

# County Council – 24 February 2016

## Item 5 - Executive Report to Council

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## Item 5 - Adoption of new statutory Local Transport Plan

## North Yorkshire County Council

## Executive

2 February 2016

## Local Transport Plan 2016 – 2045

## Report of the Corporate Director – Business and Environmental Services

**1.0 Purpose of Report**

- 1.1 The purpose of this report is to seek Members recommendation that the County Council approves the draft Local Transport Plan 2016 - 2045 (LTP4).
- 1.2 Subject to 1.1 above, to schedule an item for the County Council meeting on 17 February 2016 determining the approval of the draft LTP4.

**2.0 Background**

- 2.1 The County Council as Local Transport Authority for North Yorkshire has a statutory duty to have and maintain a Local Transport Plan. The current Local Transport Plan (LTP3) runs until 31 March 2016. It is therefore necessary for the County Council to renew the LTP prior to this date.
- 2.2 The format and timeframe of previous LTP's (LTP1, 2 and 3) have been very much set by government guidance on what form they should take and a set five year time period. There is now no guidance on the form or timeframe of LTP's. Whilst this lack of guidance reflects a lower priority for LTP's from the Government it is also reflective of the Localism agenda. This presents a good opportunity for the County Council to have both an LTP that covers a different timeframe from the previous five years and to have an LTP that is more 'local' and appropriate for the end users.
- 2.3 The intention for LTP4 is to embrace the new freedom enabled by the lack of Government guidance to produce a new more user friendly LTP. In essence it is intended that the document is more concise, formatted in a way that the end users (the public and transport practitioners) will find most useful and is primarily web based.

**3.0 LTP4 Consultation Process**

- 3.1 We have held three phases of formal consultation – the first was primarily a public consultation on their general transport needs and views of the transport services in North Yorkshire. The second phase was primarily with parish, town, and district councils, and our stakeholders to consult on their needs and our proposed objectives. The third phase was a public consultation on the draft document. All phases included direct mailing to our main stakeholders,

and groups we engage with regularly. Whilst there has been a primary focus for each phase of the consultation all phases have been available and open to anyone to respond to.

- 3.2 The results of the first two phases of consultation showed that in general respondents rated repairs to road surfaces and pavements as the most important transport service that the Council provide, followed by gritting and snow clearance. Over 90% of responses regarded road maintenance as an important area where expenditure should be retained.
- 3.3 Results from the second phase of consultation show that generally both parish and town councils, and the stakeholders do agree with the “Manage, Maintain, Improve” hierarchy, and many reflected on the importance of this in their comments. Results also show that our proposed objectives are in line with their own priorities and concerns.
- 3.4 Following the first two phases of Consultation officers developed a Consultation Draft LTP4.

#### **4.0 Phase 3 Consultation Responses**

- 4.1 The final phase of consultation was to seek comments on the Consultation Draft LTP4. In total 88 responses were received (including 5 late responses). This was split into 45 individuals and 43 organisations. The format requested open comments only rather than a questionnaire approach. A summary of the responses received is included in Appendix A to this report. Full copies of the responses are available on request from Business and Environmental Services with some of the key points raised in the consultation set out in the sections below.
- 4.2 Many of the responses made specific comments about, or highlighted the importance of, certain elements of the transport service which are already covered in LTP4. In most cases these responses did not require any amendment to the draft LTP. However where appropriate these were shared with relevant County Council officers to give due consideration as part of the delivery of the transport service.
- 4.3 A significant number of responses (23) from both individuals and cycling representative/campaign groups, many from the Harrogate area, commented on the need for improved infrastructure for cycling especially in the urban areas. Many of the individual responses were from Members of the Harrogate Cycle Action Group who also responded to the consultation as an organisation. It is accepted that due to severe financial constraints the County Council do not have sufficient funding to implement a widespread programme of provision of infrastructure for cycling. However, through successful bids into various ad hoc funding streams the County Council have been able to deliver significant improvements in cycle infrastructure over the last 5 years, especially in Harrogate. It is also hoped that with the recent announcement in the Comprehensive Spending Review of additional funding for cycling through Government / Local Authority partnerships that the County Council will be

able to access some of this new funding. Measures to develop a potential cycling partnership with Government have commenced.

- 4.4 Additionally, following a social media post from a Harrogate cycle lobby group, 10 residents gave identical responses “calling for £10 per head of NYCC funding to be spent on cycle infrastructure in the urban areas of the County”. With a countywide population of approximately 600,000 this equates to approximately £6m per year. However, current LTP integrated transport capital allocations from Government are only approximately £3m per year (or £5 per head) for all transport improvements, including traffic management, local safety schemes pedestrian improvements as well as cycling improvements. The request for increased cycle infrastructure spending to these levels cannot therefore be realised. We will however continue to apply for ad hoc government grants that will enable increased spending where appropriate, for cycle infrastructure, and other transport schemes alike.
- 4.5 Part 3k of the Consultation Draft LTP4 which deals with Walking and Cycling has been amended to better reflect the current and future potential for the promotion and provision for cycling in North Yorkshire.
- 4.6 There were also a number of responses from Parish Councils and individuals regarding the impact of bus subsidy reductions on rural accessibility in their local areas. This is to be expected following the recent difficult decisions that have needed to be taken about reductions in bus subsidies. Having reviewed part 3a which deals with Buses and Community Transport it is considered that the position with regards to local buses is adequately reflected.
- 4.7 Five Local Planning Authorities in North Yorkshire responded to the consultation (Craven District Council, North York Moors National Park Authority, Harrogate Borough Council, Selby District Council and Ryedale District Council). Full copies of their responses are provided as Appendix B to this report. Many of the comments raised in these responses are matters of detail and were addressed through minor amendments to the draft LTP4 and also through our on-going engagement with the relevant authority. However Members may wish to note the following specific issues:
- 4.8 Both Craven District Council and Harrogate Borough Council comment on the need for the Local Transport Plan to more clearly recognise their wider linkages with the Leeds City Region and Lancashire. It accepted that this was under-recognised in the Consultation Draft Local Transport Plan and consequently amendments were made to rectify this situation. It is not however considered that this is a major issue with regards to our actual day to day consideration of transport linkages into West Yorkshire as is demonstrated by our on-going co-operation on the York – Harrogate - Leeds and Aire Valley rail lines. The County Council are also currently working closely with Lancashire County Council to seek improvements to cross Pennine connectivity and will seek further joint working with the West Yorkshire Combined Authority (including through TfN) to better understand the constraints on cross boundary connectivity with the Leeds City Region.

- 4.9 The final section of the response from Selby District Council sets out their aspirations for future strategic transport schemes. As part of the further development of the Strategic Transport Plan it is already intended early in the New Year to engage with Planning Authorities to discuss their strategic transport aspirations. Further detail about the Strategic Transport Plan is included in Part 3g of LTP4.
- 4.10 Ryedale District Council's response is generally supportive of the LTP4 but suggests the economic objective should be given greater weight in driving investment and should recognise the Government's growth agenda. The comments were noted although it was not considered necessary to update LTP4.
- 4.11 The North York Moors National Park Authority provided comments on various different elements of LTP4 many of which will be picked up in our on-going work with the National Park Authority. Comments highlighted the need for LTP4 to fully consider the environmental implications of highway works within National Parks. These comments have been considered alongside the Strategic Environmental Assessment (see section 5.0 below).
- 4.12 The comments received for Phase 3 and the action taken for each are summarised in Appendix A. Where appropriate the final version of LTP4 has been amended to reflect comments received.

## **5.0 Strategic Environmental Assessment**

- 5.1 Strategic Environmental Assessment (SEA) is a statutory assessment which is required under European Directive 2001/42/EC (the SEA Directive). The aim of the SEA is to deliver a more environmentally benign plan for the management of transport by scrutinising the Plan's objectives and content as well as alternatives for their potential environmental impacts. The main output of an SEA is an environmental report in which the likely significant effects of the plan and reasonable alternatives are identified.
- 5.2 In accordance with the regulations an SEA Environmental Report has been produced. This is available for inspection at [www.northyorks.gov.uk/LTP4](http://www.northyorks.gov.uk/LTP4). The recommendations arising from this environmental report were considered and where appropriate were incorporated into the final version of the LTP4. Appendix C includes a summary of the recommendations from the SEA and a record of amendments subsequently made to the Consultation Draft LTP4.

## **6.0 Next Steps**

- 6.1 Subject to Executive approval the LTP4 will be submitted to the County Council on 17 February 2016. Subject to approval by County Council the LTP4 (see Appendix D) will become County Council policy in April 2016.
- 6.2 It is proposed that the final LTP4 approved by Members be subject to re-formatting and design work (carried out in house by NYCC officers) and that it is published on the County Council's website.

## **7.0 Financial Implications**

7.1 There are no significant financial implications associated with the recommendations of this report.

## **8.0 Equalities Implications**

8.1 Consideration has been given to the potential for any adverse equalities impacts arising from the recommendations of this report. It is the view of officers that the recommendations included in this report do not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010.

8.2 Officers have actively considered the equality impacts of our transport policies as an integral part of the work to develop the LTP4. Appendix E contains a document summarising the decision not to carry out a full Equality Impact Assessment of the LTP4.

8.3 Whilst the policies set out in LTP4 are not anticipated to have an equalities impact; where specific schemes or policies, procedures, protocols are being implemented a separate Equalities Impact Assessment may be required and will be considered at the appropriate time.

## **9.0 Legal Implications**

9.1 Consideration has been given to the potential for any legal implications arising from the recommendations. It is the view of officers that the recommendations do not have any legal implications.

## **10.0 Recommendation(s)**

10.1 It is recommended that Members approve that the draft Local Transport Plan 2016-2045 (included in Appendix D) should be submitted to the County Council meeting on 17 February 2016.

### **David Bowe**

Corporate Director – Business and Environmental Services

Author of Report: Andrew Bainbridge

#### Background Documents:

LTP4 Consultation Responses – available on request from BES

LTP4 Strategic Environmental Assessment – available at [www.northyorks.gov.uk/LTP4](http://www.northyorks.gov.uk/LTP4)

## Item 5 Adoption of new statutory Local Transport Plan

## Summary of Consultation Responses

## Appendix A

No	Location	Respondent	Summary Comment	Action
1	Whixley	Individual	Request to provide more parking spaces at rail stations to enable rail commuting.	Noted. NYCC's general approach to this is set out in LTP4.
2	Farnham	Individual	Request for more electric vehicle charging infrastructure in the county.	Brief details of our approach are included in LTP4. NYCC are currently working on a new electric vehicle charging point policy which it is expected will be adopted in 2016.
3	Harrogate	Individual	Comment on providing more cycle infrastructure in Harrogate.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
4	Harrogate	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend £10 per head on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.
5	Harrogate	Individual	Comment on providing more cycle infrastructure	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
6	Harrogate	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend £10 per head on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.
7	Harrogate	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend £10 per head on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.
8	-	Individual	No actual comment was made by this individual.	No action required.

9	Harrogate	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend £10 per head on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.
10	Knaresborough	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend £10 per head on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.
11	Harrogate	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend £10 per head on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.
12	Knaresborough	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend £10 per head on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.
13	Harrogate	Individual	General comment regarding maintenance of cycle infrastructure in Harrogate, request for more off road infrastructure.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
14	Knaresborough	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend more on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.



15	Castleton	Individual	Request to provide more buses to Saltburn.	Noted. Request for a specific service and as such will be passed to relevant section of NYCC to consider.
16	Harrogate	Individual	Request for improved road infrastructure in Harrogate.	Noted. No amendment to LTP4 considered to be necessary.
17	-	Yorkshire Dales Green Lanes Alliance	Comment about using green lanes as an asset to walking and cycling, request to advertise them as a route for walking. Requests specific section on Green Lanes.	Noted. No amendment to LTP4 required. NYCC approach to 'Green Lanes' is already appropriately incorporated into LTP.
18	Richmond	Individual	Comment regarding driver behaviour and education - individual has noticed a decline in driving etiquette and poor demonstration of motorists following the highway code.	Noted. No amendment to LTP4 considered to be necessary.
19	Horseforth, Leeds	Individual	Comments on rail in general including reopening of Skipton-Colne line and electrification of York-Scarborough line.	Noted. No amendment to LTP4 considered to be necessary.
20	-	East Riding of Yorkshire Council	Support the objectives of the LTP and the reference to close working with ERYC.	Noted. No amendment to LTP4 considered to be necessary.
21	Malton	Individual	Comment on providing more electric vehicle charging infrastructure in the county.	Brief details of our approach are included in LTP4. NYCC are currently working on a new electric vehicle charging point policy which it is expected will be adopted in 2016.
22	Harrogate	Individual	Following the comments from the Cycle Harrogate website calling for people to respond as such, this is a comment from an individual requesting NYCC spend £10 per head on cycling infrastructure.	LTP allocation from Government for all transport improvements only equates to approximately £5 per head. Details of funding constraints are included in LTP4.

23	Northallerton	Individual	Comment is regarding Northallerton Northern Link Road - issue of alignment in Hambleton Local Plan Plan does not match traffic model.	This is a reference to the Hambleton Local Plan and a scheme they are seeking to deliver and is not relevant to the LTP.
24	-	Grosmont Parish Council	General comment on bus reductions in Grosmont.	Noted. No amendment to LTP4 considered to be necessary.
25	-	Individual	No actual comment was made by this individual.	No amendment to LTP4 required.
26	-	Aislaby Parish Council	Comment regarding potential bus reduction in Aislaby	Noted. No amendment to LTP4 considered to be necessary.
27	Topcliffe	Individual	Comment about the awareness of draft consultation	Noted. No amendment to LTP4 considered to be necessary.
28	Harrogate	Individual	Comment about providing more cycle and walking infrastructure in Harrogate.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
29	-	Embsay with Eastby Parish Council	General comment about signage for cycling in Embsay and Eastby	Noted. No amendment to LTP4 considered to be necessary.
30	-	Friends of the Settle-Carlisle Line	Numerous comments mainly on rail transport including promotion and use of the Settle-Carlisle line and calls for franchising of bus services.	Noted. Detailed comments will be considered for potential amendments to LTP4.
31	-	Individual	Report of timber route map changes / erro.r	Noted. Issue will be considered and corrected.
32	-	Burton Salmon Parish Council	General comment on the bus reduction/cut.s	Noted. No amendment to LTP4 considered to be necessary.
33	Northallerton	Individual	Comment on major / national rail infrastructure, in particular with HS2 through the county and gaining connections to HS2 lines.	Noted. No amendment to LTP4 considered to be necessary.

34	Easingwold	Individual	Request for more off-road cycle lane provision in Easingwold area.	Further details of our approach to promoting cycling is now. incorporated into a revised Part 3k.
35	-	Harrogate and District Cycle Action	Request more information regarding priorities and actions with regard to walking and cycling - include map of cycle network, and how KSI's involving cyclists will be addressed be included in the LTP. Requests that greater consideration and priority be given to facilitating cycling.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
36	-	Individual	No actual comment was made by this individual.	No action required.
37	-	Campaign for Better Transport West and North Yorkshire Bus Group	Comment dismayed at the proposed bus reduction/cuts to services, and provision of concessionary passes.	Noted. No amendment to LTP4 considered to be necessary.
38	-	North York Moors National Park Authority	See Appendix B.	LTP4 will be amended as appropriate and other matters will be considered in our on-going work with the National Park Authority.
39	Harrogate	Individual	Comments on active travel and promoting cycling and walking.	Further details of our approach to promoting cycling and walking is now incorporated into a revised Part 3k.
40	Harrogate	Individual	Comment regarding providing more cycle infrastructure in Harrogate.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
41	-	Settrington Parish Council	No comments on LTP.	No action required.
42	Riccall	Individual	A19 in general specific mention of noise, vibration, air quality, speed, and road safety.	Noted. No amendment to LTP4 considered to be necessary.
43	-	Railfuture Yorkshire	Detailed comments on Rail including proposed infrastructure improvements.	Noted. Consideration will be given to any appropriate amendments to Part 3d Rail.
44	Copmanthorpe	Individual	Comments on bus reduction/cuts.	Noted. No amendment to LTP4 considered to be necessary.

45	-	Sherburn in Elmet Parish Council	Suggests amendment to diagram 2d-1to reflect Sherburn in Elmet's higher population than Tadcaster.	Noted. Plan shows population density and not total population. Details shown in the plan are correct.
			Comments on the impartiality of Transport Assessments undertaken by consultants in support of new developments.	Noted. No amendment to LTP4 considered to be necessary.
			Supports station and service improvements in Sherburn in Elmet.	Noted. No amendment to LTP4 considered to be necessary.
46	Harrogate	Individual	Comments on congestion in Harrogate and suggests it should be a high priority in the LTP.	Noted. It is considered that congestion issues are adequately considered in the LTP4.
47	Harrogate	Individual	Disappointed at lack of vision for walking and cycling.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
48	Harrogate	Individual	Cycling comment regarding safety and providing infrastructure.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
49	-	Esk Valley Railway Community Rail Partnership	General comments on rail focusing on improved provision and funding. Respondent also highlights benefits of rail travel for cyclists and the environment.	Noted. No amendment to LTP4 considered to be necessary.
50	Ripon	Individual	Response gives details of the Ripon City Plan.	Noted. No amendment to LTP4 considered to be necessary.
			Comments on rail in Ripon, including infrastructure delivery.	Noted. No amendment to LTP4 considered to be necessary.
			General comment regarding air quality in Low and High Skellgate in connection to standing traffic.	Noted. No amendment to LTP4 considered to be necessary.
51	-	Riccall Parish Council	Comment regarding increased noise from A19 since the resurfacing of the road - request for low noise asphalt to be used in future.	Noted. No amendment to LTP4 considered to be necessary.
			Comment from Riccall regarding street lighting - the parishes lights are yet to be upgraded to low energy.	Noted. No amendment to LTP4 considered to be necessary.

			Request to keep the traffic lights on the main crossroads in Riccal.I	Noted. No amendment to LTP4 considered to be necessary.
52	Riccall	Individual	Comment about the impact of the A19 on Riccal.I	Noted. No amendment to LTP4 considered to be necessary.
53	-	West Yorkshire Combined Authority	<p>Praises the report and welcomes the on-going collaborative working with NYCC, and agrees with the LTP objectives.</p> <p>Makes a number of comments on details in the LTP and seeks an improved alignment of LTP4 with West Yorkshire Local Transport Plan.</p>	Noted. Any necessary amendments to the LTP4 will be considered. Officers will seek to improve communications and co-operation with WYCA.
54	-	Age UK Yorkshire	<p>Comments highlights unemployment in Northallerton and poor road links in the town, coupled with poor shopping opportunities and increased traffic congestions which may deter shoppers.</p> <p>Further comments regarding poor rural bus services which reduce access to services for older people.</p> <p>Believes LTP4 does not address rural issues.</p>	Noted. No amendment to LTP4 considered to be necessary.
55	-	Campaign for Better Transport West & North Yorkshire Rail Group	Numerous detailed comments primarily on rail issues and seeking a very high level of detail to be included in the LTP.	Comments will be considered for potential amendments to the LTP4. It should be noted that the LTP does not nor was it ever intended to be a detailed delivery plan rather it primarily a document that sets out the County Councils policy and approach to provision of transport services.
56	-			
57	-			
58	-			

59	Ilkley	Individual	Detailed comments on how lack of provision of bus services by NYCC impacts on the tourist economy especially of the National Parks.	Noted. No amendment to LTP4 considered to be necessary.
60	Whitby	Individual	Numerous detailed comments primarily regarding Whitby, including provision of a second P&R, extending opening of P&R to whole year, and review of town pavements and dropped kerbs.	Comments will be considered for potential amendments to the LTP4.
61	Ampleforth	Individual	Bus services in Ampleforth and some comments in general about the village - footways and road markings.	Noted. No amendment to LTP4 considered to be necessary.
62	Harrogate	Individual	Comments regarding more cycle infrastructure and an integrated cycling plan.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
63	-	Huttons Ambo Parish Council	The Council is content with the substance of draft plan but would re-iterate "maintenance" rather than "management" continues to have higher priority within the Parish.	Noted. No amendment to LTP4 considered to be necessary.
64	-	Whitby Town Council	Main call for increase in infrastructure investment. Other comments regarding charging points for electric vehicles, providing community transport for villages near Whitby, addition of parking spaces and parking enforcement, and call for improved coordination between the County / District / Town councils and emergency services regarding major events. States a need for a second park and ride on the east side of Whitby.	Noted. No amendment to LTP4 considered to be necessary however the response includes details of desired small scale improvements which will be considered by the Area Office.
65	-	Friends of Carlisle-Settle rail line	See response No. 30.	See response No. 30.

66	-	Transdev	Transdev agree with all objectives of LTP4. Majority of comments revolve around bus service reductions (occurring outside of LTP4) and call for improved bus infrastructure provision, mainly in Harrogate, Ripon, Boroughbridge and Knaresborough.	Noted. Details will be considered and where appropriate amendments will be made to the LTP4.
67	-	CTC (cyclists charity)	Acknowledge that the rural nature of North Yorkshire somewhat limits cycling to local journeys, but reference benefits to health and air quality if numbers of people cycling increases. They call for a policy framework for cycling, and better mapping and information for cyclists, and to plan a network for cyclists,	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
68	-	Skipton-East Lancashire Rail Action Partnership	This letter highlights the case for re-opening the Skipton to Colne line.	Noted. No amendment to LTP4 considered to be necessary.
69	-	Individual	This letter calls for more funding to be spent on walking and cycling in Harrogate.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
70	-	Individual	This letter is in reference to cycling. It outlines the DfT objectives for cycling, and then asks for cycling in the county to be noted in a positive way, and calls for developer funded cycle schemes.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
71	-	Craven District Council	See Appendix B.	LTP4 will be amended as appropriate and other matters will be considered in our on-going work with the District Council.
72	-	Sustrans	Sustrans highlight the long track record of successful partnership work with NYCC. They ask for LTP to promote equal opportunities of cycling to all, in terms of deprivation, or for those who do not own a car.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
73	-	Towton Parish Council	The letter highlights the need for local buses, and requests that they are retained.	Noted. No amendment to LTP4 considered to be necessary.

74	-	Individual	This letter relates to air quality and congestion in Harrogate.	Noted. No amendment to LTP4 considered to be necessary.
75	-	Campaign to protect Rural England	Numerous comments on many aspects of the LTP.	Noted. Details will be considered and where appropriate amendments will be made to the LTP4.
76	-	Howardian Hills AONB	This letter commends NYCC on their outlook to protecting AONB, and looks forward to further working with us.	Noted. No amendment to LTP4 considered to be necessary.
77	-	Harrogate Borough Council	See Appendix B.	LTP4 amended as appropriate and other matters will be considered in our on-going work with the Borough Council.
78	-	Campaign to Protect Rural England	Further response from CPRE. Supports further studies into re-opening of the Skipton Colne and Leeds/Harrogate/Ripon/ Northallerton rail lines.	Noted. No amendment to LTP4 considered to be necessary.
79	-	First Transpennine	This letter is in support of the information outlined in the rail themed section of the report. They agree with the need to improve east-west connections, and would like to see improved parking at stations to increase passenger capacity.	Noted. No amendment to LTP4 considered to be necessary.
80	-	Harrogate and District Cycle Action	This letter calls for more direct actions on what we will do to address the objectives, and asks for more innovation for change. They would like to see a Sustainable Transport Officer to be appointed to deal with cycling and walking issues, and to work with special interest groups.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
81	-	Federation of Small Businesses	Generally very supportive of the LTP. Sets out a series of shorter and longer term actions which they feel will improve the situation for small businesses.	Noted. Details will be considered and where appropriate amendments will be made to the LTP4. NYCC will continue to engage with the FSB to further improve our understanding of businesses transport needs.



82	-	Individual	This letter aims to redraft section 3k - walking and cycling. It highlights the benefits of healthier travel and identifies ways to overcome the dis-benefits.	Further details of our approach to promoting cycling is now incorporated into a revised Part 3k.
83	-	Selby District Council	See Appendix B.	LTP4 amended as appropriate and other matters will be considered in our on-going work with the District Council.
84	-	Local Access Forum	Request for the addition of text regarding green lanes, Byways Open to All Traffic, and Unclassified Unsealed County Roads in the rights of way section.	Noted. Amendments have been made to public rights of way section of LTP4.
85	-	Ryedale District Council	See Appendix B.	Noted. No amendment to LTP4 considered to be necessary.
86	-	Natural England	Requests addition of information on impacts on biodiversity, soils, and landscape.	Noted. No amendment to LTP4 considered to be necessary.
87	-	Historic England	Comment that transport can improve the historic environment. Also asks for statement regarding how the impacts of transport on heritage sites can be reduced.	Noted. No amendment to LTP4 considered to be necessary.
88	-	Ripon City Council	Call for greater ambition and commitment in terms of re-opening of Northallerton-Ripon-Harrogate line. Also mention need for bus links to ECML. Comments about Conservation areas. Suggestion about air quality management.	Noted. No amendment to LTP4 considered to be necessary. Air Quality matters will be considered in our on-going work with the Borough Council.

## Responses from Local Planning Authorities

### LTP4 Feedback from Craven DC

Craven DC welcomes the opportunity to respond to the draft LTP4. Please see below a range of comments resulting from a Scrutiny Committee looking at the Plan.

Firstly we welcome the longer planning horizon that has been introduced. The transport issues in Craven and beyond will need to be resolved over the next 20 years or more and this length of planning should allow better alignment with Craven's Local Plan.

The LTP talks about Skipton and Craven as being peripheral and using the distance from A1 as a measure to prove this point. This is clearly a very Northallerton centric view of the world as connection to the A1 is of less relevance to Craven when most of our economic connections are with Leeds, Bradford and East Lancashire. Skipton is within a 30 drive 273,000 people and 45 minute drive time of 993,000 people and the centre of Manchester can be reached in one hour. In terms of connecting to the whole of the northern powerhouse Skipton is one of the best locations in North Yorkshire.

In relation to the above point, the Council is extremely concerned that the Local Transport Plan fails to adequately recognise the increasing strategic importance of the transport connections into and through Craven from Lancashire, West Yorkshire and Cumbria. The Plan should clearly acknowledge and seek to provide a level of investment and improvements in those connections which reflects both the potential for Craven's economy to grow and also as a transport corridor. The Council is pleased that the strategy of improving east/west connectivity now includes going into Lancashire but this does not appear to translate into any planned action.

The approach to maintenance and maintenance programmes needs to recognise and reflect the importance of keeping traffic flowing on the arterial routes through Craven and elsewhere in terms of both tourism and the wider economy. There are concerns about the maintenance of the A65 especially regarding the volume of traffic crossing the Pennines from Lancaster and South Lakes through the villages on the A65. The Council appreciates that not all roads are strategic but there are some roads that are essential for the survival of some communities. For example, whilst not an A road, the B6160 connecting Upper Wharfedale with Wensleydale and the road over Fleet Moss between Buckden and Hawes allows Dales communities to work and for visitors to move around the Dales. The effective loss of these roads will have a significant long term impact on communities and the economy.

The County Council through its transport plan needs to adopt a more flexible and pragmatic approach in how it responds to local community concerns regarding the need to address accident blackspots such as speed restrictions through villages. The number of accidents, many of which are serious, is a matter of ongoing concern, not only in terms of the cost to those involved and the emergency services, but also to the economy caused by the resultant road closures on the primary routes through Craven. This is of particular concern on the A65. The transport plan should present a pro-active approach to the implementation of measures designed to reduce the potential for accidents, including simple measures such as road markings and changes to speed limits.

Building new roads is not always feasible or desirable and so collectively we need to do more work at shifting people to other modes of transport. The Council accepts that hundreds of miles of cycle path will not be built but we hope that as part of a plan led approach it will be prudent to construct safe routes that serve the county's key growth towns. For example linking Embsay to Skipton would provide a straight forward car free option to link the village to services and employment. We look forward to working with NYCC and others to deliver such a plan.

Community transport operators provide essential services where otherwise a service would not exist or be prohibitively expensive to potential users and that new models are allowed to evolve to address the challenges of a changing market. It is essential with continuing reductions in rural bus services that such community schemes continue to be supported, however, bearing in mind a relatively recent experience in Craven involving the Little Red Bus Service, any community transport scheme the County Council undertakes should not directly compete with private companies and undermine their viability.

There are direct rail links from Craven to Leeds, Bradford, Lancaster, and Carlisle as well as London and these are all vital to the success of the area. These need to keep pace with modern requirements and the reopening of Cross Hills linking those communities to the Leeds City Region is important and we are pleased that the LTP refers to this. Also mention of the re-opening of the Skipton to Colne line would bring huge benefits to the area and we are grateful for the efforts of NYCC to move this project forward. A third rail development is the Clitheroe to Hellifield line which does not have a regular service but we would like to explore the opportunity of expanding the service to Manchester principally to create a viable green transport route for tourist linking Manchester to the Dales.

