipt of a Benefits Agency award granted in respect of the injury or disease that is the subject of the claim.

Procedure

The employee is required to claim the injury allowance with all the supporting information or evidence he or she wishes to submit in support of the claim. In the event of a claim after death, this should be submitted by Executor or Administrator of the estate. *Note: As at April 2009, the relevant legislation had not been amended to provide for payments to either Civil Partners or Surviving Cohabiting Partners. This guidance will be updated when further information is available.*

Once a claim has been received, it should be directed to the relevant Service Director who will refer the employee (or written evidence in the case of death) to the NYCC Occupational Health Service who must refer the application to an Independent Registered Medical Practitioner (IRMP) who will be asked to advise on:-

- Whether the injury or disease was received or contracted wholly in the execution of the employee's duties
- The degree of disability if employment is terminated as a result of the injury or disease
- Whether the injury or disease is likely to be temporary or permanent
- If temporary, the possible length of the effect of the injury or disease
- Whether the award should be subject to regular review
- Any other matters either the Director, Occupational Health Service or the IRMP thinks appropriate
- And to certify to the same by completing and signing Certificate to be provided by Occupational Health Service in conjunction with the appropriate Directorate.

A copy of the relevant accident reports should be referred to the Occupational Health Service to be forwarded to the IRMP. The accident report will be an important document in determining whether an employee has an entitlement under this scheme and managers should ensure that the appropriate form or forms are completed at the time of the incident. Any other correspondence or documentation relating to the event (including any insurance claims) should be provided to the relevant Service Director who will refer to the Occupational Health Service to be forwarded to the IRMP where appropriate. This includes documentation in the possession of the employee or the Council.

The Occupational Health Service on the advice of the IRMP may decide that the employee should be referred for specialist and/or up to date advice. In that case, the employee will be required to give his authority for disclosure of medical details and information and to attend for examination as reasonably requested.

On receipt of advice from Occupational Health Service and certificate completed by the IRMP the application is to be determined by the relevant Service Director in conjunction with the Assistant Chief Executive (HR). Advice will be sought from HR and Finance (Insurance) and any other Council personnel at the discretion of the Service Director or Assistant Chief Executive (HR). If the employee was working at a site not operated or managed by the Council, the Service Director may contact a representative of the site operator, manager or owner for information. The Service Director will notify the employee of the decision. If the application is unsuccessful, the employee will be provided with reasons.

Appeals against whether an award was made should be directed to the Chief Executive. An appeal against the Chief Executive's decision should be made, in the first instance, through the Internal Disputes Resolution Procedure – see www.nypf.org.uk for application forms. There is no right of appeal against the amount of benefit awarded.

The Council may choose to review appropriate cases. The employee (or widow/widower) may also request a review on receipt of new evidence.

Payments made under the scheme will cease at state pension age (if not terminated before that age).

Assessment of Amount of Award

The Council will consider all the circumstances of the case.

Any award assessed will be reduced by the full amount of any other benefits or payments or awards received in relation to the injury or disease including ill health or other pension payments (whether LGPS or otherwise), statutory benefits, compensation and damages/insurance payments. Any lump sum payments

or awards to be taken at 1/12th of their amount to produce a comparative 'annual' income. The employee must furnish the Council with documentary evidence of all of the above on request and any other income/capital that may be relevant.

Loss of Employment – the allowance will be assessed on the basis of the annual rate of pensionable remuneration on termination and degree of disability. The degree of disability will be certified by the IRMP and the Council will be guided by that recommendation. The allowance will be reassessed or suspended if the employee becomes capable of working again.

If the claim is for **Reduction in Remuneration** – the maximum allowance is the difference between the employee's reduced remuneration (including any benefits, awards as set out above) and the annual rate of remuneration immediately before the injury or illness (increased in line with cost of living awards where appropriate). The award will be payable from the date remuneration was reduced.

If the claim follows the **Death of an Employee** - An allowance may be paid to a widow or widower, surviving civil partner or nominated cohabiting partner and to any dependents. The amount of any award is at the discretion of the Council. Any allowance to widow or widower, surviving civil partner or nominated cohabiting partner will cease on remarriage or cohabitation. An allowance will not be payable if the marriage, civil ceremony or cohabitation took place after the event causing the injury or illness. An allowance may also be paid to dependent orphans. The amount of any award is at the discretion of the Council.

National insurance contributions are to be deducted from any injury allowance paid on account of a reduction of remuneration as per other public service injury benefit schemes.

Any change in circumstances must be notified immediately to the relevant Service Director, e.g. relating to the employee's working or earning capacity or withdrawal of benefits relating to the injury or disease. If the employee fails to notify the Council of any relevant change, the Council may later seek to recover all or part of any allowance made since the change of circumstances. If the Council decides there should be a regular review of the allowance, the employee will be advised of its decision and any allowance may be suspended or terminated if the employee does not comply with reasonable requests on review.

The Council has determined that it will consider each claim on its individual merits and this includes determining the percentage of the injury award – up to a maximum of 85% of former pensionable pay less other income/awards. In line with prevailing case law as at 2009, the Council does not wish to fetter its decision making by relying on a 'set' matrix of awards.

For further information on the NYCC Injury Award Scheme, employees should contact their Line Manager. Queries may be referred to the NYCC Pension Liaison Officer on 01609 533118 or 01609 532921.

Proposed Amendments to Constitution – April 2014

Where amendments are suggested to part of a paragraph, only the relevant part is replicated in the amendment chart below.

Executive Report to Council - Appendix 4A

PART A: ITEMS FOR DECISION			
Provision in Constitution	Current Wording	Proposed Amendment	Reason(s)
<p>Article 4 – The Full Council</p> <p>4.01 Meanings</p>	<p>(a) Policy Framework: The policy framework means the following plans and strategies:-</p> <ul style="list-style-type: none"> • Community Safety Strategy • Local Transport Plan • Plans and strategies which together comprise the Development Plan • Sustainable Community Strategy • Youth Justice Plan (Youth Offending Team Plan) • Council's Corporate Plan (aka the Council Plan) • Food Law Enforcement Service Plan • Admissions Policy for Community and Voluntary Schools • Asset Management Planning Framework • Asset Management Framework: Our Overall Approach to Property • Children and Young People's Plan • Communications Strategy • Community Transport Strategy • Compact with the Third Sector 	<p>(a) Policy Framework: The policy framework means the following plans and strategies:-</p> <ul style="list-style-type: none"> • Community Safety Strategy • Local Transport Plan • Plans and strategies which together comprise the Development Plan • North Yorkshire Community Plan Sustainable Community Strategy • Youth Justice Plan (Youth Offending Team Plan) • Council's Corporate Plan (aka the Council Plan) • Food Law Enforcement Service Plan • Admissions Policy for Community and Voluntary Schools • Asset Management Planning Framework • Asset Management Framework: Our Overall Approach to Property • Children and Young People's Plan • Communications Strategy • Community Transport Strategy 	<p>The proposed amendments to the Policy Framework arise out of the work which is being undertaken to rationalise and standardise Council strategies, policies and procedures as a result of the One Council programme.</p> <p>Further information on the proposed changes is contained in the covering report to this Appendix.</p>

<ul style="list-style-type: none"> • Corporate Procurement Strategy • Corporate Risk Management Strategy • Definitive Map Modification Orders (including Guidance note for Members re DMMOs) - Policy • E-Government Strategy • Education Capital Local Policy Statement • Equality and Diversity Policy • Household Waste Recycling Centre Policies • Learning Disability Plan 2005/2008 • “lets talk less rubbish” (Revised Joint Municipal Waste Strategy) • LMS Formula • Local Cultural Strategy • Mental Health Policy for Working Age Adults 2006-11 • North Yorkshire Children’s Trust Governance Arrangements • Obstructions on Public Rights of Way - Policy on removal • “Our Future Lives” (Strategy for Older People) • Physical Disability Strategy • Rights of Way Improvement Plan • Signing Policy for Tourist Destinations • Small Schools Policy Statement • Special Educational Needs and Disability Policy • Special Educational Needs and Disability Strategy • Supporting People Five Year Strategy • Sustainable Development Policy Statement • Treasury Management Policy and Strategy • Winter Maintenance of Highways - Policy 	<ul style="list-style-type: none"> • Compact with the Third Sector • Corporate Procurement Strategy • Corporate Risk Management Strategy • Definitive Map Modification Orders (including Guidance note for Members re DMMOs) - Policy • E-Government Strategy • Education Capital Local Policy Statement • Equality and Diversity Policy • Household Waste Recycling Centre Policies • Learning Disability Plan 2005/2008 • “lets talk less rubbish” (Revised Joint Municipal Waste Strategy) • LMS Formula • Local Cultural Strategy • Mental Health Policy for Working Age Adults 2006-11 • North Yorkshire Children’s Trust Governance Arrangements • Obstructions on Public Rights of Way - Policy on removal • “Our Future Lives” (Strategy for Older People) • Physical Disability Strategy • Rights of Way Improvement Plan • Signing Policy for Tourist Destinations • Small Schools Policy Statement • Special Educational Needs and Disability Policy • Special Educational Needs and Disability Strategy • Supporting People Five Year Strategy • Sustainable Development Policy Statement • Treasury Management Policy and Strategy • Winter Maintenance of Highways - Policy 	<ul style="list-style-type: none"> • Compact with the Third Sector • Corporate Procurement Strategy • Corporate Risk Management Strategy • Definitive Map Modification Orders (including Guidance note for Members re DMMOs) - Policy • E-Government Strategy • Education Capital Local Policy Statement • Equality and Diversity Policy • Household Waste Recycling Centre Policies • Learning Disability Plan 2005/2008 • “lets talk less rubbish” (Revised Joint Municipal Waste Strategy) • LMS Formula • Local Cultural Strategy • Mental Health Policy for Working Age Adults 2006-11 • North Yorkshire Children’s Trust Governance Arrangements • Obstructions on Public Rights of Way - Policy on removal • “Our Future Lives” (Strategy for Older People) • Physical Disability Strategy • Rights of Way Improvement Plan • Signing Policy for Tourist Destinations • Small Schools Policy Statement • Special Educational Needs and Disability Policy • Special Educational Needs and Disability Strategy • Improvement and Integration: North Yorkshire’s Strategy for Special Educational Needs and Disability • Special Educational Needs and Disability Strategy • Supporting People Five Year Strategy
--	---	---