Appreciating that for the foreseeable future budgets will be tight and given that safety needs to be the key priority, is it possible to focus the cutting of the verges on approaches to tourism hotspots so that the area looks well maintained? This is of less importance the further into the Dales but in areas such as Skipton, Settle and Ingleton it is important.

Again understanding the budget pressures on services such as rights of way, is it possible that priority can be given to connecting town and village centres to the countryside. The emerging Local Plan seeks to improve these green infrastructure links as a means to improve well-being and improve the visitor experience.

We hope that you find these comments constructive and we look forward to working with you on delivering the Plan.

Regards

David Smurthwaite

Strategic Manager, Planning and Regeneration

## **NYMNP Website Response**

1. The North York Moors National Park Authority welcomes the opportunity to comment on the draft Local Transport Plan (LTP4) which has important implications for the National Park and its residents. The Authority supports the five key objectives set in the draft Plan and welcomes the focus on environment and climate change and healthier travel as well as economic growth. A 30 year timeframe is reasonable for strategic transport planning and the overall approach of having 5 yearly reviews of the Plan and 2 year rolling programmes for specific works is sensible.

2. It is important for this long term plan to take full account of the aims and aspirations of the National Park Management Plan and the strategic planning policies set out in the Core Strategy and Development Policies (November 2008). The Authority will start preparation of a new Local Plan in January 2016 but the essential principles of the existing Core Strategy document as well as the Management Plan are likely to remain for the life of LTP4.

3. Although the importance of high quality environments in the National Parks and AONBs (and their contribution to the tourist and visitor economy) are recognised in the draft Plan, it is not clear that the full implications are picked up. The County Council has a duty under S62 of the Environment Act 1995 to have regard to National Park purposes in carrying out its functions and LTP4 should specifically acknowledge that the National Park designation and its protected habitats are significant constraints to major road improvements. The Authority acknowledges the advantages of improving east-west connections for economic development purposes but where routes pass through the National Park there are limitations on the type of highway works that should be carried out in order to maintain the Park's special qualities including its tranquillity, sense of remoteness and highly valued dark skies.

4. High priority should be given to improving the condition and routine maintenance of the existing road network within the Park, covering secondary and minor roads as well as 'A' roads. The draft Plan recognises the importance of highway maintenance in remote areas and notes the current backlog, but there seems to be a suggestion that budget limitations mean this will continue to be given low priority. There are strong arguments to ensure that this does not happen. Although individual roads may not carry large volumes of traffic, a well maintained road network not only ensures good access to services for residents but is important for the timber and minerals extractive industries and to support tourism and the growing number of small businesses that operate within the Park, thereby contributing to the region's economic growth. The draft Plan should recognise that the National Park Management Plan aims to increase visitor numbers and a well-maintained road network is integral to the success of this long-term objective.

5. The success of LTP4 will depend on the Council's ability to attract funding to carry out the proposed programmes and there is a risk that only the larger 'flagship' schemes will actually be implemented. The Authority seeks confirmation that the five key objectives outlined in the draft Plan have equal priority and urges the Council to give sufficient weight in inevitably difficult funding decisions to the smaller scale programmes (e.g. support for community transport schemes and works to facilitate more sustainable travel) which would benefit rural areas within the National Park.

6. Part 2b Historic and Natural Environment: This section (and Fig 2b-3) should refer to the North York Moors SAC and SPA as well as the SSSI and the significant constraints to road widening and new infrastructure within these EU protected habitats. It should also refer to the National Park's objective to improve habitat connectivity and recognise the need to protect and enhance important species-rich verges throughout the Park. Strategic habitat connections are shown on p33 of the Management Plan and the Authority's habitat improvement programme along these 'corridors' should be taken into account in considering highway works in and around the National Park. The County Council should also consider the possibility of reducing speed limits to 50 or 40mph on certain roads to reduce loss of tranquillity within the Park.

7. Signage and highway clutter is of growing concern and the Authority welcomes the commitment in Parts 2b and 3j of the Plan to reduce sign clutter and carry out highway maintenance in a way that is sympathetic to the National Park's designated status. It will be important that these commitments are implemented and that signage in the Park is limited to what is essential as well as being an appropriate size; these principles have not been applied to some recent works, for example repeated signs on the A171 for the Whitby Park and Ride facility which add to existing unsightly signage along this route. The treatment of open moorland roads is particularly sensitive and the Authority would welcome better notification of proposed works to roads in the National Park in order to avoid issues such as inappropriate concrete edging, e.g. on the Bransdale road from Fadmoor.

8. Part 3a Buses and Community Transport: The Authority notes the Council's preferred approach to work with commercial operators to support them in providing for marginal routes. Several of these will be in and around the National Park and the Authority is concerned that there should not be any further reduction in services for residents. Some form of bus or community transport service is vital to sustain small communities and ensure that elderly people who do not drive have access to services. The Authority welcomes LTP4's commitment to support for community transport initiatives and suggests that Moorsbus should also be referenced in the Plan.

9. Part 3c New Developments and Planning: Close working between the Authority and the LHA on the details of new developments is essential in order to retain the special 'sense of place' within the National Park. The Authority asks to be consulted on the proposed parking standards review as it is important for there to be some flexibility within the National Park e.g. in relation to conversion of traditional buildings where there is no space for in-curtilage parking. Other specific issues that are important for the National Park are: • Not requiring street lighting where the setting does not warrant it and its introduction would diminish the Park's dark skies special quality; • Use of conservation kerbing in sensitive locations; • Use of conservation street lighting in sensitive locations; • Use of bollard lighting on sensitive sites; • Use of infra-red rather than white light for CCTV systems in sensitive locations; • Minimising the impact of barrier restraining installations on roads in the Park e.g. using 'Armco' type tensile wires on bends where there are steep drops.

10. Part 3g Strategic Transport - Improving road and rail links between Whitby and Teesside: The Authority negotiated funding for extra services on the Esk Valley Railway in the York Potash S06 package and would support further improvements in services on this line. However, any proposal to improve road links between Whitby and Teesside by widening the A171 would be a serious concern as significant stretches of the road run through and alongside the North York Moors SAC and SPA. Separate comments have been submitted on the treatment of this issue in the SEA Environmental Report. Here it is noted that this is an important tourist route running between open protected moorland and the Heritage Coast and should not become 'urbanised'. Its capacity is in any case limited by the steep gradient at Birk Brow and the Authority would query whether there is a need for major improvements. These were not considered necessary as part of the York Potash planning case nor for the Whitby Business Park Area Action Plan. Good maintenance and traffic management should be sufficient to ensure that the A171 provides an effective, reliable road link to Teesside.

11. Part 3i Public Rights of Way: A good public rights of way network is essential to local people and visitors, to the local economy and is a vitally important resource in promoting health and well-being. It is the statutory duty of the County Council to maintain this network. For the time being the two National Parks invest considerable resource in maintaining a large proportion of the network (including many of the busiest routes) with no support from the County. With current funding reductions this level of free support from the National Park will be under threat. The Plan should acknowledge this threat and the Council should plan ahead to properly support the National Parks in providing this vital service on their behalf. Two inaccuracies in the text relating to the NYMNP should be corrected. In the last sentence of the second paragraph delete 'and are posted as notices by local Parish Councils with the date when the change will come into effect'. In Footnote 3 the reference should be to the 'North York Moors Management Plan'.

12. Part 3k Walking and Cycling: The Authority supports LTP4's healthier travel objective and agrees that it is important to encourage walking and cycling on a regular basis as well as part of people's leisure activities. There is no mention of the National Trails and Regional Routes within North Yorkshire in the Plan and specifically no mention of the Cleveland Way in relation to the NYMNP. These should be detailed as key routes to encourage healthy walking. The proposal to appoint a Sustainable Travel Officer is welcome but, if healthier travel is to be a reality, it is also essential to find funding to put in and maintain to a high standard facilities for walkers and cyclists. In the last paragraph of the section 'who' should be omitted for the sentence to make sense.

## Working for you

Andrew Bainbridge  
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30 November 2015

### Fourth Local Transport Plan (Draft) Comments

Thank you for the opportunity to comment on the draft Local Transport Plan 4 (LTP4). Please find comments on behalf of Harrogate Borough Council (HBC) below in general order as they are found through the document.

HBC still maintains that the consultation to identify resident priorities was of a limited nature and therefore the following statement made under Objectives and Commitment is rather all encompassing when it is not necessarily quite so abruptly the case *“The consultation for LTP4 showed that people still think that keeping our current transport services and infrastructure in good condition is more important than providing new services and infrastructure”*.

HBC would welcome detailed consultation at an early stage on the two year rolling programme of smaller schemes and initiatives. This represents a similar mechanism to the three to five yearly plan covering Harrogate district transport investment suggested within our response to the last stage of consultation. The review of LTP4 every five years is also important as it enables flexibility towards changing trends and technologies. HBC therefore welcomes the approach to be taken as regards development of LTP4 over time.

Whilst it is understandable that LTP4 focuses upon the York, North Yorkshire and East Riding area, in terms of strategic schemes it will be important to also acknowledge the links between Harrogate and Leeds and Craven with Bradford so greater prominence could be accorded to working with the Leeds City Region to ensure cross boundary movements are given the appropriate policy context.

It may be appropriate to separate Harrogate and Knaresborough or rephrase the text above the listing under tackling congestion (within 2a) as they are both distinct towns with their own identities.

The statement regarding working with Local Planning Authorities is strongly welcomed but we do not view it as essential to reduce the need to travel full stop, more so to reduce the need to travel by private car. This is perhaps an issue regarding phrasing given the commitment is made in the context of demand management and sustainable travel. The commitment and intentions in this section are rather tempered by the wording within chapter 3c, New Developments and Planning which is far more restrained in the potential for achieving reduced vehicle trips. An upfront acknowledgement that the £3m capital integrated block will have

approximately two thirds taken for road maintenance would help to highlight the situation regarding the ability for NYCC to make small to medium scale improvements.

HBC notes the high volume of casualties in cluster sites in Harrogate District evident in table 2c-1 relative to other districts and hopes that a proportional level of investment will be directed towards addressing these casualties in the two year rolling programme of small schemes and initiatives.

The penultimate section of chapter 2d, Access to Services implies that bus services will be maintained to enable access to work and other activities. Given the recent proposals regarding bus subsidy reduction were actually likely to hinder getting to/from workplaces, through poor access to York for instance, HBC has to question whether this is achievable or whether future proposals regarding bus service provision are going to be planned to encompass work, health, retail, leisure and socialising. If so, is this genuinely affordable?

The discussion in chapter 2e omits what HBC would consider to be the core factor behind travel choices which, in the context of the discussion, would be, where are we going? This could potentially lead to targeting areas where journeys could best be undertaken by more healthy methods of travel, in terms of accessible destinations and identification of cycle and walking catchments and opportunities to key employment sites and other key facilities. This could effectively be a light touch way of continuing the accessibility work that became prominent through the second Local Transport Plans across the country.

Achieving the healthy travel objective is likely to be difficult and further evidence would have been useful to demonstrate where this is, firstly, most needed and secondly, represents best value for money given the limited resources to be available. With a view to bidding for government funding through future versions of LSTF type initiatives it would be helpful to be able to reference LTP4 as highlighting Harrogate, Knaresborough and Ripon in particular as opportunity areas for increasing the uptake of active modes of travel.

## **Themes**

### **3a Buses and Community Transport**

HBC agrees that reliability of bus services is an issue in the main urban areas. Seeking a joint approach to develop measures to mitigate the impacts on bus services does, however, appear to be a rather vague and non-committal statement. Some more robust wording should be added. Bus franchising has potentially become less likely given the recent results from the North East so it may be worth revising wording in this section slightly. It is appreciated that these developments are recent and therefore would not have been known at the time the draft LTP4 was written.

This section states “...it is no longer possible for local authorities to provide subsidies and tender for services not provided by the commercial sector”. The statement represents extremely strong wording and contradicts the ambitions under the Access



to Services objective regarding maintaining the bus network. Not all services currently in operation would be able to be operated commercially. Does the statement imply an intention from NYCC to remove bus subsidy altogether? There are some inconsistencies between what is written in the objectives section compared to the individual themes text throughout the LTP. As you will be aware, the final LTP4 needs to provide a clear policy context therefore some additional work is required to link the themes with the objectives.

HBC welcomes the approach to working with commercial operators to encourage growth of marginal routes. This ethos is very much in line with the approach HBC wished to see in the recent bus subsidy reduction consultation.

How is the overall strategy for public transport intended to fit with the statement quoted above? The strategy for public transport needs to reflect the importance of taking people to and from work as these passengers are more likely to be fare paying and will assist the service in being financially sustainable.

HBC welcomes the continuing support for community transport operations.

### **3b Road Safety**

Road safety is of the highest importance. The intention to ensure new development is designed to a low vehicle speed rather than using enforcement through signage is positive. This chapter is much more committing and represents a firmer policy direction, “we will” rather than “we will aim to”.

### **3c New Developments and Planning**

Please consider including an additional bullet point under key elements of the LHA input to the planning process reading “Working with local planning authorities on local plan preparation to assess the highways impacts of future housing and employment needs and the infrastructure required to deliver this growth.”

Very little is included within this section on traffic modelling. It would seem that in order to effectively manage current networks that there will be a requirement for any traffic models that do exist to be kept up to date in order to ensure that developers are appropriately mitigating their immediate and cumulative impacts. A firmer position should be taken on where models will be required and how the LTP will ensure they are maintained. Further information should also be provided regarding a position on county wide model, which, if there was an up to date version, would have enabled general wider impacts of growth options to have been considered and could enable a more coordinated approach county-wide.

No mention is made of neighbourhood plans within the chapter. When neighbourhood plans are adopted they form part of the Local Development Plan. LTP4 should therefore outline how NYCC intends to address transport matters regarding neighbourhood plans.

Under transport assessments and travel plans it should be recognised that there may be occasions when third party land is required.

HBC would appreciate an intended timescale for production of the final parking standards document. If an indication could be provided once known, it would be helpful.

Some recognition of working with Local Planning Authorities on areas such as Town Centre Strategies would be useful as these district led documents can help to address many of the issues raised within the objectives sections of LTP4.

### **3d Rail**

The rail chapter is welcomed and contains much of the sentiment that HBC shares. Perhaps more emphasis could be placed upon the area outside stations as it is not just the station itself, it is the station and surrounding area, including public space which merits consideration. Identifying and working up high quality public realm and station improvement schemes that could be funded by the Local Economic Partnership or other devolved source should be a key aim for LTP4. HBC would appreciate involvement at an early stage in schemes to improve rail stations within Harrogate District.

### **3e Bridges and Highway Structures**

Suggestions attached separately.

### **3f Air Quality and Noise**

It is inaccurate to state that district councils are required to monitor PM<sub>10</sub>, it is probably best phrased as *“Local authorities have to carry out a review and assessment of whether air quality standards are being achieved or are likely to be achieved in the relevant period.”*

Within the discussion on nitrogen dioxide and the objective of 40 micrograms per cubic metre the phrasing should use breach rather than reach.

General good practice suggests that a low emission strategy should not repeat what is contained in the local transport plan, therefore we look forward to seeing the content of the reviewed transport related air quality policy before the end of 2016. With particular reference to Harrogate relief road options the policy should cover how additional noise and air quality impacts from NYCC promoted road schemes will be dealt with.

### **3g Strategic Transport**

HBC concurs with the thinking behind much of the strategic transport work NYCC is undertaking, though, as mentioned previously, further recognition should be provided towards the need for cross boundary working with the Leeds City Region. The levels of commuting<sup>1</sup> between Harrogate and Leeds and vice versa are far larger than with

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<sup>1</sup> Data available from the 2011 Census

any other individual authority and represent larger flows than Harrogate to all other North Yorkshire districts and York combined.

### **3h Highway Maintenance**

HBC appreciates the efforts to ensure best value for money on highway maintenance. The importance of maintaining the highway and footway network is also fully recognised. The system for identifying and fixing defects must be made as efficient as possible in order to minimise the level of funding taken from the Integrated Block settlement and to maximise the benefit from the available funding.

Moving to a three year rolling plan is also favourable. When the budget is split by area it should allow for major maintenance schemes to be funded on distributor or local distributor routes where required and any spare funding towards the end of any financial settlement period should not be used on less necessary schemes. Any surplus should be directed into improvement schemes in the area which should be progressed where possible.

### **3i Public Rights of Way**

This chapter provides as useful plan for management of the public rights of way network.

### **3j Traffic Engineering**

It would be helpful to adopt a similar approach for traffic signalling as for the collision investigation and prevention work in urban areas. By taking a route based approach then indicative journey time savings can be identified and quantified. If then an opportunity arises through underspend, or external funding source then it will be known what engineering measures will deliver what level of benefit. This could enable more effective negotiation with developers on highway network mitigation.

Bus pre-emption is welcomed, though it should be noted that where significant routes arrive at a junction from different directions there may be conflict regarding which service obtains the priority. Therefore the benefits of bus pre-emption may be best realised on areas more peripheral to the urban centres.

### **3k Walking and Cycling**

This chapter is, understandably to a point, rather generalised across the county. Analysis of count data and travel to work data should identify areas that would benefit from walking and cycling investment to provide evidence justifying the ability for walking and cycling to contribute to reducing congestion. It is disappointing that across the full LTP4 only two pages are devoted specifically to walking and cycling. Walking is the mode of transport requiring the least investment, from both user and council and therefore should be encouraged as strongly as possible. The potential appointment of a sustainable travel officer would be of definite benefit and HBC would urge NYCC to make this a firm commitment.

HBC views increasing walking and cycling as key methods of addressing congestion within Harrogate, Knaresborough and Ripon. A relief road may significantly improve the traffic situation in Harrogate and Knaresborough, but even if such a scheme comes to fruition there will still be around ten years of growth and economic development to accommodate. More walking and cycling is vital to ensuring that Harrogate has a manageable road network into the future. This section should specify areas where walking and cycling can provide significant economic and health benefits, particularly through regular utility cycling and walking to work. A significant number of car trips to work are undertaken within the same census medium level super output area in Harrogate District and therefore represent relatively easy mode shift opportunities.

The two year rolling plans should include dedicated investment allocations for encouraging utility walking and cycling particularly focussed on Harrogate, Knaresborough and Ripon. Some context to describe work within the Harrogate Cycle Forum would also be helpful. HBC is strongly appreciative of NYCC presence at forum meetings and is keen to continue the good working relationship between the two authorities. It does have to be said however, that it should not just be left to the district council to fund cycling based work when most of this comes within the remit of the Local Transport Authority. Walking and cycling can contribute towards effectively managing the highway network and it does not just represent improvement.

Minimum parking standards may further add to the issue of getting in the car as it is an easy option.

Integration with public transport is given no consideration in this chapter and links to the Door to Door strategy should be discussed along with a plan as to how it will be made easier to access rail and bus services on foot and by bicycle to minimise the volume of vehicle trips on the roads.

### **3l Street Lighting**

Suggestions attached separately.

### **3m Funding**

HBC acknowledges the difficult funding position but, given the levels of money involved a more thorough consultation on resident priorities should inform the rolling investment plans. A balanced set of measures are required to deal with the numerous transport related problems across the county and the plan in its current form is heavily skewed towards road maintenance.

### **3n Network Management**

The network management section should include some information on variable message signs and a commitment to keep them in good working order and to ensure that the right information is present on street, particularly on weekends when there is a major event on.

I hope that these comments are useful and I look forward to seeing the final draft of the plan.

Yours sincerely,

Councillor Rebecca Burnett  
Cabinet Member for Planning and Sustainable Transport

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7 December 2015

Mr A Bainbridge  
North Yorkshire County Council  
County Hall  
Racecourse Lane  
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DL7 8AD

Dear Mr Bainbridge

Thank you for consulting Selby District Council (SDC) on the Local Transport Plan 4 (LTP4). SDC are in general support of the document but would like to raise the below comments at this round of consultation. SDC would also welcome continued engagement on LTP4 and look forward to having further input and providing feedback.

#### General

The document is written with a 'plain English' approach which makes it easy to follow while it is well laid out with a logical flow. However it is difficult to reference as there is no index, page, or paragraph numbers. The 30 year timespan obviously provides opportunities for long-term strategic thinking and planning but the document could benefit from a clearer framework for including new projects / proposals which fit with the LTP4 priorities, but are yet to fully emerge. This would be managed through a breakdown of short, medium and long-term projects and a clear mechanism or approach to supporting new projects as they arise and support LTP4 priorities. As the document has a long-term timespan, and in some ways needs to be quite visionary, it could benefit from cross referencing with transport technology forecasting publications, such as Arup's Future of Highways Report.

#### Economic Growth Section 2a

SDC supports economic growth being one of the 5 main objectives of LTP4, however officers would question the proposed assessment method used to assess economic growth. The report suggests it will use unemployment rates, which are considered a very weak measure of economic growth which will not give a full picture. It is not clear from the report if further data will be used to assess economic growth. Due to the importance of this aim it is suggested a more robust assessment should be adopted and include economic markers such as business growth sectors and economic deprivation areas. SDC would like to see more evidence and clarity on this matter.

SDC are currently developing an Economic Development Strategy which is expected to be formally adopted in May 2016. The Strategy is not yet at a stage to formally consider potential implications/priorities for transport infrastructure. However, it is hoped that the NYCC LTP4 may be able to consider and include the Strategy's outcomes within future iterations.

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The report also states that *'the relatively poor condition of the minor road network tends to have a greater impact on the remoter, more sparsely populated rural areas of the County and is one of the contributing factors to the poorer economic performance in these areas.'* This is not a position that SDC is familiar with and would like to see the evidence that sits behind this statement and if this is a nationally accepted trend or based on specific local data collection. Again, more details on how the economic performance in this regard has been assessed would be helpful as if the report is suggesting unemployment levels are higher in remote areas due to poor road conditions, evidence needs to be provided.

### Tackling congestion

The report outlines congestion problems for the towns which are identified as Priority Towns, however little evidence is given to the level of congestion faced by the different priority towns. It is expected that there will be a wide variation in the levels of congestion and congestion types across the priority towns, and it is felt more work needs to be done or published in this regard.

Congestion is also not just caused by junction capacity issues and volume of traffic. Congestion can and often is the result of poor signalling management and timings. From the early work on SDC's Highways Assessment which will underpin PLAN Selby, it is evident in Selby that there may be some issues with the current traffic signalling, and it is not clear in the report how much focus NYCC are putting into recognising or addressing this issue. When further details are available from SDC's work this information will be made available to County and SDC would like to see a proactive agreed way to improve the situation.

### Addressing the impacts of peripherality

In the above headed section the report states that *'England is peripheral to the rest of Europe'*, however SDC would question if this statement is out of date based on the travel time and options from London to main land Europe. Surely if this is correct many other European countries and cities could be considered to be on the periphery of 'Europe' also?

### Section 2b Environment and Climate Change

In the subsection Air Quality Management, second paragraph reference is made to the annual mean for Nitrogen dioxide but not the short term mean. Although it may not have been triggered within North Yorkshire currently, it should be considered. The third paragraph makes reference to an AQMA area in Selby. It is agreed that this area has been to public consultation and a designation is likely to be made, however, the current statement is incorrect and would recommend that it is altered in line with the later reference in Section 3f.

### Section 3c

SDC wishes to raise the lack of consideration of Air Quality in relation to New Developments and Planning in Section 3c.

It is recognised in the first paragraph of this section that how an application is determined must contribute to the delivery of plan objectives, including minimising environmental impact. However, no emphasis is given to considering the impact on air quality from increased traffic

or a change in traffic type from a new development. It is seen as an essential part of the planning process to prevent a reduction in air quality, especially when such a reduction may involve breaches of the air quality objectives or levels approaching a breach. This in turn should tie into the provision of mitigation measures, some of which are referred to in other parts of the document such as Electric Vehicle use which makes the provision of Recharging Points essential, Travel Plans and Technology and Improved Traffic Flow and associated transport schemes.

LTP4 could raise noise issues in Section 3C and offer guidance to new Developments and Planning.

### Section 3f

It has been noted that in Section 3f reference is made to working with local planning authorities on air quality in regards to new development creating emissions on the highway network. However the same section goes on to state that as there is currently no mechanism for this to be addressed at planning application stage NYCC may take a lead. This doesn't seem like working with the local planning authority and instead seems to be County led.

In the Subsection: Local Air Quality Management paragraph 2 it states '*The district councils are required to monitor PM10 (particles with a diameter less than 10µm).*' Although this statement is correct it is not specific as to the circumstances as to when a local authority is required to monitor and it is suggested that further narrative is provided.

In the same subsection It is also stated that It is an aim to try and prevent those sites that are close to the objectives from exceeding and SDC would ask for clarification as to the actions that are proposed in respect to this statement. Whilst It is pointed out that funding can be applied for from Defra this is only once an area has been designated. This could also be linked back to Section 3C on New Developments and Planning.

### What are the issues concerning 'Place'?

In the above titled section the report states '*we will continue to challenge parents' decision to take children to school by car where there are suitable walking options, and we will promote active travel*', clearly there is an opportunity here for a joined up approach across NYCC departments not just education and highways. Some options may be better infrastructure to encourage walking, cycling, bus use and restricted and better managed parking outside of schools. However in NYCC's approach to '*challenge parents' decision to take children to school by car*' children's safety and a common sense approach must be the priority not just reducing numbers.

SDC would also like to see more of a focus upon accessibility to services and facilities for target groups such as younger people, older people and those with disabilities; the current analysis is not very subtle.



### Buses, Community Transport and Travel Choice

Currently within Selby district it seems the useable bus services are not fully understood by communities. More information is required which provides better understanding for both out and return journeys in Selby's rural locations / villages.

In order to improve travel choice and accessibility there is a need to invest more effectively in smart transport solutions. This could include live timetable updates at bus stops and smart readers on busses to enable contactless payment.

There is also the need to look at future cycle paths and cycle connections of new developments.

### Transport Assessments

In the report it is stated 'The LHA will continue to work with the LPAs to establish appropriate area wide traffic and transport models of key settlements and conurbations. Where these exist the LHA will expect developer's proposals to be assessed using the available modelling.' SDC is currently in on-going discussions with County over traffic model requirements, however if NYCC is expecting software modelling for all key settlements it needs to be far more explicit about its 'modelling requirements'. County also need to work with all LPA's, and agree an approach to modelling (software or other forecast approaches) that suits all LPA's and adopt an appropriate, proportionate and sound approach to transport assessment's the LPA's.

### Parking Standards

The report states that NYCC has re-introduced minimum parking standards for residential development. This is interim advice to accommodate the high volume of residential development coming forward. Building on this interim advice it is proposed to conduct a full review of all standards for parking at residential, employment, retail and other types of development and adopt these through the usual consultations and approval processes.' SDC is in support of the full review, however details on the time table and further dialogue would be welcome as SDC is considering Parking Standards in the forthcoming PLAN Selby document.

### Street Lighting

SDC would like to raise that all street lighting needs to be appropriate to its location while the positioning needs to avoid excessive light pollution, particularly in rural areas and locations of high environmental value.

### Rail

Selby has technically strong rail connections but a review of the frequency and timing of services to better reflect / exploit Selby's hub opportunities is required to improve the current services. There also needs to be consideration to Selby's position as a commuter hub for York and Leeds and what impact the proposed growth in the Core Strategy will have on this

## Access Selby

A new approach to public services

**SELBY**

DISTRICT COUNCIL  
MAKING THE AREA A BETTER PLACE

service. There is a clear opportunity to make a 'step change' in the quality of the public transport rail/bus hub in Selby Town.

LTP4 could raise noise issues in Section 3C and offer guidance to new Developments and Planning.

### Strategic Transport

There is very little mentioned on mitigating the local impact of HS2 which does impact Church Fenton and surrounds in the SDC District.

The report states 'NYCC are committed to updating existing traffic models and there are currently discussions between NYCC and SDC.' SDC would raise caution over a blanket requirement for updating these models when there are possibly more appropriate methods available in terms of scale and cost that deliver the same results, this is a view shared across a number of LPA's.

SDC would like to raise the possibility of a potential bypasses on the A63 at Monk Fryston and Hambleton, potential Burn bypass on A19 and traffic at Sherburn as a result of anticipated and current growth.

The level of residential and employment related development which is taking place in Sherburn is causing concerns as the current highways network is starting to struggle. The level of inward investment is likely to continue to rise and we would welcome a dialogue with NYCC on the current situation and the future potential of this attractive area for additional inward investment.

These issues will become clearer with the progression of PLAN Selby and continued work on the Infrastructure Delivery Plan and data from the emerging SDC Highways Assessment.

It is currently too early in the PLAN Selby process to clearly understand the final housing distribution option. However SDC wishes to raise the potential for a Selby Town north-west relief road. This proposal is dependent on the approach taken in PLAN Selby as well as longer term growth aspirations and visions of Council. SDC would welcome dialogue on this possible option and further input from County at a future time.