	<ul style="list-style-type: none"> • "95 Alive" Road Safety Strategy • New Look, No Shush! – Library and Information Services Strategy 2008-2023 • Home to School/College Transport Policy • Joint Health and Wellbeing Strategy 	<ul style="list-style-type: none"> • Sustainable Development Policy Statement • Treasury Management Policy and Strategy • Winter Maintenance of Highways Policy • "95 Alive" Road Safety Strategy • New Look, No Shush! – Library and Information Services Strategy 2008-2023 • Home to School/College Transport Policy • Joint Health and Wellbeing Strategy • Carers' Strategy • Looked After Children Strategy 2013 - 2015 • Corporate Risk Management Policy • Highway Maintenance Plan • NYCC Flood Risk Management Strategy 	
<p>Part 1</p> <p>Summary and Explanation</p> <p>Area Committees</p>	<p>Area Committees</p> <p>In order to give local citizens a greater say in Council affairs, 7 area committees have been created. These cover the same areas as the seven district/borough councils in North Yorkshire namely Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Selby and Scarborough. They are responsible for local matters involving, for example, highways and rights of way. They involve Councillors for each particular area and meetings are held in public.</p>	<p>Area Committees</p> <p>In order to give local citizens a greater say in Council affairs, 7 area committees have been created. These cover the same areas as the seven district/borough councils in North Yorkshire namely Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Selby and Scarborough. They are responsible for local matters involving, for example, highways, and rights-of-way. They involve Councillors for each particular area and meetings are held in public.</p>	<p>To reflect the proposal that the power to determine whether to make Definitive Map Modification Orders and Public Path Orders which are subject to a valid objection be delegated to the Corporate Director Business and Environmental Services, rather than the Planning and Regulatory Functions Sub-Committee as at present.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p>

<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 1</p> <p>Planning and Regulatory Functions Committee</p> <p>Delegated Powers</p>	<p>20. Duty to reclassify roads used as public paths.</p> <p>Section 54 of the Wildlife and Countryside Act 1981.</p>	<p>20. Duty to reclassify roads used as public paths.</p> <p>Section 54 of the Wildlife and Countryside Act 1981. [Not used]</p>	<p>To update the Constitution.</p> <p>There are no Roads Used as Public Paths remaining to be reclassified: they were reclassified automatically under the Countryside and Rights Of Way Act 2000.</p> <p>It is proposed to insert the wording '[Not used]' against the paragraph number, rather than deleting it entirely and re-numbering subsequent sub-paragraphs, to avoid causing any conflict with cross references elsewhere in the Constitution and for ease of reference.</p>
<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 1</p> <p>Planning and Regulatory Functions Committee</p> <p>Delegated Powers</p>	<p>...</p> <p>26. *The making and advertising of Orders for the creation, stopping up, extinguishment or diversion of public rights of way where an objection is received from any person or body entitled under the relevant statute to the proposed making of the Order, and the confirmation of creation, extinguishment and diversion Orders to which no objection has been received following public advertisement</p> <p>*Note responsibility for the confirmation of Orders where there are unresolved objections lies with the Secretary of State for Environment, Food and Rural Affairs – responsibility for the granting of Orders lies with the Magistrates Court.</p>	<p>...</p> <p>Delete paragraph 26:</p> <p>*The making and advertising of Orders for the creation, stopping up, extinguishment or diversion of public rights of way where an objection is received from any person or body entitled under the relevant statute to the proposed making of the Order, and the confirmation of creation, extinguishment and diversion Orders to which no objection has been received following public advertisement</p> <p>*Note responsibility for the confirmation of Orders where there are unresolved objections lies with the Secretary of State for Environment, Food and Rural Affairs – responsibility for the granting of Stopping up Orders lies with the Magistrates Court. [Not used]</p> <p>Delete also the corresponding legislative reference on the right hand side of the entry:</p> <p>Sections 26, 116, 118 and 119 of the Highways Act 1980 and Sections 257 and 258 of the Town</p>	<p>To reflect the proposal that the power to determine whether to make Definitive Map Modification Orders and Public Path Orders which are subject to a valid objection be delegated to the Corporate Director Business and Environmental Services, rather than the Planning and Regulatory Functions Sub-Committee as at present.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p> <p>It is proposed to insert the wording '[Not used]' against the paragraph number, rather than deleting it entirely and re-numbering subsequent sub-paragraphs, to avoid causing any conflict with cross references elsewhere in the Constitution and for ease of reference.</p>

<p>Part 3 Responsibility for Functions Schedule 1 Planning and Regulatory Functions Committee Delegated Powers</p>	<p>...</p> <p>29. *Power to keep the Definitive Map and Statement of the Public Rights of Way under review and to modify the map under section 53 of the Wildlife and Countryside Act 1981; and to receive an annual report on all Definitive Map Modification Orders (including those refused by officers); (NB: <i>The Policy on Definitive Map Modification Orders and the accompanying Guidance Note for Members should be followed when dealing with Definitive Map Modification Orders</i>).</p>	<p>... Delete paragraph 29:</p> <p>29. *Power to keep the Definitive Map and Statement of the Public Rights of Way under review and to modify the map under section 53 of the Wildlife and Countryside Act 1981; and to receive an annual report on all Definitive Map Modification Orders (including those refused by officers); (NB: <i>The Policy on Definitive Map Modification Orders and the accompanying Guidance Note for Members should be followed when dealing with Definitive Map Modification Orders</i>); [Not used]</p> <p>Delete also the corresponding legislative reference on the right hand side of the entry:</p> <p>Section 53(2) of the Wildlife and Countryside Act 1981.</p>	<p>and Country Planning Act 1990.</p>	<p>To reflect the proposal that the power to determine whether to make Definitive Map Modification Orders and Public Path Orders which are subject to a valid objection be delegated to the Corporate Director Business and Environmental Services, rather than the Planning and Regulatory Functions Sub-Committee as at present.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p> <p>It is proposed to insert the wording '[Not used]' against the paragraph number, rather than deleting it entirely and re-numbering subsequent sub-paragraphs, to avoid causing any conflict with cross references elsewhere in the Constitution and for ease of reference.</p>
<p>Part 3 Responsibility for Functions Schedule 1 Planning and Regulatory Functions Sub-Committee Delegated Powers</p>	<p>...</p> <p>26. *The making and advertising of Orders for the creation, stopping up, extinguishment or diversion of public rights of way where an objection is received from any person or body entitled under the relevant statute to the proposed making of the Order, and the confirmation of creation, extinguishment and diversion Orders to which no objection has been received following public advertisement</p> <p>*Note responsibility for the confirmation of Orders where there are unresolved objections lies with</p>	<p>...</p> <p>Delete paragraph 26:</p> <p>26. *The making and advertising of Orders for the creation, stopping up, extinguishment or diversion of public rights of way where an objection is received from any person or body entitled under the relevant statute to the proposed making of the Order, and the confirmation of creation, extinguishment and diversion Orders to which no objection has been received following public advertisement</p>	<p>To reflect the proposal that the power to determine whether to make Definitive Map Modification Orders and Public Path Orders which are subject to a valid objection be delegated to the Corporate Director Business and Environmental Services, rather than the Planning and Regulatory Functions Sub-Committee as at present.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p>	

<p>Part 3 Responsibility for Functions Schedule 1 Planning and Regulatory Functions Sub-Committee Delegated Powers</p>	<p>the Secretary of State for Environment, Food and Rural Affairs – responsibility for the granting of Stopping up Orders lies with the Magistrates Court.</p>	<p>*Note responsibility for the confirmation of Orders where there are unresolved objections lies with the Secretary of State for Environment, Food and Rural Affairs – responsibility for the granting of Stopping up Orders lies with the Magistrates Court. [Not used]</p> <p>Delete also the corresponding legislative reference on the right hand side of the entry:</p> <p>Sections 26, 116, 118 and 119 of the Highways Act 1980 and Sections 257 and 258 of the Town and Country Planning Act 1990.</p>	<p>It is proposed to insert the wording '[Not used]' against the paragraph number, rather than deleting it entirely and re-numbering subsequent sub-paragraphs, to avoid causing any conflict with cross references elsewhere in the Constitution and for ease of reference.</p>
	<p>...</p> <p>29. *Power to keep the Definitive Map and Statement of the Public Rights of Way under review and to modify the map under section 53 of the Wildlife and Countryside Act 1981; and to receive an annual report on all Definitive Map Modification Orders (including those refused by officers); (NB: The Policy on Definitive Map Modification Orders and the accompanying Guidance Note for Members should be followed when dealing with Definitive Map Modification Orders).</p>	<p>...</p> <p>Delete paragraph 29:</p> <p>29. *Power to keep the Definitive Map and Statement of the Public Rights of Way under review and to modify the map under section 53 of the Wildlife and Countryside Act 1981; and to receive an annual report on all Definitive Map Modification Orders (including those refused by officers); (NB: The Policy on Definitive Map Modification Orders and the accompanying Guidance Note for Members should be followed when dealing with Definitive Map Modification Orders); [Not used]</p> <p>Delete also the corresponding legislative reference on the right hand side of the entry:</p> <p>Section 53(2) of the Wildlife and Countryside Act 1981.</p>	<p>To reflect the proposal that the power to determine whether to make Definitive Map Modification Orders and Public Path Orders which are subject to a valid objection be delegated to the Corporate Director Business and Environmental Services, rather than the Planning and Regulatory Functions Sub-Committee as at present.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p> <p>It is proposed to insert the wording '[Not used]' against the paragraph number, rather than deleting it entirely and re-numbering subsequent sub-paragraphs, to avoid causing any conflict with cross references elsewhere in the Constitution and for ease of reference.</p>