Our funding priorities (not complete and will be updated and influenced by PLAN Selby and the Infrastructure Delivery Plan)

### Short to Medium Term

Selby Bus station / railway station interchange  
Potential brownfield and urban regeneration areas in Selby Town (one of which is linked to the railway quarter), and other locations, which would benefit from a significant upgrading in transport infrastructure and better connectivity.  
Sherburn railway station – service improvements  
Smarter and better planned rural bus services  
Review of signalisation

Tel 01757 705101 Email [info@selby.gov.uk](mailto:info@selby.gov.uk) Web [www.selby.gov.uk](http://www.selby.gov.uk)  
Access Selby Market Cross Shopping Centre, Selby North Yorkshire YO8 4J5  
Selby District Council Civic Centre, Doncaster Road, Selby YO8 9FT



Local cycling and walking initiatives – also maximising canal infrastructure opportunities and links to strategic cycle routes.

Market town and public realm improvements (Tadcaster, Sherburn in Elmet and Selby) linked to local community visions

Managed HGV traffic movements – Sherburn, Church Fenton

**Medium to Long Term**

Potential - Selby Town north-west relief road – this proposal is dependent on the approach taken in PLAN Selby as well as longer term growth aspirations and visions of Council. SDC would welcome dialogue on this possible option and further input from County at a future time.

Potential – Highway improvements in the Sherburn area – this relates to anticipated levels of inward investment and employment growth and SDC would welcome a dialogue with NYCC on the current situation and further input on the potential for further growth.

Potential – Bypass on the A63 at Monk Fryston and Hambleton.

Potential Bm bypass on A19

Thank you for considering the above comments to the LTP4 consultation, SDC looks forward to further engagement and input on this topic.

Yours sincerely

**Keith Dawson**  
Director

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## **LTP4 Feedback from Ryedale DC**

The economic objective should be given greater weight in driving investment and should recognise the Government's growth agenda. The particular importance of improving access to Yorkshire coast to address economic and social challenges should be referenced, together with the need to provide a network that can accommodate new development and growth. In general terms the LTP4 does not appear to fully embrace the national agenda for growth.

Welcome the inclusion of Malton and Norton as one of 6 six towns where congestion will be concentrated - a return to transport strategies for each such town would be welcomed, in partnership with the LEP and district council

Need more reflection of and emphasis on using LGF and other funding sources to both improve the network and accommodate growth. The working up of business cases to submit for such funding should be a major priority.

Welcome the priority given to journey time reductions and increased frequency on York-Scarborough line and the support for York to Malton dualling on the A64 and selective improvements east to Scarborough.

## Response to Strategic Environmental Assessment

LTP4 Section	SEA Recommendation	LTP4 response
1 – Local Transport Strategy	No specific recommendation	None
2 - Objectives	Under the 'environment and climate change' objective broaden the scope of the historic and natural environment section to include a reference to the importance of locally designated natural environment, landscape and historic environment designations as well as a reference to respecting the local character of the LTP area, and the importance of soils (such as those designated as Best and Most Versatile land).	Under Historic and Natural Environment Section added: "We recognise the importance of respecting these designations and the local character of the County."  Reference added in Environment and Climate Change objective: "We will also consider the need to safeguard the biodiversity and geodiversity of the County's environment in the maintenance and improvement of the highway network."
	Broaden the scope of the carbon emissions section so that rather than simply referring to carbon emissions it highlights the importance of reducing the contribution of the transport network to climate change and increasing the resilience of the network to the predicted effects of climate. It might be helpful to rename this section something akin to 'Reducing Carbon Emissions and Adapting to a Changing Climate'	Updated section title to: Reducing Carbon Emissions and Adapting to a Changing Climate and the following sentence added:  "Through recognising the impacts of climate change we can also increase the resilience of the highway network to address the predicted effects, including varied patterns of rainfall and local flooding."
	Include a reference to the potential for financial savings to be made through the consideration of sustainable design (such as through utilising recycled and secondary aggregates in road construction / maintenance) where appropriate.	Added reference in Environment Objective about sustainable design as stated in Highway Maintenance Plan 2006 one of the objectives is: To apply the principles of sustainable development via the increased use of low noise surfacing, recycled materials and by the adoption of a whole life costing strategy for treatment identification and selection

3a – Buses and community transport	<p>The Strategy, to some extent mitigates for the reduction in access to the evening / weekend leisure economy by supporting community transport.</p> <p>Public transport that facilitates cycling would be particularly helpful but this is not mentioned so a reference to supporting this would enhance the theme – combined public transport and cycling can be a good compromise for longer journeys or those where part of the route is difficult.</p>	Noted. This theme references the Government’s Door to Door Strategy which promotes the integration of modes of transport
3b – Road safety	It is recommended that this theme makes a reference to the fact that increasingly adverse weather conditions may present a hazard to road users (as a result of climate change) and that future impacts will be considered when considering road safety.	<p>Included reference in Environment Objective:</p> <p>“By recognising the impacts of climate change, and their potential hazard to road users, we can increase the resilience of the highway network against the predicted effects which include varied patterns of rainfall and local flooding.”</p>
3c – Planning and new developments	None required	None
3d – Rail	A commitment to ensuring sustainable development could be included in the LTP’s ‘environment and climate change’ objective as a way of ensuring that, when more detailed projects are developed, environment and cultural heritage are fully considered.	Section added to Environment Objective – Environmental Impact Scoping in Scheme Feasibility
3e – Bridges and Structures	It is suggested that a sentence covering the importance of built structures such as bridges to biodiversity and water body quality is included and that this requires the Highway Authority to ensure it is compliant with wildlife and waterways legislation when carrying out works.	<p>Added reference to bridges in Environment Objective:</p> <p>“For example, in the case of structure such as a bridge we would ensure works are compliant with wildlife and waterways legislation.”</p>

<p>3f –Air Quality and Noise</p>	<p>A commitment to ensuring sustainable development could be included in the LTP’s ‘environment and climate change’ theme as a way of ensuring that, if more detailed projects are developed, the environment and cultural heritage is fully considered.</p> <p>References to choice of road surfaces and speed limits and the influence that this has on noise would increase the broadly positive scoring of this theme (though the positive impacts of improved traffic flows should not be lost).</p>	<p>Section added to Environment Objective – Environmental Impact Scoping in Scheme Feasibility</p> <p>There is a reference to low noise surfacing in this theme.</p>
<p>3g – Strategic transport</p>	<p>Most mitigation will be associated with individual projects progressed following the publication of the LTP. However, the LTP itself could present a strategic steer to mitigation. This mitigation should include:</p> <ul style="list-style-type: none"> <li>- Change the sentence in the ‘environment and climate change’ section referring to sympathetic highway improvements to: “wherever possible and subject to funding constraints we will continue to provide efficient and sympathetic transport infrastructure maintenance and improvement works within our national parks and other designated environmental areas as well as elsewhere where environmental assessments highlight an unacceptable impact”;</li> <li>- A commitment to ensuring sustainable development could be included in the LTP’s ‘environment and climate change’ objective</li> </ul>	<p>Updated wording of sentence in Environment Objective to: “Wherever possible and subject to funding constraints we will continue to provide efficient and sympathetic highway management, maintenance and improvement works within our national parks, designated environmental areas and other areas which are considered environmentally sensitive.”</p>

	<p>as a way of ensuring that, when more detailed projects are developed, the environment and health and wellbeing is fully considered.</p> <ul style="list-style-type: none"> <li>- A reference could be included in the 'environment and climate change' section to support sustainable design where appropriate.</li> </ul> <p>Mitigation is also required to ensure that as proposals are drawn up they are consistent with the Habitats Regulations. This could most effectively be achieved by extending the 'Environment and Climate Change' section so that it includes the following sentences under the historic and natural environment section: "Where transport infrastructure might have an impact on European designated nature conservation sites (including Special Protection Areas, Special Areas of Conservation and Ramsar wetland sites), either on its own or in combination with other plans and projects, it will be necessary for the scheme to be assessed under the Habitats Regulations to determine whether it can go ahead".</p> <p>Although not mitigation for any particular environmental effect of this theme, if the theme were to recognise the benefits of green infrastructure or other strategic green routes, there would be additional benefits in terms of modal shift as well as health and wellbeing.</p> <p>The assessment notes that future Environmental Impact Assessment for major road schemes should</p>	<p>Added reference to sustainable development and design in Environmental Impact Scoping in Scheme Feasibility section in Environment Objective.</p> <p>Added reference to the 'relevant regulations' in Environmental Impact Scoping in Scheme Feasibility section: "consideration will be given to environmental and cultural heritage and any relevant regulations e.g. Habitats Regulations" and footnote with the suggested wording.</p> <p>Reference to green infrastructure added to the Environment Objective.</p>
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	also consider reasonable alternatives to those schemes, as directed by Article 5 of the EIA Directive.	
3h - Highway Maintenance	No mitigation is required, though a potential enhancement opportunity is highlighted in relation to climate adaptation. Here a sentence could be inserted to state that highways are vulnerable to climate change impacts which may in the future affect decisions on methods of maintenance and reconstruction and that the Highways Authority will work with partners to monitor future risk.	Added reference to climate change impacts in Environment and Climate Change Objective:  “By recognising the impacts of climate change, and their potential hazard to road users, we can increase the resilience of the highway network against the predicted effects which include varied patterns of rainfall and local flooding.”
3i – Rights of Way	None required	None
3j – Traffic Engineering	None required	None
3k – Walking and Cycling	<p>A reference could be included in the ‘environment and climate change’ section to support sustainable design where appropriate to mitigate for any minor issues associated with construction wastes.</p> <p>Note that the NPPF para 35 requires priority to be given to pedestrian and cycle movement in plans. Although this is not a planning document, there may be opportunities to plan strategically so that when opportunities arise they can be taken up, and routes can be developed coherently and effectively rather than on an ad hoc basis.</p> <p>Although not for the text of the LTP, the assessment noted that an opportunity could arise for any future Sustainable Travel Officer to consider the exposure</p>	Noted.

	of active travel participants to climate change risks (e.g. through a risk assessment process).	
3l – Street Lighting	Mitigation: None. However, there could be more specific mention of reduction of light intrusion, glare, sky glow etc. through replacement lighting.	Noted.
3m – Funding	None required	None
3n – Network management	The theme should recognise that increasing vehicular traffic flows makes life more difficult for pedestrians and cyclists and may require appropriate mitigation measures. There is also an opportunity to expand this theme to state the process by which inappropriate use of some roads might be prevented.	Added reference in Healthier Travel objective about traffic flows (underlined): <u>“We recognise that increased vehicular traffic flows can make life more difficult for pedestrians and cyclists therefore by working with our partner councils and agencies, we can identify and take up opportunities to accommodate and enable healthier choices and make them more available where these are practical and achievable.”</u>



# Executive Summary

# Executive Summary

The shared Vision for the future of our County adopted in the North Yorkshire Community Plan by all the local authorities in North Yorkshire is:

***Our vision is that 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.***

The NYCC Council Plan further identifies five priorities where we can provide leadership and where intervention is needed to overcome some of the on-going issues that affect the lives of people within the county, one of which refers to transport links. The five key priorities guide all of the services that the County Council provide. This document, the fourth North Yorkshire Local Transport Plan (LTP4), sets out how the transport services and infrastructure provided by the County Council and partners aim to contribute towards our shared Vision and the five NYCC Council Plan priorities.

In 2012 legislation governing Local Transport Plans changed. It remains a statutory duty for the County Council to produce a Local Transport Plan, but it no longer has to be for a fixed five year timeframe. This Local Transport Plan will consider a thirty year time period until around 2045, in the short term (0 to 5 years), medium term (6 to 15 years), and long term (16 to 30 years).

LTP4 is a four tier document. The first part holds the Local Transport Strategy which sets out the context of the Local Transport Plan and our Vision, Objectives and Commitment for transport in North Yorkshire. The second part contains the Objectives, and sets out further details of the main challenges to be addressed for each Objective, along with the approach the County Council and partners will take to achieving them. The third part contains thematic sections which considers transport based on themes and modes, and sets out in more detail what we will do, will not do and what others can do to improve transport. The fourth part holds the Policies specifically adopted by the County Council. The modular nature of LTP4, allows individual themes or policies to be reviewed, refreshed and renewed as and when appropriate.

In preparing the Local Transport Plan the County Council have carried out consultation with the Public, our Stakeholders and partner organisations. This consultation shows that boosting the economy, safety, getting access to essential services and the impacts of transport on the environment remain important. Based on this evidence and other data collected the Objectives adopted for LTP4 are set out below.

- ***Economic Growth*** - Contributing to economic growth by delivering reliable and efficient transport networks and services
- ***Road Safety*** - Improving road and transport safety
- ***Access to Services*** - Improving equality of opportunity by facilitating access to services
- ***Environment and Climate Change*** - Managing the adverse impact of transport on the environment
- ***Healthier Travel*** - Promoting healthier travel opportunities

The consultation for LTP4 showed that people still think that keeping our current transport services and infrastructure in good condition is more important than providing new services and infrastructure. Therefore, we will readopt our hierarchical commitment for LTP4, to:

- ***Manage the transport network and services to make the best use of what we already have;***
- ***Maintain transport networks and services to an appropriate and affordable standard;***
- ***Improve transport networks and services to supplement what we already have.***

LTP4 does not try to include everything that the County Council will do for transport. Instead it concentrates on the main things we will do, those that will have the biggest impact on achieving our objectives.

## **Why is Economic Growth one of our Objectives?**

Transport is essential to the health of our economy. Almost every aspect of business and the economy relies on transport. We therefore need to make sure that our transport networks and services are as reliable and efficient as possible to both support the existing economy and to help facilitate future economic growth. As well as promoting economic growth we also need to ensure that the detrimental impacts of economic and housing growth on the transport networks are managed both by ensuring growth is located in a way that facilitates sustainable transport and by ensuring necessary new infrastructure is provided.

The County Council will consider all transport related constraints on economic growth but has prioritised the issues of highway maintenance, traffic congestion and peripherality.

As the highway is the main network for travel in North Yorkshire and since it affects everyone, maintaining our highway network is the County Councils highest transport priority. Despite recent increases in the funding available for highway maintenance from the Government there is still a significant funding gap between what is available and what we need. To make sure that we get the best possible highway maintenance outcomes for our limited money we have adopted an approach to how and when we maintain our roads called Highway Infrastructure Asset Management.

In North Yorkshire the majority of traffic congestion occurs in our main towns. Traffic congestion, as well as causing environmental problems, leads to long and unreliable journey times, resulting in lost, unproductive time sitting in traffic queues as well as unpredictable arrival times for deliveries and workers..

The County Council has identified 6 main towns as the priority, though not exclusive, areas to tackle congestion:

- Harrogate and Knaresborough;
- Scarborough;
- Northallerton;
- Malton / Norton;
- Selby;
- Ripon.

To tackle traffic congestion the County Council has adopted a combination of measures to both reduce traffic demand and to provide more highway capacity. Demand management measures will include both encouraging people to make fewer or shorter journeys and encouraging mode shift. We will provide improved capacity on the highway network through localised improvements such as minor junction improvements, traffic management and improved traffic signals and parking management as well as through major highway improvements such as bypasses.

Peripherality, the distance (or travel time) of areas from each other or from the main transport networks, has a significant impact on local economic performance. Transport improvements can reduce the impact of this peripherality by providing links between economic areas. The County Council are committed to working with Transport for the North (TfN) to both contribute to and share in the benefits of The Northern Powerhouse. North Yorkshire sits adjacent to two City Regions. Improving road and rail connections into these City Regions remains an important element of our strategy to encourage economic growth in North Yorkshire.

The County Council has also identified a number of priority east–west routes for potential improvement including the A64 between York and Scarborough and the A59 between the A1(M), Skipton and onwards to East Lancashire, including at Kex Gill where road closures have been required, and further highway improvements will be required to maintain east–west connectivity and to build resilience into the highway network.

We are also prioritising a number of rail related improvements such as twin tracking and electrification of the York – Harrogate – Leeds railway and improved access to conventional and future High Speed rail stations.

### **Why is road and transport safety one of our Objectives?**

This objective aims to make transport within the County a safer and more secure activity, whether it be for work, leisure, school or shopping, for all types of transport and for all road users such as walking, cycling, driving or as a passenger. Roads are essential to our everyday lives. Road crashes and casualties are costly in terms of human suffering, lost productivity and damage. Safety on our roads is a high priority for the County Council.

The County Council has a statutory duty to investigate the causes of road collisions and casualties and to take appropriate action to prevent future collisions. We will target our resources to address specific, safety concerns, whether they are particular groups of road users, especially vulnerable users, or at particular locations in the county where there are clusters of crashes.

Vulnerable road users such as motorcyclists, pedal cyclists and pedestrians represent 53% of the killed and seriously injured casualties on our roads in 2014. The number of cyclists killed or seriously injured on our roads has been increasing since 2005, reaching 67 in 2014, which represents nearly 16% of all road users suffering significant injuries. Improving safety for cyclists will help to promote and enable healthier travel in the county. Motorcycles form approximately 1% of the traffic but approximately 27% of killed and seriously injured casualties on North Yorkshire's roads.

The principles of education, engagement, enforcement and engineering will continue to be used to address road safety issues and are closely integrated with Public Health work to prevent casualties and to promote healthier, active travel choices for all ages. We will:

- actively coordinate the work of numerous agencies to reduce the number of casualties on our roads through our local Road Safety Partnership, 95 Alive.
- seek to reduce the occurrence of road collisions where road maintenance or condition is a factor.
- seek any improvements that can be addressed through the development planning process.
- seek to access transport grants that become available to benefit and improve our roads.

### **Why is Access to Services one of our Objectives?**

The importance of transport and good access to services is specifically identified in the Council Plan as a major contributor to achieving our Priorities of 'Opportunities for young people' and addressing 'Loneliness and social isolation'. For most of us, accessing services is the main reason for us needing to travel. NYCC recognises that by working with others, including service providers who have a responsibility to ensure that their services can be adequately accessed by their intended service users/customers, we can facilitate opportunities for everybody to access the services they require.

Our consultation confirms that the majority of people in the County consider their access to services to be good, and whilst this is encouraging it does mean that difficulties with access are generally small scale and often localised. Addressing these can often be more difficult.

The main issues in North Yorkshire with access to services resulting from where people live are concerned with living in a remote or rural area. In most cases, whether living in a rural or urban area, those with access to a car have good access to services. Since our towns are generally well served by commercially operated public transport to access services, the County Council must therefore concentrate its resources on facilitating access to services for those living in very rural areas that do not have access to a car.

Adequate and timely highway maintenance of the roads and footpaths (including winter snow clearance) can have the biggest impact on accessing essential and non-essential services. The Highway Infrastructure Asset Management Plan outlines the strategic approach for managing the whole of the highway network and details how the Council will deliver our highway maintenance policies.

It is recognised that the bus network is relied upon for connecting those without a car to travel to places of work, education etc. Helping to maintain core daytime bus services enables those without access to a car to reach essential and non-essential services for work, health, retail, leisure and socialising.

We will continue to provide home to school transport for those children who qualify under criteria set out in current legislation. Assistance with transport will be provided to students aged 16 to 18 years old who meet the eligibility criteria.

Reduced access to facilities and services within towns and villages can be caused by severance. Maintaining our existing crossing facilities to ensure they are in good condition, are functional, and are fit for purpose reduces severance in towns and villages.

Economic deprivation can be an issue for travel as the cost of owning a car increases. It is therefore important that our public transport network provides a daytime service to support travel to and from the main employment areas in the County.

### **Why is Environment and Climate Change one of our Objectives?**

Protecting the environment and preventing climate change is ever present on the agenda for transport management. Our consultation showed us that the environment and climate change remains of high importance to our residents. We cannot directly influence the majority of travel choices for those in the County, however where appropriate we will promote sustainable travel. We will encourage staff to travel to work using sustainable modes like buses and trains, walking and cycling, and will promote car sharing and combining trips.

We have a commitment to sustainable development and design. As outlined in the County Council's Highway Maintenance Plan 2006 we will apply the principles of sustainable development via the increased use recycled materials and by the adoption of a whole life costing strategy for treatment identification and selection. We will also consider the need to safeguard the biodiversity and geodiversity of the County's environment in the maintenance and improvement of the highway network through the use of environmental scoping assessments and where appropriate full Environmental Impact Assessments (EIA).

It is recognised that increased congestion and traffic levels can lead to an increase in noise and pollution. The seven district councils have a statutory duty under the Environment Act 1995 to carry out air quality monitoring for a number of pollutants listed in the national air quality objectives, and to take action when air quality problems are identified. The County Council has a duty to work with the district councils to try to improve air quality where it is related to traffic on the County Council's roads. There are four designated traffic related Air Quality Management Areas in North Yorkshire: Knaresborough; Ripon; Malton; and Selby (declared in 2016), and a further sites at Richmond, Bedale, Northallerton, Scarborough, Harrogate, and Tadcaster which have exceeded or are predicted to exceed air quality limits. We will work with District Councils and other partners to help reduce transport related pollution across the whole highway network, especially at AQMA sites and for new highway schemes.

### **Why is promoting healthier travel one of our objectives?**

This objective aims to address the health aspects linked to transport, by encouraging healthier travel such as walking and cycling, and by reducing some of the negative effects of transport, such as air pollution.

Transport affects the health of everyone. We spend a good proportion of our time each day travelling. This may be to the local shops, the doctors, to work or to school. Both the Joint Strategic Needs Assessment for North Yorkshire and various other health studies have highlighted the importance of regular exercise in achieving and maintaining a healthy lifestyle, and one of the best ways of achieving this is to incorporate it into our regular routines, such as our travel methods. It is recognised that the best and easiest opportunity



for incorporating regular exercise into everyone’s daily routine is through ‘active travel’. By incorporating healthier travel options into our journeys, we can help meet both transport and health objectives as well as reducing carbon emissions and making air quality improvements.

We will continue to encourage people to choose active travel by communicating the health, financial and environmental benefits. We will also aim to reduce the real and perceived risks of road accidents and fears about personal security that are often associated with active travel modes.

Where possible, appropriate and affordable we will maintain and provide the infrastructure (footways, crossings, cycle routes etc.) that will allow people to make the switch to walking and cycling. We will seek improvements through any transport grants that become available such as the Local Sustainable Transport Fund. We will also seek to ensure that within any new development provision of suitable facilities to encourage healthier travel choices is made.

As the highway authority we will work closely with the District Councils to address any air quality issues that arise from traffic on our highway network, especially where an action plan has been developed for a management area.

Our key commitments relating to each of the themed areas or modes are:

<p><b>Strategic Transport</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• complete a comprehensive Strategic Transport Plan, which will set our key strategic transport priorities, proposed schemes and interventions and how we propose to work with key delivery partners.</li> <li>• develop proposals for improvements to east west corridors from the east coast and our eastern boundaries to our boundary with Lancashire</li> <li>• continue to upgrade existing and develop new traffic models, to help assess the impacts of new developments on the transport network and to identify what infrastructure is required to support proposed new developments.</li> <li>• work closely with key delivery partners such as TfN, Network Rail, Highways England, LEPs and neighbouring authorities, in the delivery of key transport projects, both road and rail based.</li> </ul>	<p><b>Network Management</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• meet the Network Management Duty as defined in the Traffic Management Act 2004;</li> <li>• ensure that planned and unplanned activities on the highway network are managed to minimise congestion and disruption of traffic flows;</li> <li>• keep traffic moving by aiming to minimise congestion and disruption on the highway network;</li> <li>• provide accurate information to inform people about network disruptions and diversionary routes;</li> <li>• liaise with adjacent authorities and other key stakeholders to ensure the effective movement of traffic on our local road network as well as on road networks for which other authorities are responsible.</li> </ul>
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<p><b>Highway Maintenance</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• continue to prioritise the management and maintenance of the highway network;</li> </ul> <p>continue to operate and improve a Highway Infrastructure Asset Management (HIAMP) approach to maintaining the highway to ensure that we get the best value from our limited funding.</p>	<p><b>Bridges and Structures</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• maintain all the structures owned and maintained by the authority so that they are fit for purpose and safe to use;</li> <li>• examine all structures in accordance with the Code of Practice for Highway Structures and BD63/07 Inspection of Highway Structures.</li> </ul>
<p><b>Planning and New Developments</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• proactively contribute to the planning process in the role of the Local Highway Authority, one of the Statutory Consultees in the planning process;</li> <li>• remain committed to providing advice to the planning authorities that is professional, defensible, in accordance with standards, and based on the application submitted when considering developer proposals;</li> <li>• continue to secure appropriate developer funded mitigation to ensure new development will not create future issues for NYCC as LHA whilst ensuring the mitigation is also acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development;</li> <li>• ensure developer funded highway works are delivered using the most appropriate mechanism;</li> <li>• maintain the LHA support and advice to the LPAs in the preparation of their development plans;</li> <li>• continue to work with external partners to bid for and secure external funding to deliver infrastructure to facilitate development;</li> <li>• progress the preparation of local policies and protocols to assist with assessing the impact of development on the highway network in North Yorkshire.</li> </ul>	<p><b>Walking and Cycling</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• continue to prioritise the maintenance of our existing infrastructure for walking and cycling (including footways, roads, and cycle tracks) over the provision of new facilities;</li> <li>• seek appropriate high quality provision for walking and cycling within and linking to all new developments;</li> <li>• continue to consider requests and where appropriate and affordable provide alterations to the pedestrian network to enable improved access for individuals with mobility difficulties;</li> <li>• work with public or voluntary sector partners to further develop any ideas for new cycling infrastructure where there is a specifically identified source of funding. (We cannot commit time and resources to developing aspirational plans where there is no realistic funding source);</li> <li>• work with public and voluntary sector partners (including the Borough Council led Harrogate and Scarborough Cycling Forums) to develop Department for Transport / Local Authority Walking and Cycling Partnerships with a view to attracting investment in walking and cycling from the Governments Cycling and Walking Investment Strategy.</li> </ul>

### **Rights of Way**

We will:

- ensure maintenance of Rights of Way outside the National Parks is taken care of by our countryside access officers, area rangers and a team of countryside volunteers;
- strive to record all active Rights of Way on the Definitive Map together with the Yorkshire Dales and North York Moors National Park Authorities;
- consider funding works on Rights of Way from LTP money when those works make a significant contribution to the LTP objectives;
- work with the Local Access Forum to improve public access to land for the purposes of open-air recreation, and the enjoyment of the area, whilst considering the needs of both the users of those Rights of Way, and land owners or occupiers over which a right of way exists.

### **Traffic Engineering**

We will:

- continue to prioritise collision sites and implement improvements to reduce the number and severity of collisions;
- continue to prioritise fatal collisions and carry out investigations in accordance with the timeframes set out in the County Council's Fatal Collision Procedure. Any recommendations necessary as a consequence of the fatal collision will wherever possible be implemented within 6 months;
- ensure road safety audits are carried out on highway improvement schemes;
- improve the traffic signal infrastructure and the method of control at traffic signal installations across the County.

### **Funding**

We will:

- spend all of our Local Transport Plan capital allocation on transport;
- recognise the importance of the condition of the highway network to all forms of transport and therefore use approximately two thirds of the Integrated Transport allocation to help improve highway maintenance until 2020/21;
- develop a series of proposals for strategic transport improvements for which we will bid for funding from future allocations from the Local Growth Fund through the Local Enterprise Partnership;
- where appropriate and feasible continue to seek funding for the management, maintenance and improvement of local transport networks and services from alternative sources for example ad-hoc government grants, developer funding etc.

### **Street Lighting**

We will:

- endeavour to keep all street lighting fully operational by undertaking proactive maintenance to all equipment on a fixed maintenance cycle;
- rectify street lighting defects on a prioritised basis;
- continue to implement a replacement programme to remove The consultation for LTP4 showed that people still think that keeping our current transport services and infrastructure in good condition is more important than providing new services and infrastructure.
- the older most inefficient lighting and replace it with new energy efficient LED lighting;
- continue the Council's energy reduction strategy which aims to reduce street lighting energy consumption by approximately £400k per year with an associated reduction in carbon emissions of over 3000 tonnes;
- install new street lighting in line with Council policy, for example, at new housing developments, and all roundabouts.