<p>Part 3 Responsibility for Functions Schedule 1 Area Committee Terms of Reference Terms of Reference 9 (c) and (d)</p>	<p>9. To exercise, within the approved budget and policy framework, the following powers and duties:</p> <p>...</p> <p>(c) the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute;</p> <p>(d) Traffic Regulation Orders, pedestrian crossings and speed limits where an objection is received from any person or body entitled under the relevant statute;</p>	<p><i>Amend paragraphs 9 (c) and (d) of the Area Committee Terms of Reference as follows:</i></p> <p>9. To exercise, within the approved budget and policy framework, the following powers and duties:</p> <p>...</p> <p>(c) the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute; <u>[Not used]</u></p> <p>(d) Traffic Regulation Orders, pedestrian crossings and speed limits where an objection is received from any person or body entitled under the relevant statute <u>[Not used]</u>;</p>	<p>To reflect the proposal that the consideration of objections to Traffic Regulation Orders becomes a matter for the Executive, to be delegated by the Executive to the Corporate Director Business and Environment Services in consultation with the relevant Executive Member(s) and the role of the Area Committee is changed to a consultative role on wide area impact Traffic Regulation Orders.</p> <p>This will ensure the consistent application of Traffic Regulation Orders across the county to ensure appropriate levels of road user compliance and understanding in order to improve traffic management and road safety.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p> <p>It is proposed to insert the wording '[Not used]' against the sub-paragraph letter, rather than deleting them entirely and re-numbering subsequent sub-paragraphs, to avoid causing any conflict with cross references elsewhere in the Constitution.</p>
--	---	---	--

<p>Part 3 Responsibility for Functions Schedule 1 Area Committee Terms of Reference Terms of Reference 9 (e)</p>	<p>...</p> <p>(e) the stopping up or diversion of highways where an objection is received from any person or body entitled under the relevant statute;</p>	<p>...</p> <p>(e) the stopping up or diversion of highways <u>(other than public rights of way)</u> where an objection is received from any person or body entitled under the relevant statute;</p>	<p>To reflect the proposal that the power to determine whether to make Definitive Map Modification Orders and Public Path Orders which are subject to a valid objection be delegated to the Corporate Director Business and Environmental Services.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p>
<p>Part 3 Responsibility for Functions Schedule 1 Area Committee Terms of Reference</p>		<p><i>Insert a new paragraph 9A after paragraph 9 of the Area Committee Terms of Reference, as follows:</i></p> <p><u>9A. To act as a consultee on Traffic Regulation Orders where it is considered by the Corporate Director Business and Environmental Services in consultation with the relevant Executive Member(s) that a proposed Traffic Regulation Order meets the criteria for having a wide area impact.</u></p>	<p>To reflect the proposal that the consideration of objections to Traffic Regulation Orders becomes a matter for the Executive to be delegated by the Executive to the Corporate Director Business and Environment Services in consultation with the relevant Executive Member(s) and the role of the Area Committee is changed to a consultative role on wide area impact Traffic Regulation Orders.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p>

<p>Part 3 Responsibility for Functions Schedule 4 Officers' Delegation Scheme 4.4 To the Corporate Director – Business and Environmental Services Delegation 4.4(b)</p>	<p>(b) To exercise the functions of the Council under Part III of the Wildlife and Countryside Act 1981 in relation to rights of way, in accordance with the Council's policy on Definitive Map Modification Orders.</p>	<p>(b) To exercise the functions of the Council under Part III of the Wildlife and Countryside Act 1981 and sections 26, 116, 118 and 119 of the Highways Act 1980 and sections 257 and 258 of the Town and Country Planning Act 1990 in relation to rights of way, in accordance with the Council's policy on Definitive Map Modification Orders. This delegation includes, but is not limited to, the following powers:</p> <ul style="list-style-type: none"> i. <u>power to keep the Definitive Map and Statement of the Public Rights of Way under review and to modify the map under section 53 of the Wildlife and Countryside Act 1981;</u> ii. <u>power to make and advertise Definitive Map Modification Orders, Public Path Orders and Creation Agreements for the recording, changing the recording, creation, stopping up, extinguishment or diversion of public rights of way, including those where an objection is received from any person or body entitled under the relevant statute to the proposed making of the Order, and the confirmation of creation, extinguishment and diversion Orders to which no objection has been received following public advertisement;</u> <p><u>*Note responsibility for the confirmation of Orders where there are unresolved objections lies with the Secretary of State for Environment, Food and Rural Affairs – responsibility for the granting of Stopping up Orders lies with the Magistrates Court.</u></p>	<p>To reflect the proposal that the power to determine whether to make Definitive Map Modification Orders and Public Path Orders which are subject to a valid objection be delegated to the Corporate Director Business and Environmental Services, rather than the Planning and Regulatory Functions Sub-Committee as at present.</p> <p>Also to reflect the proposal to no longer have a policy on DMMOs as it will not be required given the proposed changes to the regime.</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p>
--	--	---	--