<p><b>Air Quality and Noise</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• cooperate with district councils to try to mitigate the impact of transport on air quality, especially where an AQMA is already, or likely to be, declared;</li> <li>• encourage the use of more environmentally friendly modes of transport such as walking and cycling and the use of public transport, particularly within urban areas;</li> <li>• work with Defra and any other relevant authority on Noise Action Planning where possible and within our available financial resources;</li> <li>• continue to seek to reduce the impact of transport related noise from the existing network where this is feasible and increase the take up of sustainable travel modes.</li> </ul>	<p><b>Road Safety</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• adopt the internationally recognised Safe Systems Approach to how we manage and maintain our road network;</li> <li>• appoint an elected member who will act as Road Safety Champion and advocate for road safety;</li> <li>• continue as a leading partner in the 95 Alive York and North Yorkshire Road Safety Partnership;</li> <li>• deliver appropriate and effective public information and training programmes to promote safe use of the road network;</li> <li>• seek any improvements that can be addressed through the development planning process;</li> <li>• seek further improvements through any transport grants that become available.</li> </ul>
<p><b>Buses and Community Transport</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• look at innovative ways of enabling people to access services they need and remain active and independent in their communities;</li> <li>• assist the commercial sector to help facilitate access to services across North Yorkshire;</li> <li>• consider our duties under transport and equalities legislation to decide whether the commercial network caters sufficiently for the needs of the community having regard to the transport needs of members of the public who are elderly or disabled. We will consider whether there is a need to procure additional services and what funding is available to deliver these;</li> <li>• prioritise the provision of services which meet the day-to-day transport needs of local communities, where core daytime services are retained and lower priority evening, Sunday or tourist services may be reduced or withdrawn;</li> <li>• support community transport to contribute to our overall objectives, providing financial support within approved available budgets.</li> </ul>	<p><b>Rail</b></p> <p>We will:</p> <ul style="list-style-type: none"> <li>• continue to work with Rail North, the Association of Rail North Partner Authorities and other sub national bodies to influence and manage the TransPennine and Northern franchises;</li> <li>• continue to work with and influence the Department for Transport, Transport for the North, Network Rail and Train Operating Companies to seek to achieve the best conventional and High Speed rail services for residents and transport users in North Yorkshire;</li> <li>• review the facilities at each railway station in North Yorkshire and work with stakeholders to help deliver an agreed standard for our stations, and identify further opportunities for improvement or potential sites for new railway stations;</li> <li>• continue to work with and support the Community Rail Partnerships in North Yorkshire and help to implement agreed business plans;</li> <li>• actively support opportunities for line re-openings but only where these are demonstrated as of National or pan North of England importance.</li> </ul>

**Document Control**

<b>Title</b>	Local Transport Plan 4
<b>Document Type</b>	Policy
<b>Author</b>	
<b>Approved By</b>	County Council
<b>Approval Date</b>	Feb 2016
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<b>Reviewing Officer</b>	Transport and Transport Service Unit
<b>Links to other NYCC documents</b>	

**Revision History**

<b>Date</b>	<b>Revision No.</b>	<b>Reason for Revision</b>
Feb 2016	001	For Issue

# **North Yorkshire County Council**

## **Local Transport Plan 2016 – 2045**

### **LTP4**

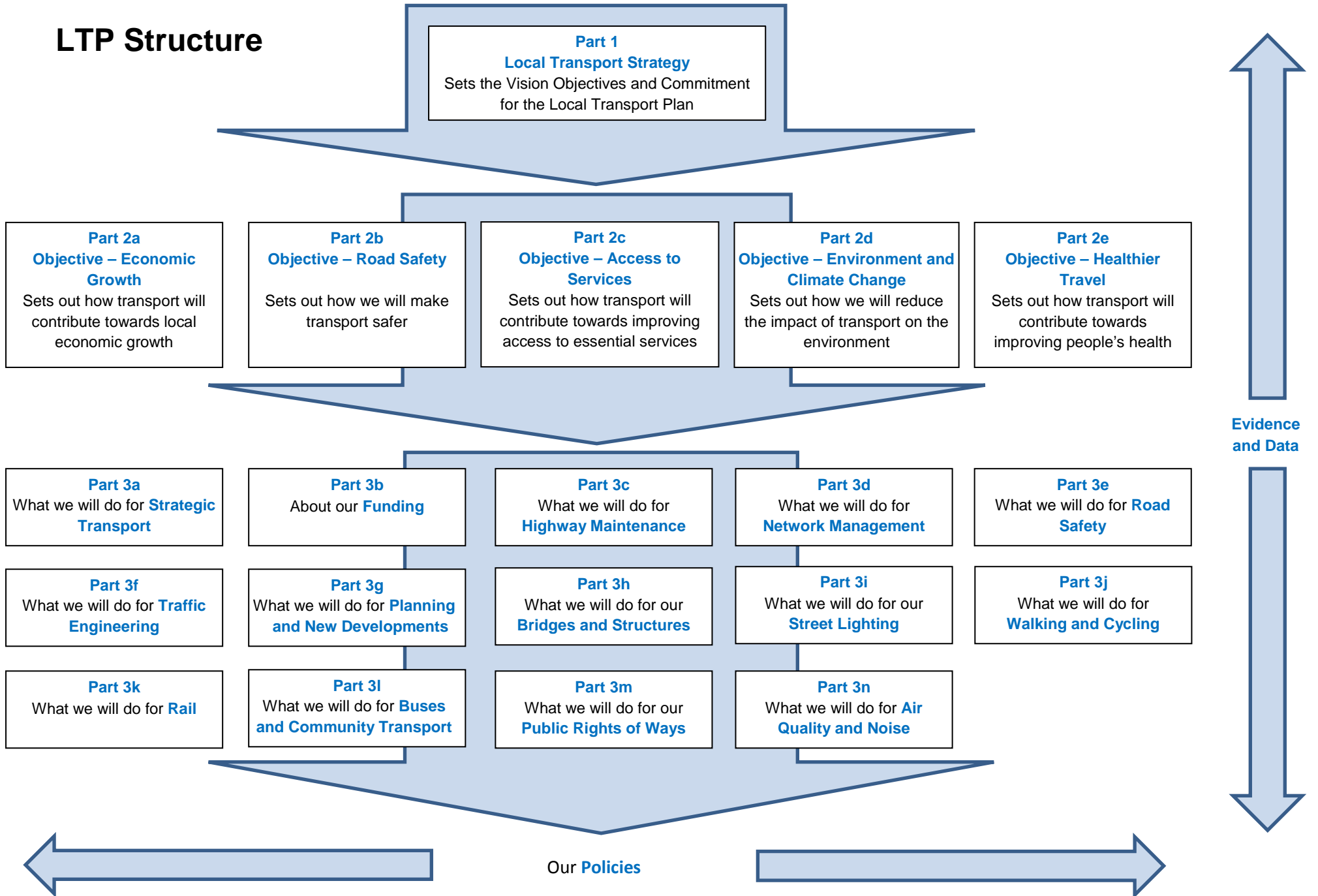
## **Devolution Note**

At the time of writing this Local Transport Plan (Autumn 2015) the County Council along with other local authorities in Yorkshire are in discussions with central Government about the potential devolution of powers and funding to a combination of Yorkshire authorities. At present there are a number of different proposals being discussed all of which include some devolution and or transfer of the County Councils transport related powers to a new combined authority. These are mainly associated with the delivery of large scale strategic transport infrastructure improvements.

Whilst any successful devolution proposal would undoubtedly impact on the way in which the proposals set out in this Local Transport Plan would be delivered it is unlikely to fundamentally change the transport issues identified or the specifics that we aim to deliver as the problems and solutions will not be changed by devolution.

This Local Transport Plan (in particular, Part 3a - Strategic Transport) has been prepared with potential devolution in mind and as such will remain relevant whatever delivery mechanism results from the devolution proposals.

# LTP Structure





# Local Transport Strategy

**Part 1**

# 1 - Local Transport Strategy

## Vision

Our vision is that 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 is the shared Vision for the future of our County adopted in the North Yorkshire Community Plan by all the local authorities in North Yorkshire. The NYCC Council Plan further identifies the following five priorities where we can provide leadership and where intervention is needed to overcome some of the on-going issues that affect the lives of people within the county:

- Opportunities for young people
- Tackling loneliness and social isolation
- Transport links
- Economic opportunity for all parts of the county
- Broadband connectivity

These five key priorities guide all of the services that the County Council provide. This document, the fourth North Yorkshire Local Transport Plan (LTP4), sets out how the transport services and infrastructure provided by the County Council and partners aim to contribute towards our shared Vision and the five NYCC Council Plan priorities.

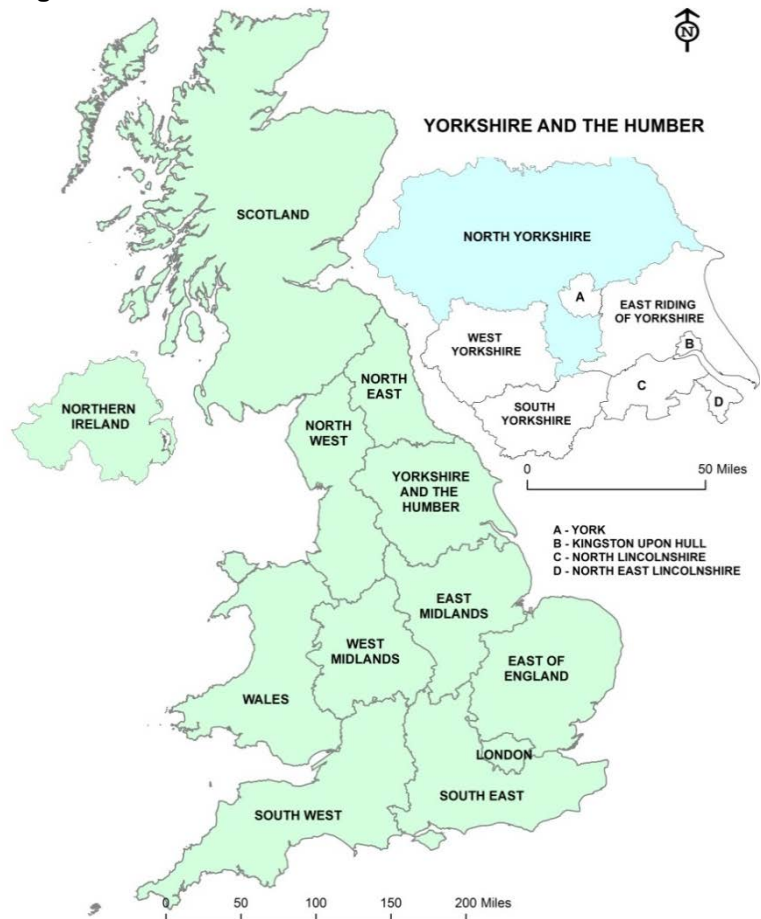
## North Yorkshire

North Yorkshire is England's largest county and covers an area of 3,200 square miles (8,300km<sup>2</sup>).

Approximately 600,000 people live in the County, mainly in 28 main settlements spread around the County. There is also a very significant rural population living in smaller villages and communities.

There are approximately 5,600 miles (9,000km) of road, 2,700 miles (4,400km) of footway and over 2,000 bridges in North Yorkshire. North Yorkshire County Council is the Local Highway Authority for the County and is responsible for the management of most of these roads (excluding trunk roads and motorways such as the A1 and A64 which are

Figure 1-1 North Yorkshire in context

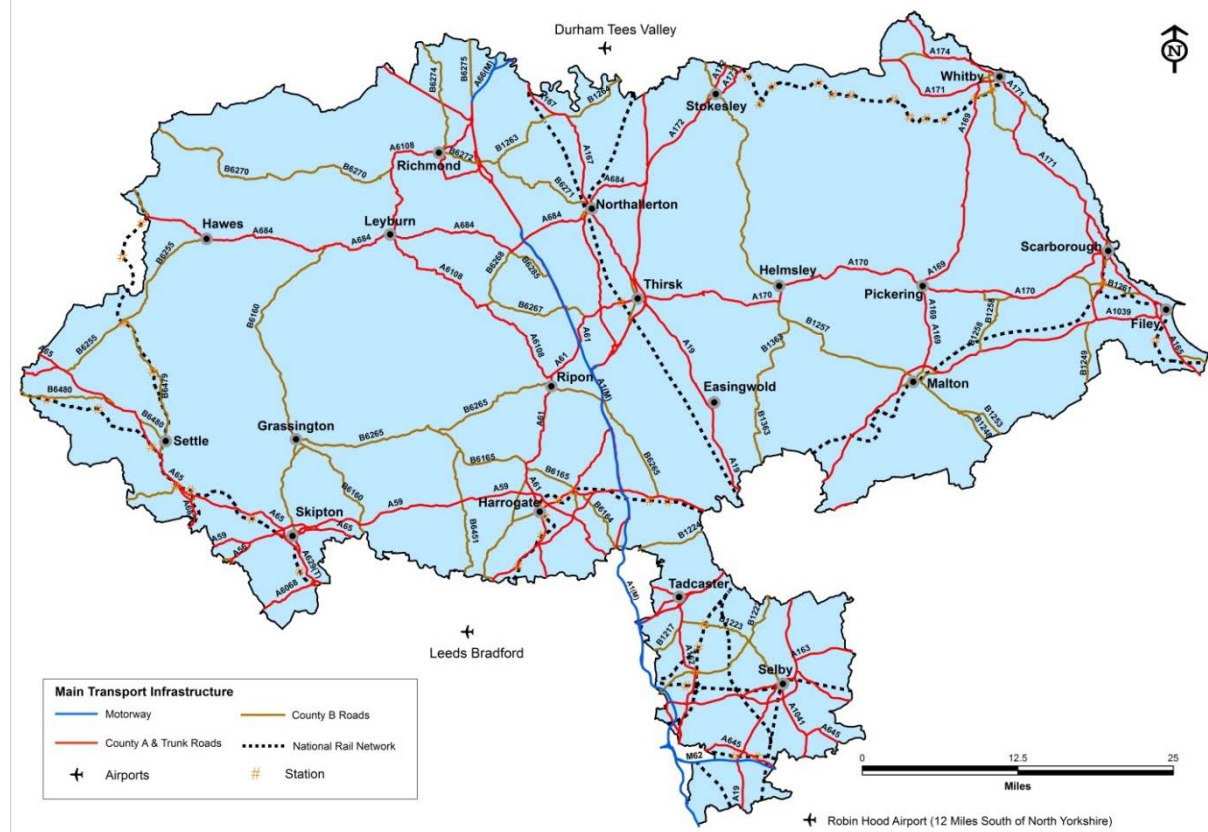


managed by Highways England). The main transport networks (road and rail) are shown in Figure 1-2.

There are ten Local Planning Authorities (LPA's) covering North Yorkshire. The seven district councils (Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Scarborough and Selby) and two National Park Authorities (North York Moors and Yorkshire Dales) are the main development planning authorities. These LPA's prepare the Local Plans which set out where new housing and employment development should take place. They are also the authorities which consider and grant planning permissions for specific sites. The County Council are also a LPA for matters relating to Minerals and Waste disposal outside of the National Parks.

New developments are by far the main contributor to the growth in demand for travel and therefore traffic growth. It is therefore essential that we continue to work together to ensure that land use planning (e.g. Local Plans) and transport planning (LTP) are integrated.

**Figure 1-2 Main transport infrastructure in North Yorkshire**



## Objectives and Commitment

In preparing the Local Transport Plan the County Council have carried out consultation with the Public, our Stakeholders (such as user groups) and partner organisations (such as District Councils).

This consultation shows that their views on what is important for transport have not changed significantly since we adopted our previous Local Transport Plan (LTP3 – 2011-2016). In no particular order boosting the economy, safety, getting access to essential services and the impacts of transport on the environment remain important.

Based on the evidence collected annually, data from census and from our consultation responses, the County Council have decided to adopt the Objectives as set out below.

- **Economic Growth** - Contributing to economic growth by delivering reliable and efficient transport networks and services
- **Road Safety** - Improving road and transport safety
- **Access to Services** - Improving equality of opportunity by facilitating access to services
- **Environment and Climate Change** - Managing the adverse impact of transport on the environment
- **Healthier Travel** - Promoting healthier travel opportunities

This is what we hope to achieve through our transport services. Further information on each of these Objectives can be found in Part 2 of LTP4.

These LTP4 Objectives also directly or indirectly contribute towards all of the NYCC Council Plan key priorities. For example the 'economic growth' LTP Objective directly relates to how transport contributes towards the 'Economic opportunity for all parts of the county' Council Plan priority, and the 'access to services' LTP Objective identifies how transport can contribute towards the 'Opportunities for young people' and the 'Tackling loneliness and social isolation' Council Plan priorities.

As with LTP3, the money available for the implementation is, and is likely to remain, significantly less than we would ideally like. We therefore need to ensure that we use the best and most cost effective means of achieving our objectives. For LTP3 the County Council adopted a commitment to manage, maintain and improve transport networks and services' as a hierarchy of intervention.

The consultation for LTP4 showed that people still think that keeping our current transport services and infrastructure in good condition is more important than providing new services and infrastructure.

We will therefore re-adopt this commitment for LTP4.

**Our Commitment:** To manage, maintain and improve transport networks and services.

Our commitment is therefore to:

**Manage** the transport network and services to make the best use of what we already have. This may involve things like better coordination of roadworks to reduce congestion and delays and encouraging more people to use public transport to reduce the number of cars causing congestion and pollution. In most cases these types of management measures are relatively low cost. The County Council has a statutory duty to manage the highway network.

**Maintain** transport networks and services to an appropriate and affordable standard. Measures could include better maintenance of footways to encourage more people to walk, making sure roads are in a good state of repair to reduce accidents or providing support for a suitable network of public transport services. These types of measures are likely to be more expensive than management measures but cheaper than improvement measures. Highways maintenance is also a statutory duty for the County Council.

**Improve** transport networks and services to supplement what we already have. Unlike management and maintenance, this is primarily a discretionary power for the County Council and must therefore take a lower priority than action to fulfil our statutory duties. However, where management or maintenance cannot address a transport related issue we will aim to provide appropriate new infrastructure or services. This will of course be considered in the light of available resources. Schemes may range from supporting new community transport services, new sections of footways or crossing facilities through to new park and ride sites and services, major bypasses or road and rail upgrades. These types of improvements tend to be much more expensive than management and maintenance measures.

## Timeframe

Previous Local Transport Plans have had a fixed five year timeframe necessary to comply with legislation. In 2012 the legislation changed and whilst having a Local Transport Plan remains a statutory duty for the County Council it no longer has to be for a fixed five year timeframe.

Major road and rail improvements generally take between ten and twenty years to progress from just an idea to being built. Recognising this, and the need to look forward to what we want North Yorkshire to be like in the future, this Local Transport Plan will consider a thirty year time period until around 2045.

This is a long time period but is necessary to allow long term planning for transport, for housing and for economic growth in the County. However, for planning purposes the Local Transport Plan will consider transport needs in the:

- Short Term (0 to 5 years)
- Medium Term (6 to 15 years)
- Long Term (16 to 30 years)

Plans in the short term are likely to be more detailed, have firm funding identified and be much more 'ready to go' than plans in the medium term and longer term which will become more aspirational the further in the future they are.

## **Scale**

This Local Transport Plan will consider transport on all levels of scale. We will consider the scale of what we want to do. For highway maintenance this may range from how we will decide which individual potholes to repair to which bypasses need resurfacing. For improvements it could range from how and where we will install dropped kerbs to help wheelchair users cross the road, to where we want to build £100m bypasses.

At the smaller scale (e.g. potholes) it will set out how we will do things rather than what and where we will do them since there are simply too many in the County (thousands) to have a long list of specific plans. At the larger scale (e.g. bypasses) we will have much more specific plans of what and where we want to build.

We will also look at things at different geographical scales, from the needs of a single street, village or town to how transport in North Yorkshire can contribute towards The Northern Powerhouse<sup>1</sup> and indeed the transport systems and long term economic well-being of the whole of the UK.

## **LTP Structure**

The first page of this LTP graphically represents the structure of the document. LTP4 is a four tier document.

The top tier (Part 1- Local Transport Strategy) sets out the context of the Local Transport Plan and our Vision, Objectives and Commitment for transport in North Yorkshire.

The second tier (Part 2 – Objectives) sets out further details of the main challenges to be addressed for each Objective and the approach the County Council and partners will take to achieving each Objective.

The third tier (Part 3 – Themes) considers transport based on themes (e.g. highway maintenance or bridges) and modes (e.g. buses or walking and cycling) and sets out in more detail what we will do, will not do and what others can do to improve transport.

The fourth tier (Part 4 – Policies) sets out the County Councils specifically adopted policies which are generally related to a specific theme or mode. It ranges from the Highway Infrastructure Assets Management Plan which sets out our whole approach to highway maintenance to specific policies on for example when, where and how we will install brown tourist destination road signs.

In general the Local Transport Plan will not set out programmes of specific schemes and initiatives. For the smaller schemes and initiatives (up to around £5m), the County Council

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<sup>1</sup> See Part 3a – Strategic Transport for more information

prepare and publish a two year rolling programme. For larger schemes and initiatives (over around £5m), these are likely to be delivered as and when funding is made available.

Importantly, and unlike previous Local Transport Plans, LTP4 does not try to include everything that the County Council will do for transport. Instead it will concentrate on the main things we will do, those that will have the biggest impact on achieving our objectives.

However, just because something is not included in the Local Transport Plan does not mean that it is not important or that the County Council will not do it. To achieve our Objectives we need to take a wide variety of actions and it is not possible to include them all in one readable document.

## **Funding**

Most of the funding for delivery of the Local Transport Plan is provided by the Government in the form of block allocations, or through bids for specific grants.

The Government have provided indicative capital funding allocations until 2020/21 for the delivery of the Local Transport Plan. These allocations amount to approximately £32m per year. Day to day management of the highway network and subsidies for bus services and community transport is provided from Government revenue grants and council tax income. In total the County Council has approximately £75m per year<sup>2</sup> to spend on transport, however in the context of a population of around 600,000 people and a road length of over 9000km we are still very limited with what we can achieve.

In addition to these allocations there are a number of other ad hoc grants available usually through bids to Government. The County Council has previously been very successful in getting funding for North Yorkshire from these grants with successful bids for over £60m in the period 2012 to 2014. We will continue to take every appropriate opportunity to bid for additional funding for transport in North Yorkshire.

In addition to public sector funding for transport, significant sections of transport infrastructure and funding contributions are provided by the private sector. These are usually associated with new housing and other land developments<sup>3</sup>. Whilst these are mainly to enable the new development to be built or to mitigate for traffic and transport problems caused by the new development they often also have a beneficial side effect for existing transport users.

## **Reviews of LTP4**

LTP4 sets the County Councils transport strategies and plans for the next 30 years (to 2045). It is not however intended to set these in tablets of stone. Many things will inevitably change before 2045. The County Council will therefore undertake a review of LTP4 every 5 years to update and amend it to take account of changing circumstances. Additionally, the

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<sup>2</sup> See Part 3b – Funding for more information

<sup>3</sup> See Part 3g – Planning and New Developments for more information

tiered and modular nature of LTP4, allows individual themes, plans or policies to be reviewed, refreshed and renewed as and when appropriate. It will also allow for additional themes, plans and policies to be added if and when necessary.



# Objectives

**Part 2**

## 2a – Economic Growth

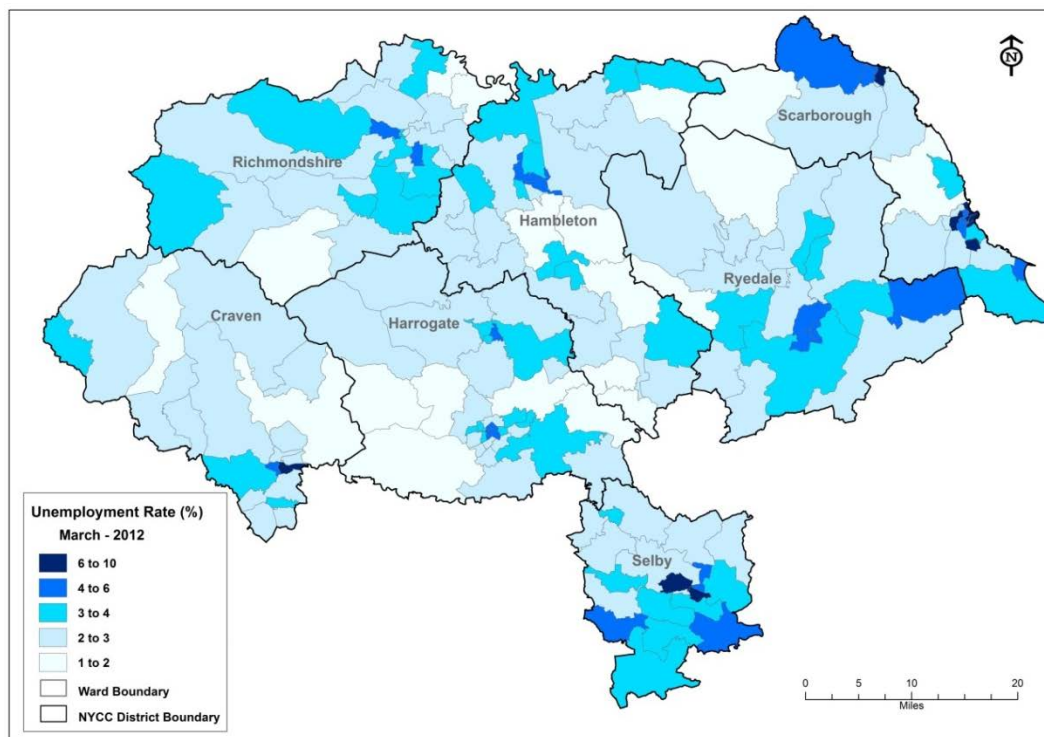
### Why is Economic Growth one of our Objectives?

Transport is essential to the health of our economy. It allows people to travel to work, it allows companies to transport raw materials and finished goods and it allows people to go to the shops. Almost every aspect of business and the economy relies on transport; even internet shopping generally requires transport to deliver the goods.

'Economic opportunity for all parts of the county' is one of the County Councils five priorities identified in the Council Plan. We therefore need to make sure that our transport networks and services are as reliable and efficient as possible to both support the existing economy and to help facilitate future economic growth. We want to make sure that strong economies in North Yorkshire remain strong and to ensure economic growth benefits the weaker economies.

As well as promoting economic growth we also need to ensure that the impacts of economic and housing growth on the transport networks are managed both by ensuring growth is located in a way that facilitates sustainable transport and by ensuring necessary new infrastructure is provided.

**Figure 2a-1 North Yorkshire Unemployment Rates**



**Figure 2a-1** above shows the unemployment rates in North Yorkshire. Unemployment is one indicator of the economic performance of an area. A much more detailed analysis of the economic strengths and weaknesses of North Yorkshire can be found in the York, North

Yorkshire and East Riding Strategic Economic Plan<sup>1</sup>. There are many different reasons for the relative performance of the local economies in different areas and transport is just one of these.

The County Council will consider all transport related constraints on economic growth but has prioritised the issues of highway maintenance, traffic congestion and peripherality.

## Highway maintenance

All journeys use the highway network (roads, pavements, cycleways etc.) for at least part of the trip. People walk on pavements and cycle on cycleways. The roads are used by cars, cycles and buses to get people to work. Lorries also use the roads to make deliveries. Even sea, air and rail journeys generally start and finish on the highway network.

North Yorkshire's highway network is vast<sup>2</sup> and the budget needed to keep it in a good condition is therefore also vast. In common with the rest of the UK, years of underfunding by successive Governments have resulted in the condition of many of our roads deteriorating. This causes economic problems for commuters and businesses as a result of slower journey speeds and delays at unplanned road works.

As the highway is the main network for travel in North Yorkshire and since it affects everyone, maintaining our highway network is the County Councils highest transport priority. For many years the County Council has prioritised the maintenance of the higher category, busier roads in the County but inevitably this has resulted in the lower category quieter roads deteriorating more quickly. In 2014 only 3% of our busier 'A' roads needed maintenance compared to around 25% of the quieter unclassified roads.

The relatively poor condition of the minor road network tends to have a greater impact on the remoter, more sparsely populated rural areas of the County and is one of the contributing factors to the poorer economic performance in these areas.

Despite recent increases in the funding available for highway maintenance from the Government there is still a significant funding gap between what is available and what we need. However, in recent years the County Council has been very successful in obtaining additional funding for highway maintenance and we are starting to arrest the deterioration of the network. For the period 2015/16 to 2020/21 we have managed to find an additional £39m (£24m from the Governments Local Growth Fund and £15m from County Council reserves) to help maintain our roads. The County Council will continue to seek additional highway maintenance funding.

To make sure that we get the best possible highway maintenance outcomes for our limited money we have adopted an approach to how and when we maintain our roads called Highway Infrastructure Asset Management<sup>3</sup>.

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<sup>1</sup> [www.businessinspiredgrowth.com](http://www.businessinspiredgrowth.com)

<sup>2</sup> See Part 1 - Local Transport Strategy for more information

<sup>3</sup> See Part 3c - Highways Maintenance for more information

## Tackling congestion

In North Yorkshire the majority of traffic congestion occurs in our main towns. Traffic congestion, as well as causing environmental problems, leads to long and unreliable journey times for business travel and commuters. This results in lost, unproductive time sitting in traffic queues as well as unpredictable arrival times for deliveries and workers. With businesses increasingly embracing the efficiencies of 'just in time' deliveries they often see journey time reliability as being more important than the actual journey time.