		<p>iii. <u>power to make representations to the Secretary of State, after consultation with the relevant Executive Member(s) and local Member(s), regarding Definitive Map Modification Orders and Public Path Orders to which a valid objection has been received following public advertisement of the Order.</u></p>	
--	--	---	--

<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 4</p> <p>Officers' Delegation Scheme</p> <p>4.4 To the Corporate Director – Business and Environmental Services</p> <p>Delegation 4.4(e)</p>	<p>...</p> <p>(e) To exercise all functions of the Council as Highway Authority including but not limited to traffic and vehicle regulation, public transport, car parking and road safety together with any related enforcement action, making and entering into agreements pursuant to the Highways Act 1980</p>	<p>...</p> <p>(e) To exercise all functions of the Council as Highway Authority including but not limited to traffic and vehicle regulation, public transport, car parking and road safety together with any related enforcement action, making and entering into agreements pursuant to the Highways Act 1980.</p> <p><u>(i) This includes authorising any of the following (including where objections have been received from a person entitled under the relevant statute):</u></p> <ul style="list-style-type: none"> <u>Traffic regulation orders under the Road Traffic Regulation Act 1984 including but not limited to pedestrian crossings, speed limits, waiting and loading restrictions, weight limits, prohibition of driving and one way traffic and the provision of parking places off and on the highway;</u> <p><u>provided always there where such an objection is received, the Corporate Director Business and Environmental Services shall take the decision in consultation with the relevant Executive Member(s) and after consultation with the local Member(s).</u></p> <p><u>(ii) Where it is considered by the Corporate Director Business and Environmental Services in consultation with the relevant Executive Member(s) that a proposed Traffic Regulation Order meets the criteria for having a wide area impact, the Corporate Director Business and Environmental Services will consult the relevant Area Committee(s) upon the proposed Order.</u></p>	<p>To reflect the proposal that the consideration of objections to Traffic Regulation Orders becomes a matter for the Executive, to be delegated by the Executive to the Corporate Director Business and Environment Services in consultation with the relevant Executive Member(s) and the role of the Area Committee is changed to a consultative role on wide area impact Traffic Regulation Orders.</p>
---	--	--	---

<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 4</p> <p>Officers' Delegation Scheme</p> <p>4.4 To the Corporate Director – Business and Environmental Services</p> <p>Exclusion (iii)</p>	<p>...</p> <p>NOTE: The following matters are excluded from this delegation:-</p> <p>...</p> <p>(iii) Authorising any of the following, where objections have been received from a person entitled under the relevant statute:</p> <ul style="list-style-type: none"> ◆ Traffic regulation orders, pedestrian crossings and speed limits; ◆ Stopping up or diversion of highways; ◆ Creation, stopping up extinguishment or diversion of public footpaths and bridleways; ◆ Provision of parking places off and on the highway; and ◆ Private street works. 	<p>...</p> <p>NOTE: The following matters are excluded from this delegation:-</p> <p>...</p> <p>(iii) Authorising any of the following, where objections have been received from a person entitled under the relevant statute:</p> <ul style="list-style-type: none"> ◆ Traffic regulation orders, pedestrian crossings and speed limits; ◆ Stopping up or diversion of highways <u>(excluding public rights of way); and</u> ◆ Creation, stopping up extinguishment or diversion of public footpaths and bridleways; ◆ Provision of parking places off and on the highway; and ◆ Private street works. 	<p>To reflect the proposal that the power to determine whether to make Definitive Map Modification Orders and Public Path Orders which are subject to a valid objection be delegated to the Corporate Director Business and Environmental Services.</p> <p>Also to reflect the proposal that the consideration of objections to Traffic Regulation Orders becomes a matter for the Executive to be delegated by the Executive to the Corporate Director Business and Environment Services in consultation with the relevant Executive Member(s)</p> <p>Further information on the proposed changes is contained in the covering report to this appendix.</p>
---	---	--	--