Traffic congestion is caused when the amount of traffic that wants to use the roads is more than they can cater for. Congestion usually occurs at junctions but spreads back along the road. Traffic congestion can therefore be tackled in one of two ways, by reducing the amount of traffic on the road (demand management) or by increasing the capacity of the road.

Based on traffic flow data, journey time information and local knowledge the County Council have identified 6 main towns as the priority, though not exclusive, areas to tackle congestion:

- Harrogate and Knaresborough
- Scarborough
- Northallerton
- Malton / Norton
- Selby
- Ripon

To tackle traffic congestion the County Council has adopted a combination of measures to both reduce traffic demand and to provide more highway capacity. Further details of these can be found in part 3 of this LTP.

Demand management measures will include both encouraging people to make fewer or shorter journeys and encouraging mode shift (people making journey by modes of transport other than private cars such as walking, cycling<sup>4</sup> and public transport<sup>5</sup>). We will also work with the Local Planning Authorities (the district councils) to seek to manage new development in a way that will reduce the need to travel and therefore minimise their impact on congestion<sup>6</sup>.

We will provide improved capacity on the highway network through very localised improvements such as minor junction improvements, traffic management and improved traffic signals<sup>7</sup> and parking management as well as through major highway improvements such as bypasses<sup>8</sup>.

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<sup>4</sup> See Part 3j - Walking and Cycling for more information

<sup>5</sup> See Part 3l - buses and CT, and Part 3k – Rail for more information

<sup>6</sup> See Part 3g - Planning and new Developments for more information

<sup>7</sup> See Part 3f - Traffic Engineering for more information

<sup>8</sup> See Part 3a - Strategic Transport for more information

However, as is set out in the Local Transport Strategy and in the part 3m, funding for highway improvements is very limited and as such we have a very limited scope for providing highway improvement from our LTP funding. We will however continue to work with planning authorities to ensure that developers contribute towards the costs of highway improvements necessary to accommodate traffic from their development. We will also continue to seek other funding for necessary highway improvements including from Government funds such as the Local Sustainable Transport Fund and Pinch Point funding and through the Local Growth Fund.

## **Addressing the impacts of peripherality**

Peripherality, the distance (or travel time) of areas from each other or from the main transport networks, has a significant impact on local economic performance. Peripherality is an issue at different levels of scale. England could be regarded as peripheral to the rest of Europe, North Yorkshire as peripheral to many of England's major cities and parts of the County as peripheral to the central core of North Yorkshire.

Transport improvements can reduce the impact of this peripherality by providing links between economic areas to help bring economic agglomeration benefits and links to ports and airports to help international business.

In order to help address the impact of the peripherality of North Yorkshire as a whole the County Council are committed to working with Transport for the North (TfN) to both contribute to and share in the benefits of The Northern Powerhouse. By playing our part in bringing together the economies of the North West, Yorkshire and the Humber and the North East we can not only make The Northern Powerhouse stronger but can help grow the economy of the County.

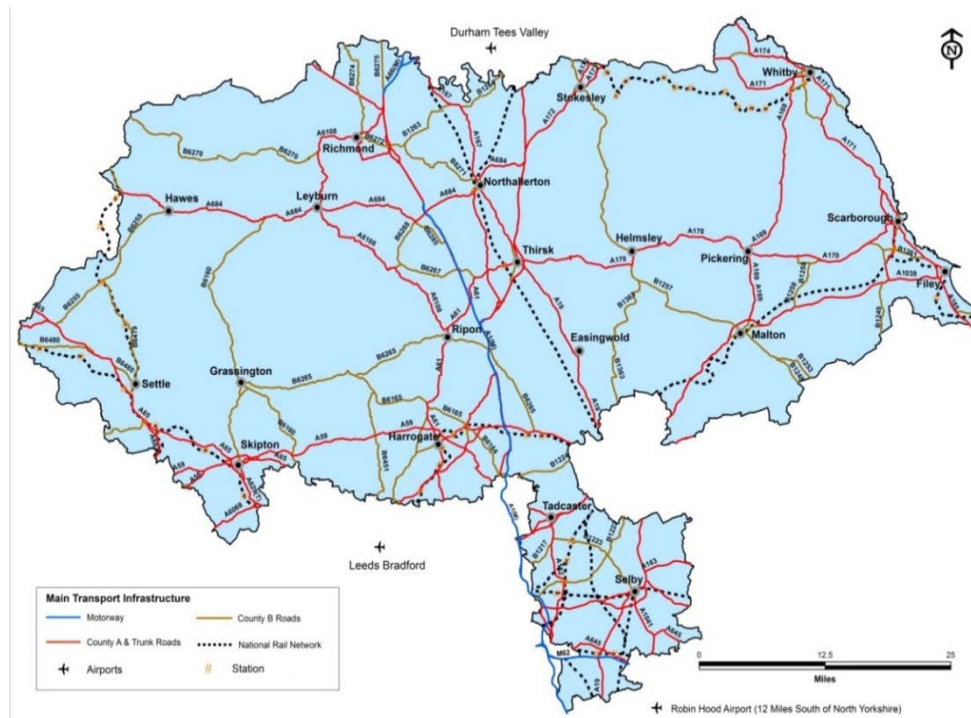
North Yorkshire is part of the Northern Powerhouse and sits adjacent to two City Regions. Improving road and rail connections into these City Regions remains an important element of our strategy to encourage economic growth in 'The North'. To the north the Tees Valley City Region has strong links with the districts of Hambleton and Scarborough. To the south the Leeds City Region has strong links with Craven, Harrogate and Selby districts and for some purposes these three districts are actually considered to be part of the Leeds City Region. We will continue to work closely with these two City Regions to help improve cross boundary transport links for goods and people helping to spread the economic strengths of the City Regions into and across North Yorkshire as well as playing our part in growing the economies of the City Regions.

At a local scale, within North Yorkshire, there are excellent transport links (both road and rail) in the central corridor (e.g. A1(M) and East Coast Mainline) which provide good links between the towns in this corridor and to other parts of the Country. These good transport links have helped establish a strong economy in this corridor. However, there are a number of areas of North Yorkshire where their distance from the central transport corridor results in underperforming economies. In the east of the County this is especially relevant to the coastal communities (including Scarborough, Filey and Whitby) and to areas of Ryedale. In the west of the County this is mainly felt in Skipton and other areas of Craven district,

although in this area transport links into West Yorkshire and East Lancashire are also vitally important.

These peripheral areas of the County also include many of the main tourist attractions in North Yorkshire (coastal resorts and National Parks) and as such their peripherality can be a constraint on what is one of the most important economic sectors in North Yorkshire.

**Figure 2a-2 Main transport infrastructure in North Yorkshire**



Long and often unreliable journey times for employees reduce the available pool of skilled labour for employers. Along with similarly long and unreliable journey times for goods and deliveries these represent a significant additional cost to employers and a major disincentive to businesses locating in the peripheral areas of North Yorkshire.

Just as a result of the distances involved (Scarborough is around 50 miles (70km) from the A1(M) and Skipton being 30 miles (50km) from the A1(M)) major improvements in journey times to these areas are difficult to achieve. The road and rail networks to the peripheral areas are also often of a poor standard which has a major impact on journey time reliability.

As is set out in the North Yorkshire Strategic Transport Plan<sup>9</sup> the County Council has identified a number of priority east–west routes for potential improvement including the A64 between York and Scarborough and the A59 between the A1(M), Skipton and onwards to East Lancashire. This includes the A59 at Kex Gill where road closures have been required, most recently in 2016, as a result of the need for urgent slope stabilisation. Further highway improvements, including the potential re-routing of this key route, are required to maintain east-west connectivity and to build resilience into the highway network.

<sup>9</sup> See Part 3a - Strategic Transport for more information

We are also prioritising a number of rail related improvements such as twin tracking and electrification of the York – Harrogate – Leeds railway and improved access to conventional and future High Speed rail stations.

The scale of the problems means that solutions (such as upgrading roads to dual carriageway) are expensive costing tens or even hundreds of millions of pounds. The County Council cannot provide this scale of funding directly and must therefore bid for funds from the Governments Local Growth Fund. The County Council has however committed significant funding (approximately £300,000 per year) to developing the proposals for improvements on these priority routes to maximise the chances of successful bids into the Local Growth Fund to allow us to deliver these improvements.

## **Conclusion**

Transport problems, be they localised or long distance, can have a major impact on economic performance and can be a major constraint on economic growth. By ensuring our highway network is in the best possible condition, reducing traffic congestion and improving strategic transport links the County Council aims to reduce the transport constraints on the economy and help our residents and businesses become more financially secure. This will help reduce many of the problems of poverty and deprivation which ultimately has been shown to help people live healthier and better lives.

## 2b – Improving road and transport safety

### Why is road and transport safety one of our Objectives?

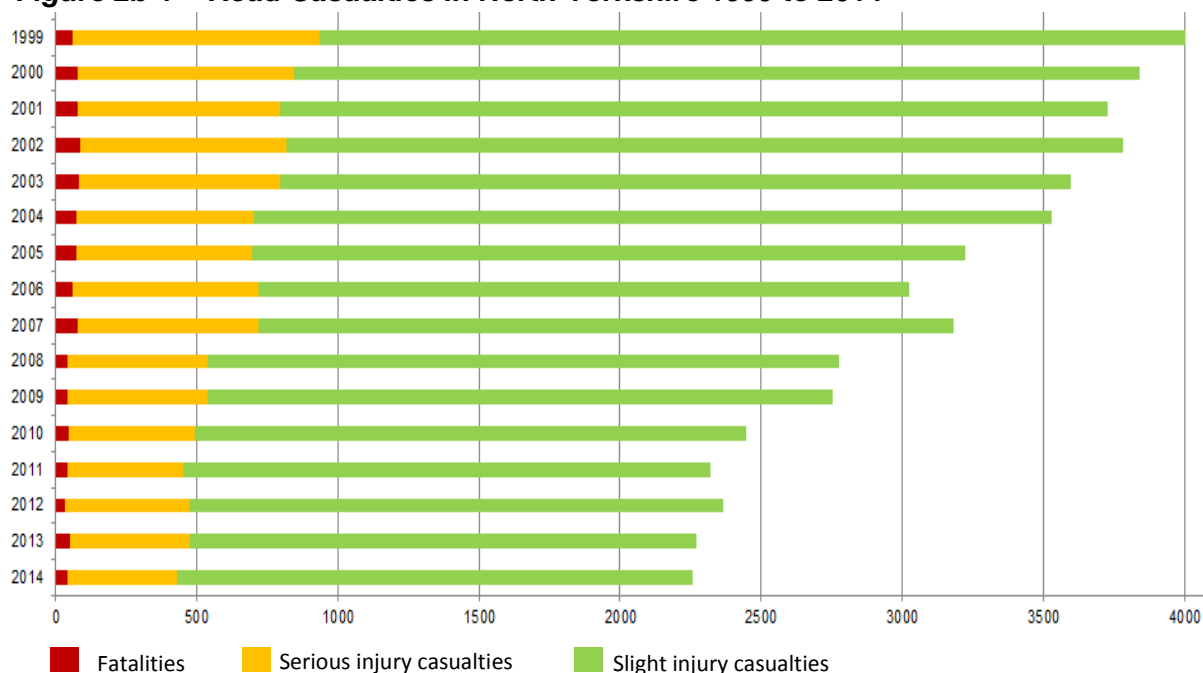
This objective aims to make transport within the County a safer and more secure activity, whether it be for work, leisure, school or shopping, for all types of transport and for all road users such as walking, cycling, driving or as a passenger.

We all use roads in some way and we depend on them to obtain goods and services. They are essential to our everyday lives, and to our economic prosperity. However, one result of everybody's reliance on the network is that 'accidents will happen'.

The County Council has a statutory duty to investigate the causes of road collisions and casualties and to take appropriate action to prevent future collisions. Road collisions are costly. They are costly in terms of human loss and suffering. They are also costly in terms of damage to property, provision of services such as police, medical and insurance, and from lost productivity and delays. It is estimated that in 2013 reported road accidents in Great Britain cost in the region of £14.7 billion<sup>1</sup>. If unreported injury accidents are included, this could increase to about £50 billion.

During the last 15 years in North Yorkshire the number of people who were killed or seriously injured on our roads has fallen from 934 in 1999 to 431 in 2014, whilst slight injuries also fell from 2,997 in 1999 to 1,827 in 2014 (see Figure 2b-1 below). This represents approximately a 45% reduction in annual casualties in 15 years, which is broadly consistent with the national rate of reduction in casualties over the same period.

**Figure 2b-1 Road Casualties in North Yorkshire 1999 to 2014**



<sup>1</sup> RAS60003: Total value of prevention of reported accidents by severity and cost element: GB 2013  
[www.gov.uk/government/statistics/reported-road-casualties-great-britain-annual-report-2013](http://www.gov.uk/government/statistics/reported-road-casualties-great-britain-annual-report-2013)



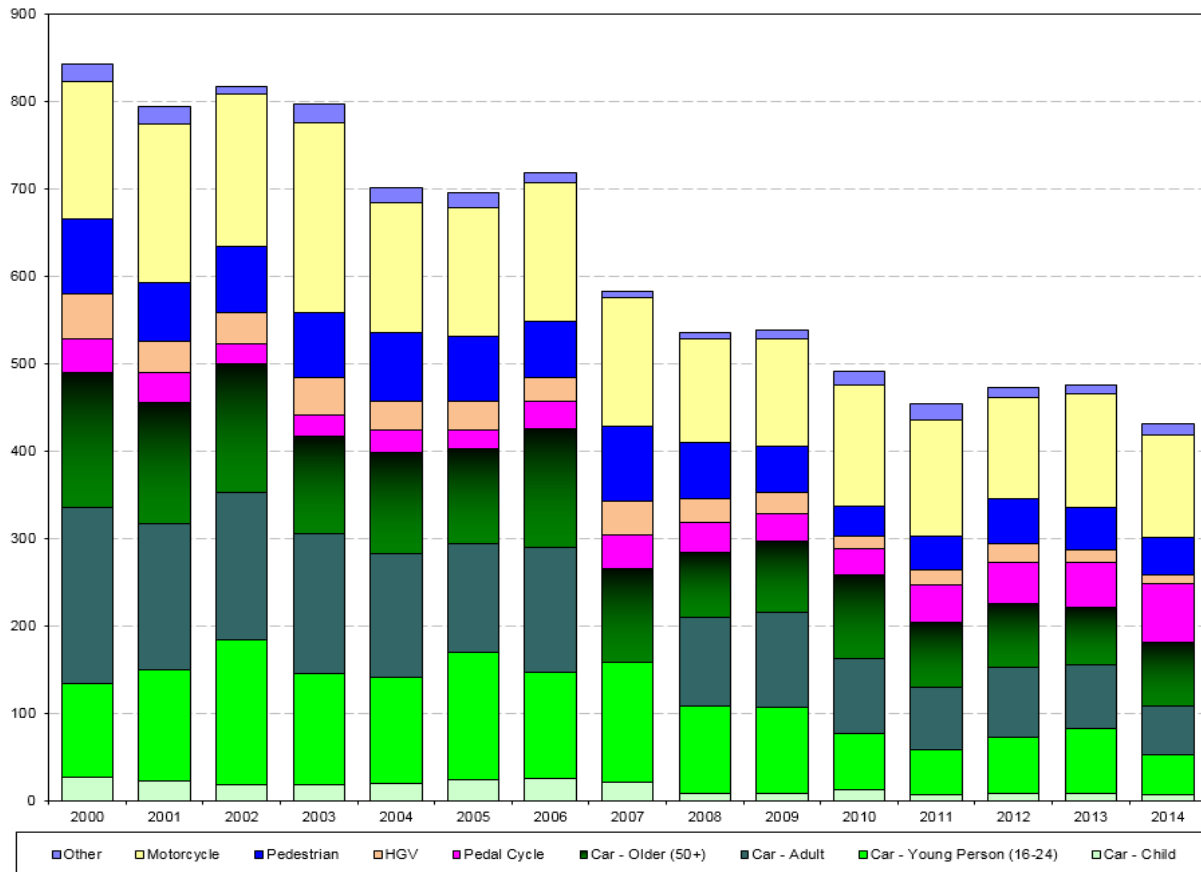
We have been working to reduce the number of crashes and casualties on our roads, despite increasing traffic levels. We founded our road safety partnership, '95 Alive' over 10 years ago, in conjunction with the Police. The partnership now brings together the County Council, City of York Council, emergency services and other local councils and public sector organisations in York and North Yorkshire who have a role to play in road safety. The 95 Alive partnership vision is to:

“Seek to make travelling in York and North Yorkshire safer, and act in a way that inspires the trust and confidence necessary to make people feel safer too.”

However, there is more to do and we will target our resources to address specific, targeted safety concerns, whether they are particular groups of road users, especially vulnerable users, or at particular locations in the county where there are clusters of crashes. The likelihood of being involved in a road collision is not evenly spread across all road users. Some groups are more at risk than others or more vulnerable to injury e.g. cyclists, pedestrians. Figure 2b-2 shows the number of killed and seriously injured casualties on our roads between 2000 and 2014, by user group.

The total number of killed and seriously injured casualties has fallen by 44% in the 14 years shown. Vulnerable road users such as motorcyclists, pedal cyclists and pedestrians represent 53% of the killed and seriously injured casualties on our roads in 2014.

**Figure 2b-2 Killed and seriously injured casualties in North Yorkshire by road user group 2000 - 2014**



Source - Road Safety & Travel Awareness, North Yorkshire County Council

### ***Preventing Injury and promoting healthy and active travel***

In particular, we will seek to coordinate our programme delivery to achieve complimentary Highways and Public Health aims and outcomes, including:

- Reduction of unintentional and deliberate injuries to children and young people
- Reduction in premature deaths and injuries to young people
- Reduction in premature deaths and injuries – all ages
- Contribute to the Public Health Active lives and healthy weight programmes
- Support road user and active travel education in schools in core subjects as well as PSHE through the provision of key stage related curriculum resources and the support of a specialist road safety curriculum adviser.

### ***Motorcycles***

The vulnerable road user in North Yorkshire most over-represented as fatal or serious casualties is the motorcycle rider or passenger. Motorcycles form a small percentage of the traffic but a large percentage of the injuries on North Yorkshire's roads. They are approximately 1% of traffic but account for approximately 27% of killed and seriously injured casualties in 2014. Whilst a reduction in the number of casualties has been achieved since their peak in 2003, they are still too high.

Motorcycling in North Yorkshire is a popular pastime for many bikers who travel to and through the spectacular and challenging roads including the Yorkshire Dales and the North York Moors. This is both a local issue within North Yorkshire and wider regional issue as many of those who are hurt here will transfer back to their home area for recuperation and treatment.

### ***Pedal Cycles***

The number of cyclists killed or seriously injured on our roads has been increasing since 2005, reaching 67 in 2014, which represents nearly 16% of all road users suffering significant injuries.

Cycling in North Yorkshire is rapidly growing in popularity as a sport and for general recreation, since the success of 'Le Grand Depart' of the Tour de France in Yorkshire in 2014, and the first annual Tour of Yorkshire in 2015. Improving safety for cyclists will help to promote and enable healthier travel in the county. Use of cycles for leisure, school or commuting will be more attractive if cyclists perceive their journey as being safe.

### ***High priority crash sites***

The County Council maintains and updates an annual list of sites which have been identified as high priority with regard to collisions. These are sites where there have been four or more collisions within the previous three year period and within a 100 metre radius in rural areas and a 50 metre radius in urban areas. Table 2b-1 shows the distribution of these for the period 2012 to 2014.

**Table 2b-1 Collision Cluster Sites by District – 2012 to 2014**

Borough/District	Rural Clusters			Urban Clusters			Total Clusters		
	No. of cluster sites	No. of collisions in cluster sites	% of total cluster sites	No. of cluster sites	No. of collisions in cluster sites	% of total cluster sites	No. of cluster sites	No. of collisions in cluster sites	% of total cluster sites
Craven	7	31	4.5%	4	17	2.6%	11	48	7.1%
Hambleton	13	60	8.4%	7	36	4.5%	20	96	13.0%
Harrogate	23	117	14.9%	31	154	20.1%	54	271	35.1%
Richmondshire	8	41	5.2%	1	4	0.6%	9	45	5.8%
Ryedale	6	29	3.9%	4	23	2.6%	10	52	6.5%
Selby	15	82	9.7%	7	32	4.5%	22	114	14.3%
Scarborough	6	26	3.9%	22	101	14.3%	28	127	18.2%
<b>North Yorkshire</b>	<b>78</b>	<b>386</b>	<b>50.6%</b>	<b>76</b>	<b>367</b>	<b>49.4%</b>	<b>154</b>	<b>753</b>	<b>100.0%</b>

The majority of these cluster sites are on the main road network, primarily at junctions. They are evenly split between rural and urban locations. We will continue to review and update this identification of high priority sites across the County. By identifying and investigating the types and causes of accidents at these locations, we are best able to identify the most appropriate and cost effective action to take.

The County Council also investigate personal injury collision data on routes (A & B Classified) throughout the county. Routes of concern are highlighted by a new statistical based route analysis tool. Where appropriate a cost effective route based scheme is designed and implemented as soon as possible.

### **Personal Security**

People's lives and travelling are strongly affected by whether or not they feel safe. This 'feel safe' factor can stem from a variety of factors, including the influence of crime and the ability to move safely.

Street lighting is provided primarily to improve road safety but also contributes towards personal security<sup>2</sup>. It is also a deterrent to crime. Recent studies have provided evidence that good street lighting infrastructure can facilitate a reduction in crime and the fear of crime, by increasing visibility and the risk of identification. Improved lighting also has a positive impact on commercial, leisure and tourism activities and can aid pedestrian movement and encourage accessibility to the night time economy, so supporting the County Council's Social Inclusion Strategy, and contributing to greater community cohesion.

However, street lighting contributes approximately 16% of the County Council's annual carbon emissions of approximately 78,000 tonnes. The Government has introduced a carbon tax called the 'Carbon Reduction Commitment' which is intended to encourage energy and carbon saving initiatives. In April 2012 we introduced a Street Lighting Energy Reduction Programme as part of our carbon reduction management programme to reduce

<sup>2</sup> See Part 3i - Street Lighting for more information

energy consumption and carbon emissions. Street lights are considered for dimming technology, part-night lighting provision or removal, and are assessed against a comprehensive list of criteria<sup>3</sup>. Paramount in this assessment is road safety and personal security. It is estimated that approximately 27% of current street lighting emissions can be saved through this programme. Further information on the assessment of street lights can be found in Section 3i – Street Lighting section of this document.

## **How will we achieve this objective?**

We will use all the information that is available to us to best identify where safety issues can be addressed to greatest effect with the resources available to us. We will do this by analysing the numbers, locations and causes of collisions on our roads and any patterns that emerge. They may relate to any number of contributory factors, for instance the location, the type of vehicles involved, the time of day, the weather conditions or the condition of the road.

We will adopt the internationally recognised Safe Systems Approach to safety on our roads and for our road users, to provide a holistic approach to road safety. This encompasses all the best practice that we currently employ, but includes elements outside the County Council control such as vehicle design and emergency service response. The Safe System is explained in detail in the Road Safety themed section. It consists of the following:

- Safer vehicles
- Safer roads and infrastructure
- Safer Speeds
- Safer Road Users
- Post-Crash response

We will apply the following principles in addressing road safety issues:

- Education – We will help road users to understand how to use the road network safely and to realise how their actions affect others,
- Engagement – We will work with local people and partners to promote and deliver a safer road network,
- Enforcement – We will work with the police who seek to deal with anyone who is responsible for breaking the law, and
- Engineering – We will make roads safer through appropriate design for all road users, for example the provision of improved crossings or road maintenance.

The type of approach used will be dependent on the nature of the crashes which are being addressed, the users involved and local factors, and may involve a combination of measures.

The councils Road Safety and Travel Awareness team works with Public Health and the 95 Alive Partnership and currently delivers training programmes to promote safe use of the road network. 'Bikeability' training is delivered to primary schools, so that children understand

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<sup>3</sup> [www.northyorks.gov.uk/article/25645/Street-lighting---energy-reduction-programme](http://www.northyorks.gov.uk/article/25645/Street-lighting---energy-reduction-programme)

how to cycle on and across roads. Enhanced Pass Plus courses are available to new drivers wanting to develop a positive attitude to driving. Cycling and walking to school schemes are also encouraged and the team works with schools to develop their own travel plans.

We will seek to access transport grants that become available to benefit and improve our roads. In the recent past programmes such as the Local Sustainable Transport Fund have provided the opportunity to develop sustainable transport options. This has allowed new transport facilities to be provided and also existing conflict points to be addressed, to provide an attractive sustainable transport package.

We will seek any improvements that can be addressed through the development planning process. This gives us the opportunity to not only avoid potential road hazards at the design stage, but also allows proper integration of vulnerable user groups, thus promoting healthier travel options.

We will seek to reduce the occurrence of road collisions where road maintenance or condition is a factor. Road maintenance is a fundamental feature of safe roads, and factors such as surface condition, road alignment, drainage, signs, road markings, traffic signals and gritting in the winter can reduce the potential for a crash.

## **Conclusion**

Roads are essential to our everyday lives, including our commute to and from work and school, deliveries to home or businesses, for visitors who come here on holiday and medical journeys to the doctors or hospital. Safety on our roads is a high priority for the County Council. Road crashes and casualties are costly in terms of human suffering, lost productivity and damage. We are a leading partner in our local Road Safety Partnership, 95 Alive, where we actively coordinate the work of numerous agencies to reduce the number of casualties on our roads by targeting the causes and locations of collisions and crashes. The principles of education, engagement, enforcement and engineering will continue to be used to address road safety issues and are closely integrated with Public Health work to prevent casualties and to promote healthier, active travel choices for all ages. The council will adopt the Safe Systems Approach as fundamental to this work.

## 2c - Access to Services

### Why is Access to Services one of our Objectives?

It is clear that transport can have both a positive and negative impact on everyone's day to day life. Good transport connections make it easier to access our workplace and other essential services for education and health. Being able to access all of these things provides us with a balanced lifestyle, helps us to socialise with family and friends, remain healthy and independent, and enables us to boost the economy through working, shopping and retail. Overall, this makes our lives better. The importance of transport and good access to services is specifically identified in the Council Plan as a major contributor to achieving our Priorities of 'Opportunities for young people' and addressing 'Loneliness and social isolation'.

For most of us, accessing services is the main reason for us needing to travel. We need to reach work, education, food shopping, and health appointments, which all involve travel of some sort, whether this is by walking, cycling, public transport or private car.

NYCC recognises that by working with others, including service providers who have a responsibility to ensure that their services can be adequately accessed by their intended service users/customers, we can facilitate opportunities for everybody to access the services they require, for example by providing a good highway network to travel on, a reliable public bus service, and safe footpaths and public rights of way to walk on.

In considering people's difficulties in accessing services we will think about the issues that may be experienced because of where people live (i.e. Place), for example rural areas, and we will think about the issues people have because of personal circumstances (i.e. People) for example age, income, disability. Those households without access to a car are most likely to be restricted in accessing the services they need. It is clear that those who fall into more than one of these categories will have the most difficulties. People who live in a rural area, who are older and also have difficulty walking for example, or those who do not have access to a car but who also have a long term illness or disability for example, will feel a greater affect. The resulting impact of this on accessing services has a multiplying effect.

Our consultation confirms that the majority of people in the County consider their access to services to be good, and whilst this is encouraging it does mean that difficulties with access are generally small scale and often localised. Addressing these can often be more difficult.

Adequate and timely highway maintenance<sup>1</sup> of the roads and footpaths (including winter snow clearance) can have the biggest impact on accessing essential and non-essential services as nearly all local transport uses the highway network. The Highway Infrastructure Asset Management Plan outlines the strategic approach for managing the whole of the highway network (roads, pavements, cycle ways etc.), and details how the Council will deliver our highway maintenance policies. These documents reflect requirements set out in the New Roads and Street Works Act 1991, Road Traffic Regulation Act 1984, and the Traffic Management Act 2002. We managed and maintain the 9000km of roads, 4500km of footways, and 1,700 bridges in the County to ensure that people can continue to travel, and this impacts all modes, and all people.