<p>Part 3 Responsibility for Functions Schedule 4 Officers' Delegation Scheme 4.5 To the Corporate Director – Strategic Resources Delegation 4.5(b)(iii)</p>	<p>... (b) To manage from day to day the:- (i) County Fund and all subsidiary accounts. (ii) Any earmarked or specific funds established from time to time by the Council. (iii) Pension Fund, including:- ♦ The exercise of the Council's functions as administering authority, where such exercise does not involve use of discretion;</p> <p>...</p>	<p>... (b) To manage from day to day the:- (i) County Fund and all subsidiary accounts. (ii) Any earmarked or specific funds established from time to time by the Council. (iii) Pension Fund, including:- ♦ The exercise of the Council's functions as administering authority, <u>subject to any specific instructions that might be given from time to time by the Pension Fund Committee, where such exercise does not involve use of discretion;</u></p> <p>...</p>	<p>The proposed amendment ensures operational effectiveness in relation to Pension fund administering authority issues. The use of the existing term "discretion" indicates that no decisions can be made by the Corporate Director Strategic Resources. However, there are circumstances in which decisions must be made, for the operational effectiveness of the Pension Fund, without the need for Member involvement.</p>
<p>Part 3 Responsibility for Functions Schedule 4 Officers' Delegation Scheme 4.6 To the Assistant Chief Executive (Legal and Democratic Services) Delegation 4.6(d)</p>	<p>... (d) To periodically update the Guidance Notes for Members re Definitive Map Modification Orders (to reflect changing circumstances) in consultation with the Corporate Director – Business and Environmental Services.</p>	<p>... (d) To periodically update the Guidance Notes for Members re Definitive Map Modification Orders (to reflect changing circumstances) in consultation with the Corporate Director – Business and Environmental Services [Not used].</p>	<p>Under the new proposals for the Corporate Director – Business and Environmental Services to have increased responsibility for DMMO issues, it will not be necessary to have a Guidance Note and the current Guidance will be therefore be deleted. It is proposed to insert the wording "[Not used]" against the paragraph letter, rather than deleting it entirely and re-numbering subsequent sub-paragraphs, to avoid causing any conflict with cross references elsewhere in the Constitution and for ease of reference.</p>

<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 4</p> <p>Officers' Delegation Scheme</p> <p>New 4.9</p>		<p><i>Insert a new section 4.9 as follows:</i></p> <p><u>4.9 To the Assistant Chief Executive (Customer Services)</u></p> <p>(a) To undertake the Council's functions in relation to Library, Customer & Community Services.</p>	<p>A 'housekeeping' change to the Constitution under the Monitoring Officer's powers in Article 15.02 (c)(iv) of the Constitution, to ensure that it is up to date.</p>
<p>Part 4</p> <p>Rules of Procedure</p> <p>Council Procedure Rules</p> <p>7.2 Committees</p>		<p><i>Insert a new Council Procedure Rule 7.2 (e) as follows:</i></p> <p>(e) The Council may appoint, in any year when County Council elections are not held, a Chairman to a committee where the committee has failed to reach agreement (for example where, at the committee's meeting, equal numbers of votes are cast for two Members each nominated for appointment as Chairman).</p>	<p>To ensure the efficient conduct of Council business.</p>
<p><u>PART B: ITEMS FOR INFORMATION</u></p>			
<p>Contents pages</p>		<p><i>Amend page numbers as necessary after Constitution amended.</i></p>	<p>Consequential changes following main amendments to Constitution, to ensure page references are up to date.</p>
<p>Index pages</p>		<p><i>Amend page numbers as necessary after Constitution amended.</i></p>	<p>Consequential changes following main amendments to Constitution, to ensure page references are up to date.</p>

<p>Part 3 Responsibility for Functions Schedule 5 Appointment to Outside Bodies</p>		<p>Delete the reference to the York and North Yorkshire Safer Communities Forum from the list of outside bodies.</p>	<p>A 'housekeeping' change to the Constitution under the Monitoring Officer's powers in Article 15.02 (c)(iv) of the Constitution, to ensure that the list of outside bodies is up to date.</p> <p>The Forum agreed at its meeting in December 2013 to disband with immediate effect.</p>
<p>Council Procedure Rules 4. Appointment of Substitute Members of Committees and Sub-Committees</p>	<p>...</p> <p>(m) Each named substitute co-opted Member shall, as soon as possible after nomination and in any event not later than the date of the first committee meeting he/she proposes to attend in place of a co-opted Member, agree to comply with all aspects of the County Council's Code of Conduct for Members, including registering their interests in the Register of Members' Interests, where this is required under the ethical framework.</p>	<p>...</p> <p>(m) Each <u>co-opted Member shall, within 28 days of appointment, and each named substitute co-opted Member shall, as soon as possible after nomination and in any event not later than the date of the first committee meeting he/she proposes to attend in place of a co-opted Member, agree to comply with all aspects of the County Council's Code of Conduct for Members, including registering their interests in the Register of Members' Interests, where this is required under the ethical framework (currently required for those co-opted Members and substitute co-opted Members who are entitled to vote).</u></p>	<p>For clarification, to ensure it is explicit that paragraph (m) applies to co-opted Members as well as substitute co-opted Members.</p> <p>Further to clarify the current requirements re registration of interests for co-opted members under the new ethical framework agreed by full Council under the Localism Act 2011, introduced in 2012.</p> <p>Members are fully aware of such legislative changes and in the spirit of keeping the ethical framework 'light touch', officers believe that a proportionate approach is to make such clarification amendments as a 'housekeeping' change to the Constitution under the Monitoring Officer's powers in Article 15.02 (c)(iv) of the Constitution.</p>
<p>Part 5 Codes and Protocols</p>		<p>Replace currently published Members' Code of Conduct with the recently amended version (regarding registration and declaration of interests other than pecuniary interests relating to trade union/professional association membership).</p>	<p>A 'housekeeping' change to the Constitution under the Monitoring Officer's powers in Article 15.02 (c)(iv) of the Constitution, to ensure that the most recent version of the Code is included in the Constitution.</p>