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<sup>1</sup> See Part 3c - Highway Maintenance for more information

## What are the issues concerning ‘Place’?

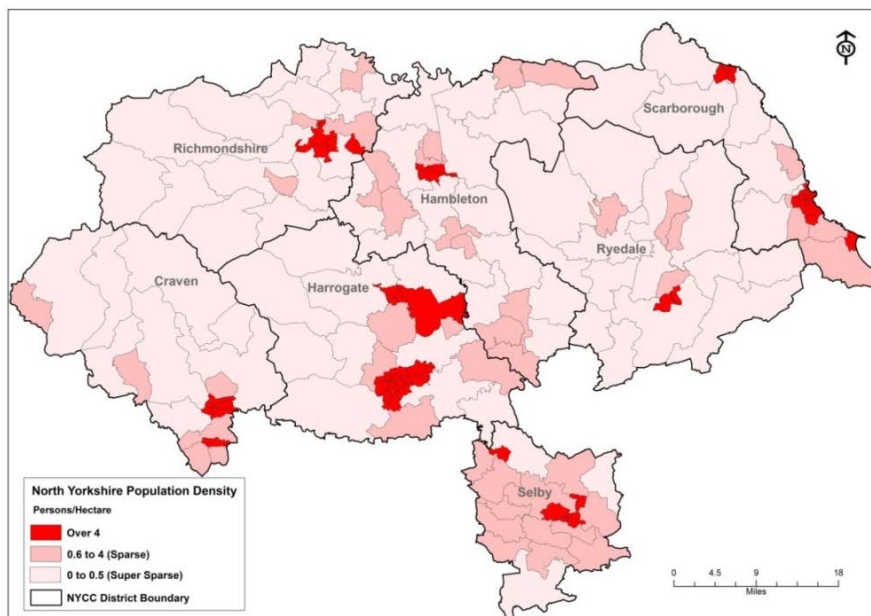
The main issues in North Yorkshire with access to services resulting from where people live are concerned with living in a remote or rural area.

Our consultation showed us that a majority of people travelled more than 10 minutes (around 40 to 50%) to access essential services like work, doctors, and food stores, and that these journeys were mostly undertaken by private car (around 50 to 70%).

In general, people living in towns have good access to services as they can walk to many essential services, and the County’s towns generally have good bus provision. In rural areas, walking issues usually relate to the lack of footways or cycle tracks alongside roads. Problems in bigger villages and towns are more often associated with crossing facilities on busy roads. In both cases, this results in difficulty accessing local services within their local areas.

**Figure 2c-1** shows the population density of the districts. The diagram indicates that most of the county is very sparsely populated. The main populations are concentrated in the towns in each district; however the majority of the county consists of very rural areas.

**Figure 2c-1 Population density by District**



In most cases, whether living in a rural or urban area, those with access to a car have good access to services. In rural areas which are sparsely populated, the private car is often the most sustainable mode of transport. Since our towns are generally well served by commercially operated public transport to access services, the County Council must therefore concentrate its limited resources on providing access to essential services for those living in very rural areas that do not have access to a car<sup>2</sup>.

Getting to school, particularly primary schools, can often be achieved without access to a private car. We can ensure the opportunity to walk or cycle to school is an achievable and attractive option, through promotion and development of safe and convenient routes to

<sup>2</sup> See Part 3I - Buses and Community Transport for more information

school. We will continue to challenge parents' decision to take children to school by car where there are suitable walking options, and we will promote active travel choices. We will also continue to provide home to school transport for those children who qualify under criteria set out in current legislation. Due to the remote nature of many communities in North Yorkshire, some children have no other option than to travel to school by bus or car, and we will continue to provide this service to pupils living within the County who otherwise would be unable to attend school.

### **Connectivity**

Connectivity between villages, and from villages to towns, can increase the opportunity for people to access certain services. While some essential services, such as food shopping, may be available within the village, others such as employment and health services may only be available in nearby larger settlements. Linking the place people live with the services they require relies upon the road network for both cars and buses. Maintaining the road network<sup>3</sup> is therefore essential to keeping these links open, in order to facilitate travel.

### **Severance**

Reduced access to facilities and services within towns and villages can be caused by severance. Busy roads with limited opportunities for people to cross can lead to communities feeling severed and vulnerable, especially for elderly people and those who find walking more difficult. Maintaining our existing crossing facilities to ensure they are in good condition, are functional, and are fit for purpose reduces severance in towns and villages. Bypasses around villages can also help with this issue as they reduce through-traffic, but they are expensive, take a lot more design and planning time to develop, and are therefore more of a long term solution.

## **What are the issues concerning 'People'?**

The main issues with access to services resulting from personal circumstances are:

- Age
- Income / unemployment
- Disability
- Lone parent households
- Car ownership

### **Age**

We are living in times of an increasingly aged population. Census 2011 data for North Yorkshire shows that the numbers of residents over the age of 65 is increasing, and at 21% in North Yorkshire, this is higher than the national average of 19%.

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<sup>3</sup> See Part 3h - Highway Maintenance for more information



**Table 2c-1 Percentage of people of each Age by District**

District	% children (0-15 years)	% people of working age (16-65 years)	% over 65
North Yorkshire	16	63	21
Craven	15.4	61.8	22.8
Hambleton	15.7	62.7	21.6
Harrogate	17.0	63.4	19.6
Richmondshire	16.7	65.9	17.5
Ryedale	15.2	61.5	23.3
Scarborough	14.8	61.9	23.3
Selby	17.1	66.1	16.8

Whilst age in itself is not a limiting factor for accessing services, a higher proportion of older people who no longer work has a double impact due to fewer people paying taxes which contribute to the economy. This can also lead to increased reliance on walking and on the public and community transport network. Further, an aging population may rely more heavily on health services. Consultation shows that around 38% of over 65 year olds walk to the doctor and to their local food shops, while a further 15% use public transport to access these services. Our footpaths need to be in good condition to be able to facilitate walking to services directly, and for accessing bus stops.

Conversely, the increase in school leaving age means that young people are not going into employment as soon as they once were, and often students rely on public transport if they cannot afford to run their own car. The opportunity for studying at a local further education institution or apprentice placement is limited by transportation and travel options. It may be difficult for young people to attend a college within the county, which are located in Selby, Harrogate, Scarborough and Skipton. Similarly, it may be that young people need to travel daily to York, Leeds, Darlington, Newcastle or Stockton to attend specialist college courses. In all cases, attendance hinges on a bus or train getting students there before 9am. Assistance with transport will be provided to students aged 16 to 18 years old who meet the eligibility criteria<sup>4</sup>. Students who are eligible will normally be issued with a travel pass, from the nearest available pick up point, allowing them to make journeys from home to school or college and back, at the beginning and end of their day.

### **Income / unemployment**

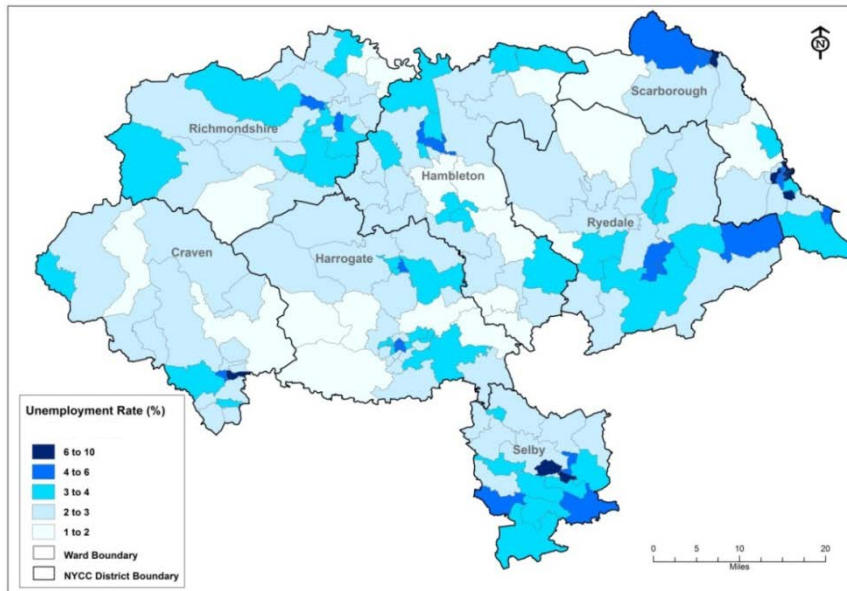
Economic deprivation can be an issue for travel as the cost of owning a car increases. Those living on lower incomes can therefore find that travel to work, and to other essential services, reduces their overall household income, and can make travelling further afield to a work place less economically viable. It is therefore important that our public transport network provides a daytime service to support travel to and from the main employment areas in the County. In exceptional circumstances, support for individual transportation in terms of a personal loan for a moped may be available for those who are eligible through the Wheels to Work scheme.

Census data tells us that although unemployment is not at a high level overall for North Yorkshire, the highest rates of unemployment in the County fall in the Scarborough and Selby districts as shown in **Figure 2c-2**. Lower incomes (from the retail and hospitality sectors for example) may have an impact on mode choice for travel, and how often people

<sup>4</sup> [www.northyorks.gov.uk/article/26031/Post-16-transport-assistance](http://www.northyorks.gov.uk/article/26031/Post-16-transport-assistance)

travel, especially to non-essential services which enhance quality of life. Public transport may be the most affordable mode of transport for some people compared with running private car, and the extensive commercial bus network in the County can provide this.

**Figure 2c-2 Areas of unemployment by District**



**Disability or long term illness**

People with a disability or long term illness may have a need to access health services more than others, and their personal mobility to access everyday services may be more limited. According to our consultation, around 80% of North Yorkshire residents use a private car to travel to the nearest hospital, and 60% travel by car to their doctor’s surgery. This reliance on private car for travel to health services may be due to the bus services not aligning with appointment times, or it may be because people with more serious health problems find it difficult to use public transport and to walk to and from the stops.

**Table 2c-2 No. of people with long term/limiting illness by District in 2014**

District	No of people
Craven	10301
Hambleton	16477
Harrogate	26336
Richmondshire	8657
Ryedale	8712
Scarborough	21923
Selby	14403

**Car ownership**

For those households which do not have access to a car, especially those in rural areas, we aim to maintain a core daytime network of bus services. Our overall strategy remains 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 seek to meet the day-to-day transport needs of local communities prioritising core daytime services over evening, Sunday and poor performing bus services. This was confirmed in our

consultation, where improving and maintaining our existing bus services and facilities, like shelters, were rated as having a higher importance than providing new bus services or facilities.

The number of households without access to a private car in the UK is around 25%, from data given in the 2011 census. In comparison, all districts in North Yorkshire have a lower percentage of homes without access to a car, apart from Scarborough (28.8%), which accounts for 31% of the total households in North Yorkshire without access to a car.

**Table 2c-3 No. of Cars per household by District**

District	no car	% in district with no car	% of county totals with no car	1 car	2 cars	3 or more cars
Craven	4,228	17.2	9	10,907	7,258	2,190
Hambleton	5,086	13.3	11	15,964	12,635	4,432
Harrogate	11,032	16.4	24	28,621	21,317	6,199
Richmondshire	2,692	13.3	6	9,241	6,331	1,943
Ryedale	3,299	14.6	7	9,720	7,011	2,494
Scarborough	14,224	28.8	31	22,288	9,802	3,121
Selby	5,155	14.9	11	13,707	11,921	3,776

### Lone Parent Households

Lone parent households may have a lower income than other households, which may make it more difficult to own a car. Some of these households may rely on the bus network to access some essential services such as employment and education. From census data, it is known that there are a greater number of lone parent households in the Harrogate and Scarborough districts.

**Table 2c-4 No. of Lone Parent Households by District**

District	No of households
Craven	1,259
Hambleton	1,753
Harrogate	3,713
Richmondshire	1,164
Ryedale	1,010
Scarborough	3,030
Selby	1,719

### How will we achieve this objective?

It is recognised that the bus network is relied upon for connecting those without a car to travel to places of work, education etc. Helping to maintain bus services enables those without access to a car to reach essential and non-essential services for work, health, retail, leisure and socialising. Our consultation told us that this is an important part of what we deliver.

The majority of public transport is provided by a commercial network of bus services across the County which has grown over the last five years from 75% to a predicted 88% of buses in 2015. The remainder is currently provided by tendered services which are determined using the County Council's set of criteria<sup>5</sup>. This also means that as and when budget pressures require a reduction in the level of support for bus services, then the core daytime services which allow access to essential services like food shopping and health services are prioritised and lower priority leisure, evening, and Sunday bus services are the first to be reduced or withdrawn.

## **Conclusion**

Transport is usually a means for us to do other things, to access or reach work, shops, family, or leisure. Travelling is not generally part of the activity we wish to undertake. Maintaining our existing road and footway network helps to improve and encourage connectivity and social networking, and can create better access to local amenities that people rely on. Our consultation confirmed that maintaining our existing network of roads and footways remains one of the most important transport services that we provide. There are a lot of factors which may affect a person's ability to access the services they may need, and NYCC are sympathetic to these, and strive to facilitate access to essential services wherever possible.

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<sup>5</sup> See Part 3I - Buses and Community Transport for more information

## 2d - Environment and Climate Change

### Why is Environment and Climate Change one of our Objectives?

Protecting the environment and preventing climate change is ever present on the agenda for transport management. There are pressures to reduce our carbon footprint, and the impact we have on the environment around us. Transport can in some ways make a big impact in terms of reducing CO<sub>2</sub> emissions as new technologies allow for cleaner vehicle engines, fewer carbon and nitrogen emissions, addition of stop-start functions, and ultra-low emission vehicles (ULEV's) such as electric and hybrid vehicles.

Our consultation showed us that the environment and climate change remains of high importance to our residents. We recognise however, that we must balance the desire to reduce carbon emissions from transport with the travel needs of North Yorkshire residents. Given the largely rural nature of the County and its sparse population, the private car is often the only means of transport for residents, and can be the most efficient and environmentally friendly compared to operating an empty diesel bus. Nevertheless, this should not stop us encouraging people to travel by other modes, where alternative means of travel exist, in order to reduce emissions in the County.

Consideration of the impact that transport has on the environment can be split into the impact to people's health<sup>1</sup>, and the impact on the natural and historic environment. North Yorkshire has some of the most beautiful places in the country, and we need to protect these areas as much as we can. Ensuring these spaces continue to be managed will encourage future generations to do the same. A high quality environment, and how it contributes to the tourist and visitor economy, is also identified in the Council Plan as one of the main contributors to the priority of 'Economic opportunity for all parts of the county'.

It is important for environmental considerations to remain at high on the agenda through LTP4, as the long term vision of the Plan is realised. Work that we do to the highway network now, will impact on our environment in the future.

### Environmental Impact Scoping in Scheme Feasibility

We have a commitment to sustainable development and design. Whilst undertaking a feasibility study for a new scheme, consideration will be given to environmental and cultural heritage and any relevant regulations e.g. Habitats Regulations<sup>2</sup>. For example, in the case of a structure such as a bridge we would ensure works are compliant with wildlife and waterways legislation. An environmental scoping assessment is carried out which identifies the areas which may be impacted upon, the level of that impact, and any potential mitigation which might be required to offset that impact. The scoping assessment will identify sites of special interest, areas of outstanding natural beauty, and water courses nearby including

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<sup>1</sup> See Objective 2e – Healthier Travel for more information

<sup>2</sup> Where transport infrastructure might have an impact on European designated nature conservation sites (including Special Protection Areas, Special Areas of Conservation and Ramsar wetland sites), either on its own or in combination with other plans and projects, it will be necessary for the scheme to be assessed under the Habitats Regulations to determine whether it can go ahead.

where any surface water run off may flow, flora and fauna species affected, and the impact of the change in noise and air quality. The assessment may also outline surveys required, and when they should be undertaken if the scheme develops into design stages. The scoping assessment will also determine where a full Environmental Impact Assessment (EIA) will need to be undertaken as part of the design stages. The EIA would form part of a Major Scheme Business Case submission to bid for funding for the scheme development.

## **Traffic congestion, road noise and pollution**

It is recognised that increased congestion and traffic levels can lead to an increase in noise and pollution. Tackling these issues by monitoring air quality and carbon levels in busy areas, promoting public transport in order to reduce car use, and maintaining and providing better facilities for walking and cycling can help to improve localised pollution, visual intrusion, and reduce traffic noise. In addition, where traffic reduction measures such as those mentioned above do not improve the situation where it is feasible we will seek to reduce congestion and air pollution through highway improvement schemes, reduce traffic noise impacting on residential areas from new highways schemes, and potentially from the existing network where this is feasible. This is in line with our 'Manage, Maintain, Improve' hierarchy.

## **Air Quality Management**

Local authorities have a statutory duty under the Environment Act 1995 to carry out air quality monitoring for a number of pollutants listed in the national air quality objectives, and to take action when air quality problems are identified. In North Yorkshire this statutory duty lies with the seven district councils, however, where an air quality problem is related to traffic on the County Council's roads we have a duty to work with the district councils to try to improve air quality.

Generally the air quality in North Yorkshire is very good but there are a small number of locations where high traffic volumes cause localised problems. Air Quality Management Areas (AQMA) for nitrogen dioxide (NO<sub>2</sub>) are designated if current or projected levels breach, or are likely to breach, the objective of 40 micrograms per cubic metre (40 µg/m<sup>3</sup>) as prescribed by the Air Quality Regulations.

There are four designated traffic related AQMA sites in North Yorkshire: Knaresborough; Ripon; Malton; and Selby (declared in 2016). These sites measure and monitor NO<sub>2</sub> emissions from vehicles relative to receptors such as residential properties.<sup>3</sup>

Further to these four sites, there are also five sites around the county which have exceeded or are predicted to exceed the 40 µg/m<sup>3</sup> limit, and there are two sites which are approaching the 40 µg/m<sup>3</sup> limit, all of which are monitored closely and work is done to try to ensure these sites do not escalate to AQMA qualifying levels. These sites are located in Richmond, Bedale, Northallerton, Scarborough, Harrogate, and Tadcaster.

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<sup>3</sup> See Part 3n – Air Quality and Noise for more information

## **Reducing Carbon Emissions and Adapting to a Changing Climate**

The transport sector contributes 21% of the UK's greenhouse gas emissions<sup>4</sup>; however the good news is that the amount of greenhouse gases in all sectors, including transport, is decreasing over time.

Carbon dioxide emissions make up the largest percentage of greenhouse gas released into the atmosphere. In general, the highest concentrations of carbon emissions are found along the county's main roads, emanating from both vehicles and industry. These levels are monitored regularly throughout the county, and remedial measures can be taken in order to reduce the impact of these emissions.

As expected, the A1(M) is the source of the highest levels of carbon emissions as this is a highly trafficked road. This road belongs to Highways England, and is therefore out of the control of NYCC. Our county's A and B type roads are emitting lower levels of carbon pollution, and these roads generally connect our county's towns. The Yorkshire Dales and North York Moors national parks show the lowest levels of carbon emissions.<sup>5</sup>

Industry can also contribute to the carbon emissions recorded in the county, the highest concentrations of which are found in our towns, and lined along the county's main roads. This has a doubling-up effect where the road is also a high carbon producer, and where the industrial process requires heavy transportation of goods and products to and from the site. The County Council cannot directly influence choice of mode for the majority of trips made, however we can influence the decisions people make by maintaining our roads, promoting sustainable travel options such as cycling, walking and buses where this is feasible, and by promoting car sharing and linked or combined trips for our staff (like shopping on our way home from work).

By recognising the impacts of climate change, and their potential hazard to road users, we can increase the resilience of the highway network against the predicted effects which include varied patterns of rainfall and local flooding.

## **Public space and townscape**

Providing an attractive place to live and work can help to encourage walking and cycling, and have a positive impact on how we feel in general. Ensuring that our footways and cycleways are maintained so that walking and cycling is not inhibited, while part of our statutory duties, also promotes a better quality of life through a healthier lifestyle, and interacting socially with other people within the towns and villages we live in. The aesthetics of having well maintained green spaces, green infrastructure, verges, and footways also improves quality of life, and therefore this is to be encouraged through grass cutting, planting, repairs, and repaving where required.

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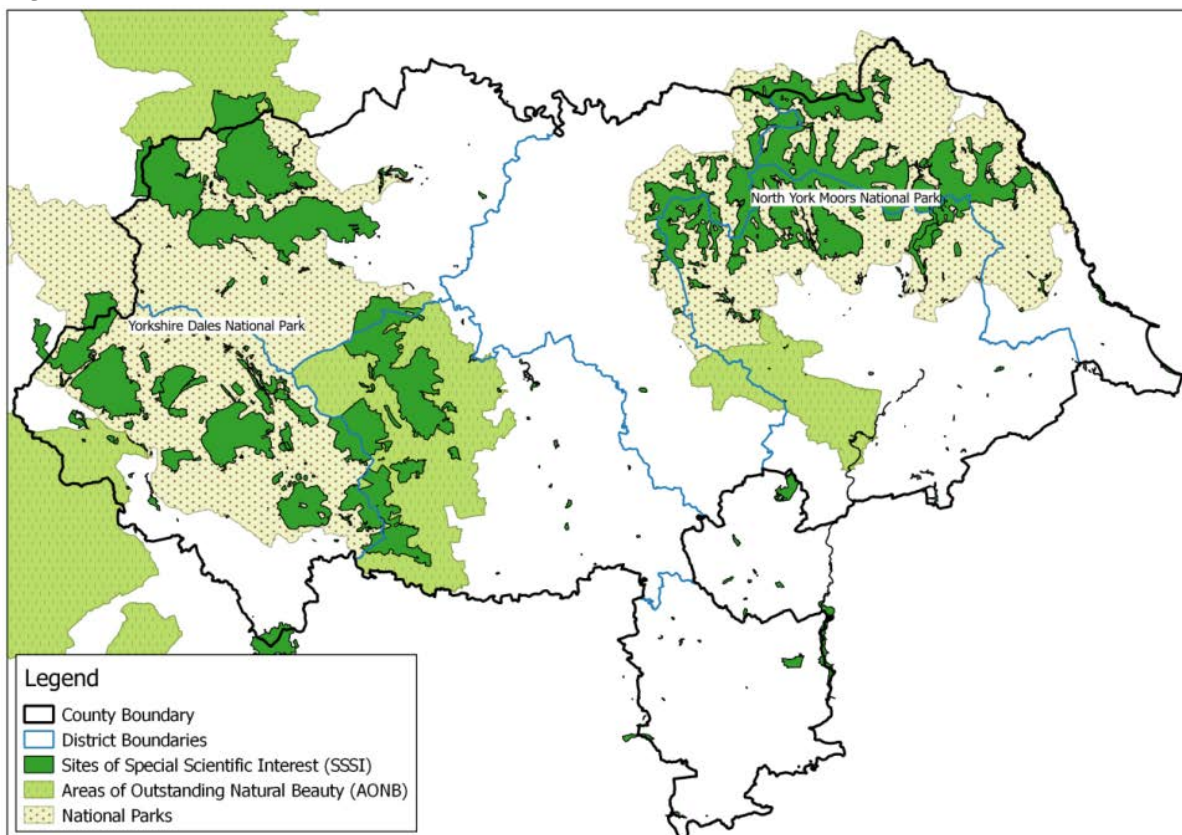
<sup>4</sup> Department of Energy and Climate Change, 2013 final figures, published February 2015

<sup>5</sup> See Part 3n – Air Quality and Noise for more information

## Historic and Natural Environment

There are two designated national parks in North Yorkshire; the Yorkshire Dales national park, and the North York Moors national park. Additionally there are two designated Areas of Outstanding Natural Beauty (AONB) fully within the County and parts of two others along with numerous Sites of Special Scientific Interest (SSSI), historic monuments, and conservation areas as shown in **Figures 2d-2 and 2d-3**. We recognise the importance of respecting these designations and the local character of the County. Approximately 46% of the County is designated National Park or AONB. These areas contribute significantly to the County's economy by attracting visitors all year round, from all over the UK and Europe for leisure and tourism. In order to ensure they want to return again, we need to make sure these areas remain peaceful, pristine and protected.

**Figure 2d-2 National Parks, AONB and SSSI in North Yorkshire**

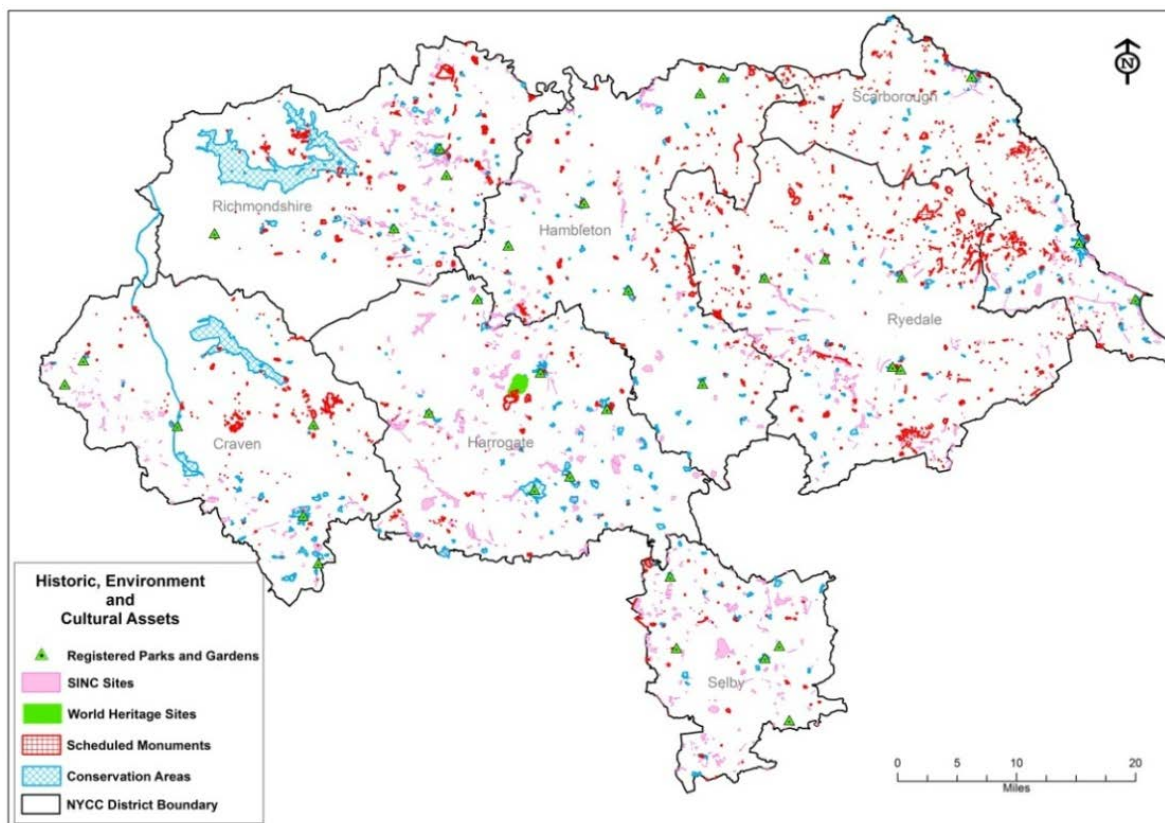


The highway network which flows through the National Parks is controlled and maintained by NYCC as the highway authority. We need to be sympathetic to the environment when we carry out any road works, and the improvements need to be in keeping with the heritage status of the area, whether this is road surfacing or new signs or finger posts.

Wherever possible and subject to funding constraints we will continue to provide efficient and sympathetic highway management, maintenance and improvement works within our national parks, designated environmental areas and other areas which are considered sensitive.



**Figure 2d-3 Conservation areas, Scheduled Monuments and World Heritage Sites**



## Conclusion

Promoting the environment and reducing air pollution remains high on the agenda for the transport sector. We cannot directly influence the majority of travel choices for those in the County, however where appropriate we will promote sustainable travel. We will encourage staff to travel to work using sustainable modes like buses and trains, walking and cycling, and will promote car sharing and combining trips.

We work with District Councils and other partners to help reduce transport related pollution (carbon and nitrogen dioxide) across the whole highway network, especially at AQMA sites and for new highway schemes. We will support measures to promote environmentally friendly forms of transport including provision for ULEV's and are currently developing a policy which will consider the provision of infrastructure for electric vehicles in North Yorkshire. We will seek to provide minor highway improvement schemes to reduce congestion and promote sustainable transport.

As outlined in the County Council's Highway Maintenance Plan 2006<sup>6</sup> we will apply the principles of sustainable development via the increased use of recycled materials and by the adoption of a whole life costing strategy for treatment identification and selection. We will also consider the need to safeguard the biodiversity and geodiversity of the County's environment in the maintenance and improvement of the highway network. All of these initiatives together will help reduce our overall impact on the environment in North Yorkshire.

<sup>6</sup> <http://www.northyorks.gov.uk>

## 2e - Promoting healthier travel opportunities

### Why is promoting healthier travel one of our objectives?

This objective aims to address the health aspects linked to transport, by encouraging healthier travel such as walking and cycling, and by reducing some of the negative effects of transport, such as air pollution. Road and transport safety is considered as a separate objective but we coordinate both areas of work.

Transport can affect the health of everyone. This could be a positive effect from increased walking and cycling, or could be a negative effect from poor air quality caused by exhaust fumes or traffic noise. As such it has an influence on how we plan future transport, housing, employment and other developments in the county.

Healthier travel opportunities aim to improve the health of those travelling. They also reduce the reliance on motor vehicles, and so play a part in reducing the amount of pollution caused by them. We need to consider what we can do to promote, facilitate and influence the choice of how we travel. In doing so we will consider the factors that influence people's travel choices. These include:-

- **What is our purpose** for travelling? Is it for shopping, work, school, or a medical appointment? Does our journey have a single purpose or are we visiting more than one place? Do we need to carry anything?
- **When** are we travelling? Is our journey going to be affected by night time? Is it too early or late for the first or last bus or train?
- **How far** are we travelling? Are we physically capable? Do we have time? What is the geography of the journey?

### *Preventing Injury and promoting healthy and active travel*

In particular, we will seek to coordinate our programme delivery to achieve complimentary Transport and Public Health aims and outcomes, including:

- Reduction of unintentional and deliberate injuries to children and young people;
- Reduction in premature deaths and injuries to all;
- Contribute to the Public Health Active lives and healthy weight programmes;
- Support road user and active travel education in schools in core subjects as well as Personal, Social and Health Education (PSHE) through the provision of key stage related curriculum resources and the support of a specialist road safety curriculum adviser to every school.

### *Promoting Positive Health Choices in travel*

One of the major aims of the National Health Service and Public Health North Yorkshire is for everyone to pursue a healthier and more active lifestyle, and this highlights the importance of regular exercise in achieving good physical and mental health. Obesity and poor physical fitness is a growing problem across our society causing many health conditions that become long term and restrictive and which can lead to premature death e.g.

from heart failure or stroke. With the increasing older population within North Yorkshire, good physical health within this section of society is important so that an active, independent and fulfilling lifestyle can be maintained.

It is recognised that the best and easiest opportunity for incorporating regular exercise into everyone's daily routine is through 'active travel'. Travel is a major part of most people's daily lives, whether it is the commute to work or school, visiting friends and relatives, or trips to the shops or health services. By incorporating healthier travel options into our journeys, we can help meet both transport and health objectives as well as reducing carbon emissions and making air quality improvements.

### **Travel Choice**

Whenever we make a journey we make a decision on how we travel. The main factors which influence our decision are:

- Journey distance;
- Journey purpose;
- Weather conditions;
- Safety/security;
- Level of fitness;
- Geography of journey.

One of the factors affecting our choice is the distance of our journeys. North Yorkshire is a predominately rural county, with numerous small towns serving a large rural hinterland of dispersed communities. Consequently, our journeys can be longer than within urban areas, where places of work, schools and services tend to be closer and more accessible.

Figure 2c-1 of the Access to Services section shows the population density by parish. The diagram indicates that most of the county is very sparsely populated. The main populations are concentrated in the towns in each district, but the majority of the county consists of very rural areas.

For rural journeys a combination of factors may prove a barrier to adopting healthier travel options. This could relate to the hilliness of the journey, the greater journey distances, the feeling of safety and security along the journey route, possibly from the lack of street lighting or no segregated facilities for walking and cycling, or from exposure to prevailing weather conditions.

However, 62% of the population of the county live in towns or larger settlements and as such healthier travel may be an option for some of their journeys. Choosing to make trips wholly or partly by active travel such as walking or cycling can have significant health benefits, and there are many opportunities for people to change their means of travel especially for shorter trips.

North Yorkshire has a strong leisure base for healthy travel. It is a popular holiday and weekend destination with two National Parks, many miles of public footpaths and other rights

of way and a popular coastline bringing many people into the county for walking and cycling activities. This has been strengthened by Le Grand Depart of the 2014 Tour de France staged in Yorkshire and the first annual Tour of Yorkshire in 2015. This new and continuing focus on cycling presents good opportunities to promote active travel for both residents and visitors.

The availability of types of transport can also affect our choice of travel, such as the level of public transport availability or the level of car ownership. We recognise that the bus network is relied upon for connecting those without a car to essential and non-essential services for work, health, retail, leisure and socialising. Public transport provision is greater around population centres where the majority of journey purposes are focussed, giving greater opportunity for healthier travel in those areas.

The level of car ownership in North Yorkshire is generally higher than the national average, possibly due to the level of public transport provision and/or the rural location of much of the population. Table 2c-3 of the Access to Services section shows the level of car ownership by district within the county.

We recognise that high vehicular traffic flows can make life more difficult for pedestrians and cyclists therefore by working with our partner councils and agencies, we can identify and take up opportunities to accommodate and enable healthier choices and make them more available where these are practical and achievable. However, it must be recognised that there is always a need to reach an appropriate balance between the needs of all transport users regardless of mode.

### **Air Quality**

Every year, it is estimated that, nationally, 29,000 premature deaths are caused by long term exposure to poor air quality in the UK. This is nearly 5% of all annual UK deaths. For those affected, air pollution reduces life expectancy by an average of about eleven years.

Air quality is monitored at many locations throughout the county, but primarily in congested, built up areas where the effects are localised and more concentrated<sup>1</sup>. The use of combustion engines affects the atmosphere in two ways:

- Locally by the production of NO<sub>2</sub> emissions and particulates in exhaust fumes which are known to cause ill health, and
- Globally by the production of carbon emissions and CO<sub>2</sub> which has a direct effect on global warming and the ozone layer.

Within the county there are a number of locations where NO<sub>2</sub> levels have consistently fallen below EU standards, four of which have been declared as Air Quality Management Areas. These are in Malton, Knaresborough, Ripon and Selby (declared in 2016).

The District Councils are responsible for monitoring and managing air quality in their areas. They are also responsible for the declaration of Air Quality Management Areas where air

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<sup>1</sup> See Part 3n – Air Quality and Noise for more information

quality does not meet standards. We will work closely with the District Councils to address any air quality issues that relate to or are attributable to transport on our highway network, especially where an action plan has been developed for a management area.

### ***Healthier Transport & New Development***

Working with the planning authorities we will seek to ensure that new developments, especially larger schemes, are located in places where sustainable and healthy transport is a realistic option<sup>2</sup>. Additionally, as new developments are planned we need to ensure that sustainable and healthy methods of travel are adequately provided for within the design and are in place before the first residents move in. This will include the provision of footpaths and cycle way links both within any development, and also to nearby employment sites, shops, schools and other services such as health care and public transport.

Also associated with new developments are Travel Plans, a requirement of any new development which is likely to have significant transport implications. A Travel Plan is a travel policy statement prepared by an individual business which positively increases travel options for staff, visitors and customers, of which healthy travel options form part of the travel plan package.

### ***Public Transport***

Public transport provides an indirect link to healthier travel objectives. A person travelling by public transport is more likely to complete part of their journey by a healthy mode if they are using public transport rather than a private car. There is likely to be a walking element at either end of a bus journey, or a cycle journey across town to catch the train. Also one bus can carry as many travellers as 50 single occupancy cars, thus reducing the pollution from transport and reducing congestion.

## **How will we achieve this objective?**

We will continue to encourage people to choose active travel by communicating the health, financial and environmental benefits. We will also aim to reduce the real and perceived risks of road accidents and fears about personal security that are often associated with active travel modes. Where possible, appropriate and affordable we will maintain and provide the infrastructure (footways, crossings, cycle routes etc.) that will allow people to make the switch to walking and cycling.

Working with the planning authorities and developers we will seek to ensure provision within any new development of suitable facilities to encourage healthier travel choices, such as footways, cycleways, crossings, bus stops and the links to essential services. We will work to ensure that these facilities are built into the scheme from the outset so that they are in place when people start to move in.

As the highway authority we will work closely with the District Councils to address any air quality issues that arise from traffic on our highway network, especially where an action plan has been developed for a management area.

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<sup>2</sup> See Part 3g – Planning and New Developments for more information

We will seek improvements through any transport grants that become available, such as the recent Local Sustainable Transport Fund. This fund has allowed the promotion of healthier and active travel improvements to be made, such as new cycle ways and connections between existing routes, new crossings, bus service promotion, and real time travel information.

## **Conclusion**

Transport affects the health of everyone. We spend a good proportion of our time each day travelling. This may be to the local shops, the doctors, to work or to school. Both the Joint Strategic Needs Assessment for North Yorkshire and various other health studies have highlighted the importance of regular exercise in achieving and maintaining a healthy lifestyle, and one of the best ways of achieving this is to incorporate it into our regular routines, such as our travel methods. By promoting and making available facilities for active travel, North Yorkshire seeks to address some of the health aspects of transport. By also reducing reliance on the motor vehicle we aim to help improve air quality in built up areas, where air quality issues are concentrated.

# Themes

**Part 3**

## 3a - Strategic Transport

Providing a strategic vision of how North Yorkshire's transport networks can be improved in the future is vital to ensuring the continued economic success and prosperity of the County, whilst also encouraging and developing further economic growth.

The County Council is committed to completing a comprehensive Strategic Transport Plan, which will set our key strategic transport priorities, proposed schemes and interventions and how we propose to work with key delivery partners. It is expected that the first iteration of the Strategic Transport Plan (STP) will be completed in spring / summer 2016. It will then be reviewed and updated regularly to reflect changes in funding developments associated with local planning authorities Local Plans.

The STP will be used to inform further development of the York, North Yorkshire and East Riding (YNYER) Strategic Economic Plan and identify major transport schemes which the County Council will seek to deliver through funding bids to Government (e.g. the Local Growth Fund) and from developer contributions.

### **Strategic Transport Priorities & Proposed Solutions**

To assist the County's economy to grow and develop, NYCC as a member of the YNYER Local Enterprise Partnership (LEP) has agreed a range of strategic transport priorities which are included in the YNYER Strategic Economic Plan. These are as follows;

- Improving east-west connectivity;
- Improving access to the rail network, both conventional and high speed rail;
- Improving long distance connectivity to the north and south;
- Ease congestion in key growth towns;
- Enhance the reliability of our transport network.

These priorities will form the basis of our STP, and any planned interventions by NYCC will seek to contribute to these priority objectives. Whilst the STP has yet to be completed a number of schemes and initiatives are already in development. Further details of the Strategic Transport Priorities are set out below.

#### **Improving east-west connectivity**

As with much of the North of England, north-south links in North Yorkshire are good, in contrast our east-west links are relatively poor. This alongside the relatively poor connections to major economic centres has resulted in the districts of Scarborough, Ryedale, Craven and Richmondshire, not performing to their full economic potential.

Improvements to east-west links will help to boost the economic performance of these areas, by improving access to businesses, unlocking housing growth and enabling them to be accessed easier from other areas of the Country and the strategic transport network (e.g. A1(M) and East Coast Mainline).



### **2016-2030 – Short to Medium Term Improvements**

The A64 and A59 are our two primary east-west corridors, with both experiencing poor journey times and journey time reliability. Much of this is due to long single carriageway sections, with higher volumes of slower moving traffic such as caravans, agricultural vehicles and HGVs. With limited overtaking opportunities, slow traffic speeds increase journey times and uncertainty over journey times.

Significant reduction to overall journey times is unlikely to be achieved by 2030, however the Council recognises that improving the reliability of journey times is something that is achievable in this time scale. As such during LTP4 we will be developing proposals for improvements to both corridors.

#### **A64 Improvements**

- Working closely with Highways England, we will support the upgrade of the A64 to dual carriageway standard between the Hopgrove Roundabout in York and Malton;
- Working closely with Highways England, we will support the introduction of selective overtaking lanes and 2+1 running on the A64 between Malton and Scarborough.

#### **A59 Improvements**

- Introduction of three additional climbing lanes (overtaking opportunities) between Harrogate and Skipton, including a major realignment at Kex Gill which would also address a significant major landslip risk;
- Review and further develop proposals for a Harrogate Relief Road, to help ease congestion through Harrogate Town Centre, which would address both urban congestion issues as well as improving journey time reliability along the A59 east-west corridor;
- Improvements to Junction 47 of the A1(M) to increase capacity at this junction.

In addition to the improvements on the A59 between Harrogate and Skipton, we will explore options for improving links from Skipton and South Craven to Lancashire along the A59, A56 and A6068 corridors.

Outside of the County we are supportive of proposals by East Riding and City of York Councils for improvements to the A1079 and A1237 York Outer Ring Road respectively. Additionally we are committed to working closely with Highways England to further improve the A66 corridor between Scotch Corner and the M6.

#### **Rail Improvements**

- Upgrade of the York – Harrogate- Leeds Railway line. Double tracking of the single track sections of this line is taking place over the next 10 years; however the Council is working with partners to try and secure full electrification of this line;
- We are also supportive of proposals to reduce journey times between York and Scarborough.

We are strongly supportive of improvements to the Trans Pennine rail network that provides key links between the County and the major city regions across the North of England

2030-2045 - Longer term aspirations to improve east-west connectivity in the County include the following:

- Improving access to Whitby by improving road & rail links to Teesside;
- Further strengthen road and rail links along the M62 & A63 corridors between Hull / Selby and the A1 / M1;
- Significantly improve Cross Pennine Connectivity between Craven and East Lancashire, including the potential reopening of the Skipton - Colne Railway;
- Development of parkway stations close to the Leeds – Harrogate – York railway.

### **Improving access to the rail network**

NYCC recognises the importance of the proposed HS2 and HS3 rail networks and the benefits to the County that they may bring<sup>1</sup>. In order to fully realise those benefits it is essential that the residents and businesses within the County are able to access HS rail networks easily.

As such we aim to ensure that at least 80% of the population of the County are within 40 minutes journey time (road or rail) of an HS2 gateway at York, Leeds or Darlington. This will be achieved through:

- Recognising the role that conventional rail will play in providing access to high speed networks, NYCC would like to see further improvements to the existing rail network to reduce journey times and improve journey time reliability;
- Developing an Access to HS2 & Rail study looking at improving local access through road infrastructure and public transport improvements.

Conventional rail networks will play an important role in linking in to the high speed network, but at the same time it is essential that existing rail infrastructure continues to be improved. NYCC recognises that a key issue for continuing rail usage is access to local stations. As such we will develop options for the following across our existing network;

- Development of “parkway” stations which are easily accessible from a wide rural hinterland that could supplement and / or replace existing station facilities.

### **Improving long distance connectivity**

Existing north-south links are generally good. The A1(M) / A19 corridor is a key growth area within the County and has seen significant recent investment up to 2015, with further improvements to the A1(M) between Leeming and Barton due to finish in the early part of the LTP4 period. The existing East Coast Main Line is an important rail route and will remain so post the start of HS2. The introduction of HS2 will help to strengthen north-south links and further improve connections with London and the wider national and international economy.

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<sup>1</sup> See Part 3k – Rail for more information

Nevertheless we would like to see further improvements being made to north-south links, these include.

- Upgrade of the A168 / A19 corridor between Dishforth and Teesside to Expressway standard;
- Improvements to the A1(T) south of the M62 to Doncaster;
- Introduction of HS2;
- Upgrade of East Coast Main Line & Trans Pennine networks, to increase capacity and reliability of the network, including further recognition of its role as a key freight route to access major port facilities at Teesport. To achieve this we would be supportive of a new rail link from Leeds to Harrogate (potentially pre 2030) then to Ripon and Northallerton (post 2030). This would open up additional capacity on the East Coast and also release capacity at Leeds Station.

### **Ease congestion in key growth towns**

The LEP identified Harrogate, Scarborough, Malton, Skipton, Selby, Northallerton, and Catterick Garrison as growth towns in North Yorkshire. The County Council recognises the importance of these towns to the overall economy of North Yorkshire and as such will investigate and develop, where applicable, proposals to reduce urban congestion. Likewise we will look at options to address congestion issues elsewhere in the County.

During LTP4 the Council will:

- Continue to develop plans for Harrogate Relief Road to help reduce congestion in Harrogate Town Centre and improve east-west access;
- Work with District and Borough Councils to identify schemes to relieve significant existing local congestion issues;
- Work with District and Borough Councils to identify schemes to address potential future congestion that could be a constraint on future growth.

### **Enhance the reliability of our transport network**

NYCC recognises the importance of a good quality highway network<sup>2</sup> to sustain economic growth in the County. As such the County Council will continue to explore options for funding packages for targeted maintenance schemes aimed at supporting the economy. This will support and complement our existing maintenance programme.

### **Existing Scheme Review**

The County Council holds basic proposals for a range of major (those costing over £5m) transport schemes across the County. These proposals include bypasses and relief roads of several villages and towns. As part of the development of the STP, the Council is reviewing each of these schemes to ascertain whether they present a strong economic case for implementation and contribute to our strategic transport priorities and as such are likely to receive Government funding in the foreseeable future. Those that do meet these criteria will

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<sup>2</sup> See Part 3c – Highway Maintenance for more information

be retained as proposals, and may be developed further, whilst those that do not meet the criteria may be removed from our potential major schemes reserve list.

## **Linking with Regional and National priorities**

### **Northern Powerhouse**

North Yorkshire fully supports the Northern Powerhouse proposals, which seek to better connect the six northern City Regions (Liverpool, Manchester, Leeds, Sheffield, Newcastle and Hull). The County is at the geographical centre of the Northern Powerhouse with the main transport infrastructure of the eastern areas of the Powerhouse running through the County.

The County, due to its already thriving economy is not solely the place in between the city regions, but is an important economic centre, with economic performance rivalling some of the city regions. Through the production of our Strategic Transport Prospectus we have started the process of demonstrating where the County fits within the Northern Powerhouse proposals and how our identified strategic transport priorities will help to contribute to the development and success of the Northern Powerhouse.

### **Local Plans**

The County Council recognises the importance of transport in the development of Local Plans. We will continue to support Local Planning Authorities in the production, implementation and review of their Local Plans. We are committed to continue to upgrade existing and develop new traffic models, to help assess the impacts of new developments on the transport network and to identify what infrastructure is required to support proposed new developments.

The Council will work closely with planning authorities in the production of transport proposals that will enable and support housing and business growth, both in existing settlements but also in any new settlement proposals.

### **Transport for the North**

The Council recognises the role that Transport for the North will play in delivering transformational change to the key transport across the North of England. We are committed to working with TfN in the delivery of key transport projects, both road and rail based.

### **YNYER LEP – Strategic Economic Plan**

The Council fully supports the objectives of the Strategic Economic Plan (SEP), and will continue to actively contribute to further updates of the plan, to ensure that the SEP and the NYCC Strategic Transport Plan are closely aligned and complement one another.

## **Working with Partners**

The Council fully recognises that to address many of the strategic transport priorities there will need to be effective coordination and cooperation between numerous partners.

The County is committed to working closely with Network Rail, Highways England and where appropriate neighbouring authorities and LEP's to deliver identified schemes and interventions.

The County is a key partner in the YNYER LEP, and through this has strong working relationships with City of York and East Riding of Yorkshire as well as the business community of the LEP area.

## **Funding Opportunities**

The sheer size and scale of many of the proposed schemes is such that the County Council is unlikely to be able to fund these schemes alone. In order to fund proposed schemes, the Council will work closely with delivery partners, (including District Councils, Highways England, and Network Rail) to access available funding sources (public and private sector) on both a local and national level.

We will work closely with local planning authorities to access appropriate developer based contributions (Section 106 and Community Infrastructure Levy based funding) to help support our strategic transport objectives.

Additionally due to their complexity and the necessary statutory processes the lead in time for delivery of strategic transport schemes from inception through to delivery can be over many years (up to 10 years or more). The Council will develop a comprehensive prioritised delivery plan for strategic transport schemes, ensuring that when opportunities become available we are in a position to present a strong case for funding.

We will continue to work closely with the YNYER LEP to produce scheme proposals, ensuring that these meet their objectives and that they can be submitted as proposals to funding streams such as the Local Growth Fund.

## **Key Commitments**

We will:

- complete a comprehensive Strategic Transport Plan, which will set our key strategic transport priorities, proposed schemes and interventions and how we propose to work with key delivery partners;
- develop proposals for improvements to east west corridors from the east coast and our eastern boundaries to our boundary with Lancashire;
- continue to upgrade existing and develop new traffic models, to help assess the impacts of new developments on the transport network and to identify what infrastructure is required to support proposed new developments;
- work closely with key delivery partners such as TfN, Network Rail, Highways England, LEPs and neighbouring authorities, in the delivery of key transport projects, both road and rail based.

## 3b - Funding

The funding available to the County Council for the delivery of the Local Transport Plan comes from a variety of sources. This section sets out details of the main sources of funding that are available together with an idea of the sums available in the first five years (until 2020/21).

Government finance rules divide public funding into two main types:

- **Capital funding**, which in broad terms can only be used to maintain and provide infrastructure such as roads, pavements, cycle ways, bus stops etc. This is mainly provided directly from the Government as a grant to the County Council;
- **Revenue funding**, which in broad terms can only be used to run the transport network and services. This can be used for example for staff salaries, grass cutting, snow clearance and gritting, gully emptying, minor pothole repairs and subsidising public and community transport services. This money is provided from both government grants (approx. 75%) and council tax (approx. 25%).

It is not legally possible to use capital funding for revenue purposes.

### Capital Funding

There are three main sources of capital funding available to the County Council from Government these are:

- Local Transport Plan Block Allocation;
- Local Growth Fund;
- Ad hoc Grants.

#### *Local Transport Plan Block Allocation*

The Local Transport Plan capital allocation is provided by the Department for Transport to all transport authorities in England. The allocation is split into two parts, Maintenance (to maintain the highway) and Integrated Transport (to improve the transport networks). The proportion of the total national funding pot allocated to each authority for both parts is determined by a 'needs' based formula.

For Maintenance funding this is broadly based on the length of roads and number of bridges in an authority area. In order to try and ensure transport authorities become more efficient in their highway maintenance practices, as an 'incentive', for the period until 2020/21 the Government will only provide some of this funding if the authority can demonstrate best practice.

For Integrated Transport funding the formula is more complicated but broadly assesses the needs of the area based on congestion, public transport journeys, road accidents, air quality, and difficulty accessing services.

**Table 3b-1** sets out the indicative LTP capital allocations for North Yorkshire County Council until 2020/21. It is anticipated that indicative allocations for future 5 year periods beyond 2021 will be provided by government prior to 2020/21.

**Table 3b-1 Indicative LTP capital allocations**

	2016/17	2017/18	2018/19	2019/20	2020/21
<b>Integrated Transport</b>	£3.023m	£3.023m	£3.023m	£3.023m	£3.023m
<b>Maintenance 'Needs' Element</b>	£27.2m	£26.4m	£23.9m	£23.9m	£23.9m
<b>Maintenance Incentive Element<sup>1</sup></b>	£1.6m	£2.5m	£5.0m	£5.0m	£5.0m

The above funding is not ring-fenced in any way. The County Council can if we wish spend Integrated Transport funding on Maintenance and vice versa and do not even need to spend it on transport schemes and infrastructure. However, historically and for the foreseeable future the County Council will spend all of our LTP capital allocation on transport. Furthermore, recognising the importance of the condition of the highway network to all forms of transport, the County Council will use approximately two thirds of the Integrated Transport allocation to help improve highway maintenance until 2020/21.

In total the government provide just over £30m per year in LTP capital funding allocation to the County Council. This funding is for all types of transport improvement schemes and highway maintenance across the county, including new facilities for cycling, walking, road safety, junction improvements and repairs to roads and bridges. It equates to about £50 per head of population or just over £3000 per km of road in the County.

However, to put this in context the Government estimate that the cost of repairing one pothole is around £50, new off road cycle tracks cost over £150k per km, a new roundabout on an A road costs between about £0.5m and £1m and resurfacing a rural road costs around £50 per sq. m (or £250k per km).

The County Council estimates that to keep all the roads in North Yorkshire in a good condition would cost over £60m per year. In addition there is already a backlog of required maintenance works of around £300m. Essentially therefore the County Council are looking at managing the long term, deterioration of the highway network rather than improving its overall condition.

### **Local Growth Fund**

The Local Growth Fund was set up by the Government in 2015. This is a £12 billion pot of funding available between 2015/16 and 2020/21 for Local Enterprise Partnerships (In the case of North Yorkshire the York, North Yorkshire and East Riding Local Enterprise Partnership)<sup>2</sup> to bid for funding to boost economic growth.

<sup>1</sup> See Part 3c - Highways Maintenance for more information

<sup>2</sup> [www.businessinspiredgrowth.com](http://www.businessinspiredgrowth.com)



This funding is not only for local authority transport schemes but is also available to planning authorities and other organisations (including commercial developers) to help fund other infrastructure that will boost economic growth.

The Local Growth Fund is now the only source of funding available from Government for 'major' (those costing in excess £5m) transport schemes and has replaced all previous bidding processes for major transport schemes. Through the Local Enterprise Partnership the County Council included a number of bids in the first round of Local Growth Fund bidding. It was successful in being provisionally allocated £800k towards upgrades at the A1/A59 junction at Allerton Park near Harrogate and, recognising the importance of highway condition to the economy, a £24m allocation over 5 years (2016/17 to 2020/21) towards targeted highway maintenance works<sup>3</sup>. The full £12billion of the Local Growth Fund has yet to be allocated. As set out in the section on the Strategic Transport Plan<sup>4</sup> the County Council is developing a series of 'bid ready' proposals for strategic transport improvements for which we will bid for funding from future allocations from the Local Growth Fund through the LEP.

### **Ad Hoc Grants**

From time to time the Government make funding available for transport improvements or transport related improvements (e.g. Air Quality) through ad hoc grants. These include grants such as the Highway Maintenance Challenge Fund which is next available in 2018/19, the Pothole Challenge Fund, and the new 'Access' fund for sustainable travel<sup>5</sup> which builds on the legacy of the Local Sustainable Transport Fund.

The ad hoc nature of these grants means that at the time of writing details of which funds may become available and when are unknown. The County Council have previously been very successful in securing funding from such grants and will wherever appropriate and possible continue to seek funding for the management, maintenance and improvement of local transport networks and services in North Yorkshire.

## **Revenue Funding**

The majority of the revenue funding for the management, maintenance and improvement of local transport networks and services in North Yorkshire comes from a combination of Government revenue grant and council tax.

The amount of government grant is based on a formula which considers items such as road lengths, traffic flows and also includes an allowance for 'snow lying days'. The formula has not changed substantially in the last ten years and is generally only inflated at about 2% per year (total 20% over ten years), whereas actual costs have increased by about 50% over the same period.

The County Council currently (2015/16) has around £23.5m per year of revenue funding available for managing and maintaining the highway network, and also spend approximately

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<sup>3</sup> See Part 3c - Highway Maintenance for more information

<sup>4</sup> See Part 3a – Strategic Transport for more information

<sup>5</sup> See Part 3j – Walking and Cycling for more information

£12.2m per year on public transport services including subsidising concessionary fares for pensioners and subsidising bus and community transport services<sup>6</sup>

## **Other Funding Sources**

As well as Government funding for transport the County Council use a number of other, smaller, funding sources to help deliver local transport infrastructure. These include:

### ***Developer Funding***<sup>7</sup>

Working with the local planning authorities through the planning process to secure developer funded highway improvements to mitigate the impact of developments where it can be shown the improvements are necessary, directly related to the development; and fairly and reasonably related in scale and kind to the development. The types of development which deliver such developer funded improvements range from residential development to major employment proposals and retail developments.

### ***Public Health Funding***

Recognising the health benefits of 'active travel'<sup>8</sup> some of the funding provided to the County Council to promote and improve public health is being used to promote and provide infrastructure for active travel. Public health funding is also used for road safety education<sup>9</sup>.

### ***Other NYCC corporate funding***

Having a well maintained highway is vital to both businesses and individuals. Consequently, in recent years the County Council have invested up to £7m per year from corporate reserves to carry out additional highway maintenance works. This extra funding is set to continue until at least 2020/21 with the County Council allocating £15m extra funding for the period 2015/16 to 2020/21.

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<sup>6</sup> See Part 3l - Buses and Community Transport for more information

<sup>7</sup> See Part 3g – Planning and New Developments for more information

<sup>8</sup> See Part 3j - Walking and Cycling for more information

<sup>9</sup> See Part 3e - Road Safety for more information

**Table 3b-2** below sets out the known main sources of transport funding available to the County Council for the first five years of the Local Transport Plan period (2016/17 to 2020/21). The figures for 2015/16 are provided for comparison purposes. All figures are provisional and subject to change in future years.