<p>Part 7</p> <p>Management Structure</p> <p>Paragraph 1.1</p>	<p>1. Role of Management Board</p> <p>1.1 The Management Board brings together the Corporate Directors of the County Council, under the Chairmanship of the Chief Executive Officer.</p> <ul style="list-style-type: none"> ◆ Chief Executive of North Yorkshire County Council ◆ Assistant Chief Executive Legal and Democratic Services ◆ Assistant Chief Executive Business Support ◆ Corporate Director Business and Environmental Services ◆ Corporate Director Health and Adult Services ◆ Corporate Director Children and Young People's Services ◆ Corporate Director Strategic Resources 	<p>1. Role of Management Board</p> <p>1.1 The Management Board brings together the Corporate Directors of the County Council, under the Chairmanship of the Chief Executive Officer.</p> <ul style="list-style-type: none"> ◆ Chief Executive of North Yorkshire County Council ◆ Assistant Chief Executive Legal and Democratic Services ◆ Assistant Chief Executive Business Support ◆ <u>Assistant Chief Executive Customer Services</u> ◆ Corporate Director Business and Environmental Services ◆ Corporate Director Health and Adult Services ◆ Corporate Director Children and Young People's Services ◆ Corporate Director Strategic Resources 	<p>A 'housekeeping' change to the Constitution under the Monitoring Officer's powers in Article 15.02 (c)(iv) of the Constitution, to ensure that the post of Assistant Chief Executive (Customer Services) is referenced in the Constitution.</p> <p>Also, to correct a typographical error.</p>
---	---	---	---

Executive Report to Council - Appendix 4B

North Yorkshire County Council

Protocol on Audio/Visual Recording and Photography at Meetings

The County Council is committed to being open and transparent in the way it conducts its decision making. The County Council allows recording at County Council and committee and sub-committee meetings which are open to the public, subject to the recording being conducted under the direction of the Chairman of the meeting. The County Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will facilitate this by ensuring that any such request not to be recorded is respected by those doing the recording.

The rules which the County Council will apply are:-

1. Anyone wishing to record must contact, prior to the start of the meeting, the Democratic Services Officer whose details are set out on the Agenda.
2. The recording must be overt (ie clearly visible to anyone at the meeting) but non-disruptive.
3. All those visually recording a meeting are requested to focus only on recording councillors, officers and those members of the public speaking to the meeting.
4. Any member of the public has the right not to be recorded. Agendas for meetings will make it clear that recording can take place. If any member of the public speaking at the meeting does not wish to be recorded, they must let the Chairman of the meeting know.
5. Any children or young people under the age of 18 who are present at the meeting are not to be filmed unless their parents/guardians have given their written consent.
6. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules. The circumstances in which this might occur include:-
 - recording is disrupting the proceedings of the meeting;
 - there is public disturbance or a suspension of the meeting;
 - the meeting has resolved to exclude the public for reasons which are set down in the County Council's Constitution;
 - a member of the public participating in the meeting objects to being recorded.
7. The recording and reporting on meetings of the County Council, its committees and sub-committees is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act and the laws of libel and defamation. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the County Council's values or in a way that ridicules or shows a lack of respect for those in the recording. The County Council would expect any recording in breach of these rules to be removed

from public view. The County Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.

A failure to follow these requirements may lead to a request to record being refused at subsequent meetings of the County Council, its committees and sub-committees.

Please contact, in advance of the meeting, the Democratic Services Officer whose details are set out on the Agenda if the recording you wish to do involves equipment which is larger than a smart phone, tablet or compact camera or if you have special requirements eg to move around the room to record or film from different angles. The use of lighting for filming/flash photography will usually be allowed if it is arranged via the Democratic Services Officer prior to the meeting. The County Council requires contact in advance of the meeting so it can ensure the meeting will not be unduly disrupted and there is a safe environment to transact the business.