**Table 3b-2 Indicative transport funding**

<b>Source</b>	<b>15/16</b>	<b>16/17</b>	<b>17/18</b>	<b>18/19</b>	<b>19/20</b>	<b>20/21</b>
LTP Integrated Transport	£3.0m	£3.0m	£3.0m	£3.0m	£3.0m	£3.0m
LTP Maintenance 'Needs' Element	£29.7m	£27.2m	£26.4m	£23.9m	£23.9m	£23.9m
LTP Maintenance Incentive Element	£0.0m	£1.6m	£2.5m	£5.0m	£5.0m	£5.0m
Local Growth Fund	£0.0m	£5.0m	£5.0m	£5.8m	£5.0m	£4.0m
Additional NYCC Maintenance Funding	£7.0m	£2.0m	£2.0m	£2.0m	£1.0m	£1.0m
Highways Revenue Funding	£23.5m	£23.2m	£23.0m	£22.8m	£22.6m	£22.4m
Public and Community Transport Revenue Funding*	£12.2	£12.1m	£12m	£11.9m	£11.8m	£11.7m
Public Health Funding	£0.25m	£0.25m	£0.25m	£0.26m	£0.27m	£0.27m
<b>Indicative Total</b>	<b>£74.85m</b>	<b>£74.45m</b>	<b>£74.15m</b>	<b>£74.66m</b>	<b>£72.57m</b>	<b>£71.27m</b>

\* - Includes concessionary fares funding

## Key Commitments

We will:

- spend all of our Local Transport Plan capital allocation on transport;
- recognise the importance of the condition of the highway network to all forms of transport and therefore use approximately two thirds of the Integrated Transport allocation to help improve highway maintenance until 2020/21;
- develop a series of proposals for strategic transport improvements for which we will bid for funding from future allocations from the Local Growth Fund through the Local Enterprise Partnership;
- where appropriate and feasible continue to seek funding for the management, maintenance and improvement of local transport networks and services from alternative sources for example ad-hoc government grants, developer funding etc.

## 3c - Highway Maintenance

Highway Maintenance includes the upkeep of all highway assets. Although usually thought of as roads and footways; highway assets also include cycleways, bridges, drains, street lights and signs.

Whilst Structures and Street Lighting are detailed in separate sections of the LTP<sup>1</sup>, this theme will focus on maintenance of our other highway assets. The Rights of Way<sup>2</sup> theme also considers the management and maintenance of UURs (un-surfaced unclassified roads) which although technically part of the road network effectively operate as public rights of way.

The need to use our roads and footways is common to everyone in the County. To enable people to travel, our network of highways needs to be maintained and kept in a suitable condition. We also recognise the economic benefits of good highway maintenance which enables the timely movement of people and goods. A 2010 YouGov survey of UK businesses of varying sizes found that around 57% of businesses incurred additional costs due to increased journey times, damage to vehicles and increased fuel costs due to congestion causes by poorly maintained roads. SME businesses (which the majority of North Yorkshire businesses are classed as) are particularly affected by the condition of local roads which can reduce their competitiveness. Consequently we recognise that it is important to ensure roads are well maintained to reduce journey times, damage to vehicles and fuel costs as far as possible.

Many years of underfunding of highway maintenance by successive Governments has led to most highway authorities slowing the rate of deterioration of the network rather than improving its condition. The County Council has made some progress in improving the condition of some roads and footways, whilst also reducing the rate of deterioration of the network.

Yet, with the impact of the recent harsh winters and other severe weather events for example a tidal surge in 2013, together with the reductions in transport budgets, maintaining improvement in the condition of the network will be very difficult. To maximise the efficient use of our limited maintenance funding we have adopted formal scheme identification and prioritisation methods for highway maintenance. We monitor the condition of approximately 25% of the road and footway network each year. The results of these surveys are used to identify required maintenance schemes across the County.

The County Council adopt a Highway Infrastructure Asset Management (HIAM) approach to maintaining the highway. This ensures that we get the best value from our limited funding. This HIAM method includes a life-cycle based approach to highway maintenance. We focus our activities on those treatments which stop deterioration and prevent further decline in an assets condition and only undertake major reconstruction of assets towards the end of their life, when preventative treatments are unsustainable and expensive reactive repairs for

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<sup>1</sup> See Part 3i - Street Lighting and Part 3h – Bridges and Structures for more information

<sup>2</sup> See Part 3m – Public Rights of Way

safety are required.

The operational management of highway maintenance is carried out by seven area based highway teams. Area team boundaries match those of the seven local District Councils, with the highways offices located in Richmond, Thirsk, Whitby, Kirkby Misperton, Skipton, Boroughbridge and Selby. This allows a locally focused approach to delivery of the highway maintenance service in what is by area the largest County in England.

## **Our Policy Documents**

As the County Council is the local highway authority, it has duties and responsibilities placed upon it by the Highways Act 1980 and we have separate published policy documents to cover these responsibilities:

- Highway Maintenance Plan (HMP)
- Highway Infrastructure Asset Management Policy (HIAMP)
- Highway Safety Inspection Manual (HSIM)

## **Management Hierarchy**

The County Council manages all road types within the County, excluding trunk roads and motorways which are the responsibility of the Secretary of State for Transport and managed by Highways England.

With the budgets we have available, it is not possible to manage and maintain all roads and footways to the same level, however, we do ensure they are all safe. For example, it is not necessary to maintain a minor rural road running between two small villages to the same standard as an 'A' class road, as the latter is used by a significantly higher number of vehicles. To make the best use of the money available, the County Council has therefore adopted a hierarchy for management of the highway network. This hierarchy helps us to prioritise maintenance schemes to make the best use of our available funding.

The hierarchy works on the principle that a road should be managed to a standard appropriate to its use. The use is defined by the volume of traffic and its purpose (strategic links, commuter routes, housing estate roads). Based on this, each road is allocated a category. This principle is derived from 'Well-maintained highways: a good practice guide to highway maintenance management'.

A hierarchy has also been developed for footways which is also based upon usage. Busier footways in pedestrian areas and shopping streets are inspected on a monthly basis. If inspections identify dangerous defects, then these are resolved immediately.

Other categories of footway are inspected on a less regular basis. However, as with busier footways, dangerous defects are rectified immediately.

For highway maintenance, the hierarchy informs decisions on matters including:

- Inspection frequency to ensure highways are safe;
- Money for maintenance;
- Winter maintenance such as gritting and snow clearance; and,
- Other policies (e.g. verge cutting, gully emptying etc.).

### **Inspection Techniques**

The surveys of condition use a mixture of visual and machine based techniques to measure the condition of stretches of road and footway. The survey type varies dependent upon the category of highway in the hierarchy and the requirements to report the Single Data Set of Indicators to central government. All our surveys are industry standard condition surveys undertaken by accredited staff.

### **Identification of Maintenance Schemes**

The information obtained from surveys is collated and processed using a computerised system in order to identify defective sections. These locations are then subjected to a further detailed visual survey to clarify the extent of the defects. Locations are then prioritised across the County for possible maintenance schemes.

These locations are prioritised based on:

- Maintenance treatment required;
- Condition index score that reflects the need for maintenance;
- Scheme efficiency (e.g. is it good value to repair an adjacent section of footway, which is in poor condition, whilst also completing a carriageway repair?);
- Cost estimate of completing the maintenance scheme.

A list of prioritised maintenance schemes is produced for each category to match the available budgets. Any very short lengths requiring maintenance are added to other programmes for minor localised patching works.

### **Repair Methods**

For each problem identified there are likely to be a number of different solutions available (see below). For highway maintenance the selection of the most appropriate solution depends on the problem that exists. For example; slippery roads will probably require some type of surface treatment to restore skid resistance; a road with minor pothole damage will probably only require patching to make it waterproof; whereas a more deep-seated structural failure will require full reconstruction.

### **Maintenance Schemes**

Maintenance issues identified from network surveys will be addressed using the most appropriate solutions.

There are three principal types of maintenance scheme as follows:

### ***Basic Maintenance***

These are smaller scale and routine repairs to the highway network, such as pothole repairs, patching and haunching (rebuilding the edge of the carriageway), which are designed to repair defective areas. These repairs maintain a satisfactory running service and prevent structural deterioration from occurring.

### ***Surface Treatments***

These are non-structural treatments laid onto the existing surface which prevent further deterioration and extend the life, before further maintenance is required. This is achieved through sealing the surface and preventing water from penetrating the structure. Surface treatments usually improve skid resistance as a side-effect. Surface treatments are relatively cheap costing around £3.50 per square metre and so in many cases are the best options for extending the life of the highway.

### ***Resurfacing and reconstruction***

Where the structure of the carriageway or footway has deteriorated to a level at which patching or a surface treatment is prohibitively expensive we can undertake resurfacing or reconstruction schemes to restore the structural integrity. This brings the highway back to its original condition. R&R schemes are expensive costing up to £50 per square metre (14 times as much as a typical surface treatment) and as such are only used when necessary.

The type of scheme selected will be determined by the severity of the problem, the hierarchy, local conditions, category of the highway and how best value for money can be achieved. The County Council will select options to preserve and prolong the life of the highway through Basic Maintenance and Surface Treatments before investigating more major Resurfacing and Reconstruction options.

### **Minor Repairs**

The County Council carries out regular safety inspections identifying small scale defects, such as potholes. These inspections form the basis of the network wide programmes of minor patching, repairs and associated basic maintenance work. If identified defects are deemed to be dangerous then an immediate repair is undertaken to ensure that the defect is rectified. Occasionally this may be a temporary repair which is replaced at a later date by a permanent repair.

In addition to the regular inspections, the County Council responds to issues raised by its customers through the Customer Resolution Centre. As and when a problem is identified, an inspection will be carried out to establish if any repairs are required. If repair work is deemed necessary, suitable action will be planned. If repair work is not deemed necessary at this stage, the defect will continue to be monitored to ensure that public safety is maintained.

## **Programme management**

A close level of management is undertaken to ensure that schemes are delivered within budget and on time. This management also enables any other potential issues to be identified early and for appropriate action to be taken. Additionally, effective programme management allows for works to be coordinated alongside other planned Street Works, minimising disruption to transport users in the County.

A two-year rolling programme is currently used to allow for early planning and design and the development of a three-year rolling programme is planned.

Delivery of the LTP is not undertaken solely by the County Council. There are many public, private and voluntary sector organisations involved in the delivery of the LTP and wider transport services. This section will give brief details of the roles the main organisations and partnerships undertake.

## **highways North Yorkshire (hNY)**

The highways North Yorkshire partnership consists of the Highways and Transportation service unit of the County Council, our Framework consultants, and Ringway Infrastructure Services (RIS) contractors. Together they deliver most elements of the highways service for the County. This includes:

- Day to day management and maintenance of the highway network;
- Snow clearing and gritting;
- Identification, design and construction of maintenance schemes;
- Identification, design and construction of the majority of improvement schemes;
- Traffic surveys, transport studies, traffic modelling;
- Development of transport policies and strategies.

The County Council sets the policies, identifies maintenance and improvement schemes and carries out some design work. Our consultants provide consultancy services for the County Council which involves some scheme identification, scheme design and site supervision when schemes are constructed. RIS are currently the main contractor for the County Council highways service and carry out the day to day maintenance works on the highway and construct the majority of maintenance and improvement schemes.

## **Highways Maintenance Efficiency Programme**

Towards the end of 2014, the Department for Transport set up a new method by which local highways authorities would receive their capital funding. A portion of the funding available is based on being able to demonstrate efficiencies in the way that the highways are managed and maintained.

As part of the DfT's Highways Maintenance Efficiency Programme, local highways authorities are required to complete a questionnaire covering areas such as asset management, resilience, customer focus, benchmarking, efficiency and operational delivery.



The outcome of this questionnaire is a score that is used to help determine the total amount of capital funding received.

Aside from the funding, the questionnaire is designed to ensure that local highways authorities are implementing or striving to implement best practice throughout the whole of the highways service and delivering the best service for the budget.

### **Key Commitments**

We will:

- Continue to prioritise the management and maintenance of the highway network.
- Continue to operate and improve a Highway Infrastructure Asset Management (HIAMP) approach to maintaining the highway to ensure that we get the best value from our limited funding.

## **3d - Network Management**

As outlined in Part 1 of the LTP4 we have re-adopted the commitment to manage, maintain and improve transport networks and service as a hierarchy of intervention. The Council has a statutory duty to manage the highway network and this means that we will look to make the best use of what we already have.

In North Yorkshire the County Council is the highway authority for most public roads with the exception of trunk roads and motorways. The Traffic Management Act 2004 places a duty on all highway authorities to make sure traffic keeps moving on the roads. Through this Network Management Duty we will continue to ensure that planned and unplanned activities on the highway network are dealt with to minimise congestion and disruption of traffic flows.

We will continue to keep traffic moving by aiming to minimising congestion and disruption on the highway networks. The Network Management Duty covers a wide range of responsibilities but is principally concerned with the management of temporary activities on the road network. Some of the responsibilities which fall under this Network Management Duty include for example:

- Co-ordination of works by the County Council, utility companies and others;
- Licensing of skips, hoardings, scaffolding etc.;
- Encroachments on the highway

In support of our Duty we will also consider, where appropriate and funding allows, the introduction of localised network management solutions which address pinch points on transport networks, for example this could involve traffic signal upgrades or junction improvements.

### **Network Management Duty**

The Council has a nominated Traffic Manager with responsibility for the Network Management Duty. This duty is facilitated at a local level with each of the County Council's highways Area Managers being assigned the role of Assistant Traffic Manager for their area. For operational purposes the County Council currently has 7 highway areas whose boundaries are the same as the seven district council boundaries. The Street Works Manager coordinates forward programming with the utility companies and enforcement of street works legislation across the County

The various activities that we will manage on our network can be categorised into three main areas:

- Operational;
- Planned;
- Unplanned.

### **Operational**

Short term localised congestion can occur as a result of various standard operational activities on the network. This category includes road works carried out by the County Council or contractors and utility companies.

Through our Network Management Duty we will continue to make sure that there is a coordinated work programme to avoid conflicts between works and to make the most effective use of resources by ensuring that, for example, any works by utility companies are carried out prior to any County Council resurfacing schemes planned at the same location.

Non-emergency works taking place on roads which are considered traffic sensitive because of the large volumes of traffic they carry will be scheduled, wherever possible, outside of the traffic sensitive period. This may mean works taking place outside the holiday season in tourist areas or works starting after 9.30am and finishing by 4.30pm.

In addition operational activities may include road closures, refuse collection and parking enforcement as well as Highways Act 1980 licensed activities (skips/scaffolding etc.)

These different activities require effective management to make sure that congestion is kept to a minimum. To this end we have procedures and practices in place to facilitate effective coordination of works on the highway network and therefore allow the County Council to exert influence over the various activities. We will continue to undertake proactive discussions with all parties undertaking works on the network as well as making sure robust enforcement policies are in place to deal with cases where due process has not been followed. The Council is committed to improving network coordination activities throughout LTP4.

### **Planned**

These include activities like sporting events, carnivals and parades. We will seek to manage the impact by maintaining a register of planned events. We will also disseminate the information to stakeholders so that network management decisions are well informed.

**Figure 3n-1 Tour de France planned event**



*Photo credit to Bill Herald from Selby*

### **Unplanned**

Unplanned activities are by their nature unexpected and therefore it can be difficult to mitigate the immediate effects on the highway network. This category of activities includes incidents such as road traffic accidents and broken down vehicles, weather events (e.g. snow, ice, flooding, high winds), as well as emergency repairs required to the road or utilities apparatus, and other major incidents where roads need to be closed for safety or operational reasons.

We have contingency plans to deal with unplanned events such as the winter service plan. Where, for example, traffic is diverted onto another part of the network this could negatively impact on planned works. We will review the planned works programme and recommend temporary changes to alleviate the effects of any unplanned event.

### **Management and provision of highway information**

The County Council uses a Highway Asset Management Information System called Symology: Insight to manage operational service areas including network management, management of highways licences (e.g. skips, scaffolds and hoardings etc.) and street works co-ordination and management. We use this mapping based software to identify planned disruptions on the network.

An important part of the Network Management Duty is to make sure information on network disruptions is provided to transport users to enable them to make travel choices and reduce disruption. We will provide accurate information to inform people about diversionary routes and also enable transport users to try to change their journeys to avoid problem areas. Map based information will be communicated to the public via the County Council website [www.northyorks.gov.uk/roadworks](http://www.northyorks.gov.uk/roadworks). We will continue to use other publicity such as local radio and newspapers to disseminate information. We have also recently implemented a pilot scheme to give the public more convenient access to statutory notices and to improve traffic information dissemination via the [roadworks.org](http://roadworks.org) website.

### **Working with others**

#### ***Trunk roads, motorway and adjacent networks***

It is important to note that as the County Council borders many other authorities the interaction between these highway networks can impact on the North Yorkshire network and vice versa. As set out in Section 16 of the Traffic Management Act 2004 we work to ensure the expeditious movement of traffic on our local road network as well as on road networks for which other authorities are responsible.

The Council will continue to liaise with adjacent authorities and continue to use the 'manage, maintain and improve' hierarchy to address cross boundary transport issues. We are a key member of both the Yorkshire and Humber and North of England Traffic Managers groups which enables a consistent approach across the region. We will also continue to work closely with Highways England to make sure that any disruptions on the trunk road and motorway networks as well as the County Council's network are kept to a minimum.

Diversions routes have already been established which try to minimise the impact of any disruptions on key routes including the A19 (T), A168 (T), A64 (T), A66 (T) and A1/A1(M).

### ***Street works co-ordination***

Effective co-ordination is necessary where regulatory functions are governed by law and can be the responsibility of external organisations, for example, the New Roads and Street Works Act 1991 enables utility companies (electricity, gas, telecoms, water etc.) to dig up roads and footways. We will continue to co-operate with other organisations with the aim of trying to make sure the safety of the highway and those using the highway is not compromised as well as maintaining the integrity of the structure and minimising disruption to all road users. Street Works and road works that may impact on traffic flows are reviewed to make sure that activities in one area do not negatively impact on adjacent areas. We also communicate with district councils to coordinate 'streetscene' activities such as refuse collection, street cleaning etc. with the aim of reducing disruption to the network.

### ***Communication with other stakeholders***

We recognise that other stakeholders are also important in terms of managing the network. We will continue to have proactive discussions with parties that undertake activities on the network and we will seek to contact and coordinate with any organisation whose activities could potentially result in disruption to or fluctuations in motorised and/or pedestrian traffic. We will aim to minimise disruption to public transport services. Anticipated disruption to routes on the bus network will be communicated to bus operators to try to make sure that appropriate diversions or service amendments can be made. We will also work with Network Rail to ensure effective management of level crossings.

Effective working alongside key partners including the emergency services is essential particularly in the case of major accidents and incidents on the County network. Where incidents occur the Council will play an important role in managing the network alongside other agencies.

We will work alongside the freight transport industry with the aim of minimising disruption of localised operations on the highway network. For example, the work undertaken by the Timber Freight Quality Partnership enabled a preferred route map for timber transport using the public highway to be developed for North Yorkshire. This map is available to view at: <http://www.northyorks.gov.uk/timbermap>.

## Key Commitments

We will:

- meet the Network Management Duty as defined in the Traffic Management Act 2004;
- ensure that planned and unplanned activities on the highway network are managed to minimise congestion and disruption of traffic flows;
- keep traffic moving by aiming to minimise congestion and disruption on the highway network;
- provide accurate information to inform people about network disruptions and diversionary routes;
- liaise with adjacent authorities and other key stakeholders to ensure the effective movement of traffic on our local road network as well as on road networks for which other authorities are responsible.

### 3e - Road Safety

This county has one of the largest road networks of any county in England, consisting of rural A, B and C class roads where the likelihood of being injured in a collision is statistically higher than in a metropolitan or urban area, together with a large network of unclassified roads. In contrast, the risk of injury on a motorway is significantly lower.

**Table 3e-1 Road traffic collisions 2010-2014 annual averaged: North Yorkshire**

	Urban	Rural	Total
	20,30,40 mph	50,60,70 mph	
Fatal	4	36	40
Serious	112	239	351
Slight	537	684	1221
<b>Total</b>	<b>653</b>	<b>960</b>	<b>1612</b>

<b>KSI</b>	<b>116</b>	<b>276</b>	<b>391</b>
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With most of the county sparsely populated the road network is the main means of transport connecting small towns and villages. The distance between these mainly very small communities also requires people to travel greater mileage to access employment, education and services such shops or hospitals. This increases their exposure to the risk of road injury by virtue of the miles travelled on these rural roads.

Our local roads have a variety of users ranging from large articulated 40 tonne lorries and (increasingly large) agricultural vehicles through vans and cars to motorcyclists, cyclists and horse riders and those on foot.

Motorcyclists have long visited the county for the pleasure and challenge of a ride out on scenic routes with their many bends, gradients and other points of interest. Many riders will cover over 200 miles on such a ride, which is a physically and mentally demanding enterprise.

Cycling has received an immense boost recently from the Tour de France and Tour de Yorkshire events and continues to grow as a leisure activity for locals and visitors alike and as a sporting activity for groups from all around the country and from abroad. Cycling is fast becoming a significant visitor sector. The challenge of keeping our diverse roads safe for all these different users is immense and it is difficult to meet the needs of all simultaneously.

This theme aims to outline our vision and priorities for how we will work to meet those various needs and the safety issues that are present in such a large and attractive county. Our work will be based on collision and casualty data evidence and also on public representations, through our representative Citizens Panel and other consultation forums.

We keep a close eye on developing trends and activities and try to anticipate what may happen in order to pre-empt foreseeable risks where we can. Whilst reducing casualties and preventing crashes is our primary aim, we also aim to help people to Be Safe and Feel Safe on the county's roads where they live, work and travel, especially to address issues that affect people to the extent that they change the way they travel or live through fear of danger and injury.

## **Safer Systems Approach**

We are adopting the internationally recognised Safe Systems Approach to how we manage and maintain our road network in North Yorkshire. This means that we will endeavour to promote, encourage and provide:

- Safer vehicles
- Safer roads and infrastructure
- Safer Speeds
- Safer Road Users
- Post-Crash response

### **Safer vehicles**

Technology, materials, and infrastructure are ever-improving. We do not manufacture or design vehicles but we will keep ourselves up to date on them to inform our future infrastructure and maintenance planning. We aim to design and manage for the future not just the present as this is financially wise as well as socially responsible.

### **Safer roads and infrastructure**

We will consider the needs of our road users and the priorities for each scheme taking account of the most appropriate design, materials, infrastructure for that road and its various users together with the latest technology. This is a very long term approach as, for example, many maintenance schemes are designed for decades of use and are re-visited over periods of years. Building Safer Systems into our work will pay dividends over time.

### **Safer Speeds**

Setting and enforcing safe speed limits that are appropriate and effective for the local area and for those using the roads.

### **Safer Road Users**

Imparting appropriate knowledge and education to road users of all ages, training for the different modes of travel from cycling, powered two wheelers to cars, lorries and licensing, where the standards for independent driving or riding are set – this latter item is a central government role but we contribute through consultations when changes are being considered. We strongly believe that road user education should be integral to every child's education throughout childhood into adult life. This should start by supporting parents in teaching and leading by their own example which is how children learn most of these lifelong skills and attitudes. Parents need support and help in doing the best for their children. Schools and youth organisations also have their role to play in reinforcing these lessons. We can provide the expertise and information they need to enable them to do so. We endeavour



to provide adult road users with the information they need to become and remain safer road users. Employers and fleet managers are well placed to adopt better policies and promote practices to manage and protect those who drive for them as part of their work.

### **Post-Crash response**

We aim to do the most possible for those involved if a collision occurs and learning the lessons from every collision to improve the other four aims – this is a Partnership based aim for us working with the emergency services that provide the post-crash response services.

## **Key Priorities for Road Safety**

We need to maintain a safe, usable network for all road users. This means that we look at routes and sites and consider who uses them, how and for what purposes, year-round. This enables us to make decisions on how we prioritise what we can do and for whom. There have to be compromises with limited budgets and we will not always meet everyone's needs and aspirations. We will try to ensure that we maintain a balance between the interests of different road user groups.

The current financial climate and competing demands on the network mean that we are not in a position to plan and install hundreds of miles of off road cycleways to satisfy commuters, leisure and sports riders throughout the county area. However, we are keen to support and provide for cyclists where we can<sup>1</sup>.

We will take account of cyclists needs in maintenance and new road schemes and within our planning considerations for new developments. When funding can be found we will prioritise our efforts to those places and uses where:

- There is evidence of an existing cause for concern
- There is evidence of an emerging cause for concern
- Large events have triggered a significant increase in cyclists using a route e.g. Tour de Yorkshire
- New event routes are being proposed
- There is evidence of significant benefit/demand
- We can connect existing facilities and routes through small additional elements

Motorcycling on North Yorkshires' challenging, scenic roads is hugely popular especially with riders of large sports bikes who regularly travel many miles in a day to enjoy them. These riders all too often feature in serious and fatal crashes and the consequences of their injuries are with them and their families for the rest of their lives. After a fatal crash, the closure of rural roads for a number of hours involves hundreds of other people in delays and long detours. The vast majority of bikers killed are men aged between 30 and 55 years of age.

Whilst the number of children hurt on our roads is relatively low in most areas, this cannot be taken for granted and indeed we work to prevent any casualties rather than limiting ourselves to achieve some "acceptable number" of casualties. More than just reducing

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<sup>1</sup> See Part 3j – Walking and Cycling for further information

casualties amongst children this year and next, we see the support of road user education and training throughout a child's life into adulthood as a sound investment for their whole life and, eventually, when they bring up their own children.

Young people need to be able to get to college and work and to access services. Students in education or training and young people at the start of their working life are often low paid but dependant on being able to travel affordably in order to progress in their careers and chosen fields. Their travel needs differ and we are committed to helping them to be able to use our roads safely and to reduce their risk of premature death or injury.

The numbers and overall proportion of county residents over 65 years old is growing. Age of itself does not automatically increase a driver's likelihood of crashing but it does increase the physical effects of injuries to them. Elderly pedestrians are also particularly vulnerable to life changing injury: what is recoverable for a younger person may be life changing when older. We are keen to support people's independence to enable them to continue driving for as long as they safely can. We aim to encourage adults and those looking towards retirement to keep cycling and walking as both these active means of getting around will help maintain a better level of fitness for longer. We will take their travel needs and vulnerabilities into account within the Safe Systems Approach and we will endeavour to support them to stay independent and travelling independently for as long as they can safely do so. This may be within our engineering and infrastructure work or through training and skills or a combination of these.

Access to services, leisure and local shops and businesses is vitally important for everyone, wherever they live. We will use the Safe Systems Approach to maintain and improve our roads and facilities and to support and enable our road users. We will collaborate closely with the emergency services to enable them to provide the best post-crash response they can, using our roads.

Tourism is one of our main sources of income and economic potential. The travel needs of our visitors will be central to our maintenance and network planning for the future to support the visitor economy.

## **Links with other key areas**

We will use all the information that is available to us to best identify where safety issues can be addressed to greatest effect with the resources we can obtain. We will do this by analysing the numbers and causes of collisions and casualties on our roads and identifying any patterns that emerge. They may relate to any number of contributory factors, for instance the location, the type of vehicles involved, the time of day or the weather conditions or other actions or inactions by people. We will coordinate our work and, where there is benefit, collaborate with complementary and related fields both within the council (e.g. Children and Young Peoples Service (CYPS) and Public Health and Safeguarding) and outwith the council including through the 95 Alive Partnership and with other public, commercial and third sector organisations.

In particular, we will coordinate our programme delivery to achieve complimentary Highways and Public Health aims and outcomes identified within the Joint Strategic Needs Assessment and the Annual Report of the Director of Public Health to promote joint working and programme delivery where that is appropriate and effective.

## **What will be delivered?**

We will deliver Core Road Safety Services as per statute. This means we will conduct data analysis and from that we will agree and deliver a programme of appropriate remedial schemes of engineering and/or education and training together with enhanced prioritised education/training and engineering services through innovation and collaboration e.g. Public Health and 95 Alive Partnership funding, government grants and shared resources, where we can achieve this. Data-led, effective programmes that make a difference to help people to Be Safe and to Feel Safe are key. Some will be short term information or engagement events; others will be long term education programmes taking children and their families from pre-school and throughout education into adulthood.

Using the Safer Systems Approach principles in addressing road safety issues:

- We will make roads safer through design for all road users, for example the provision of improved crossings or road maintenance priorities that take account of all road users not only vehicle drivers.
- The type of approach used will be dependent on the nature of the crashes which are being addressed, and may involve a combination of measures.
- Deliver appropriate and effective public information and training programmes to promote safe use of the road network. These will address significant issues we have identified as being pivotal in preventing or reducing the effects of collisions. Cycling and walking all or part of the way to school will be encouraged along with measures to reduce congestion and vehicles outside school gates. Specific engagement events will be held to focus on particular issues, such as meeting with motorcyclists at popular venues.
- We will seek improvements through any transport grants that become available. In the recent past programmes such as the Local Sustainable Transport Fund have provided us with opportunities to develop sustainable transport options. This has allowed new transport facilities to be provided and also existing conflict points to be addressed, such as the Park and Ride facilities at Whitby.
- We will seek any improvements that can be addressed through the development planning process. This gives us the opportunity to avoid potential road hazards at the design stage, and allows proper provision of facilities for walking, cycling and accessibility for all.
- We prioritise our road maintenance because it is a fundamental feature of safer roads, and investment in maintenance can reduce the risk of a crash.

We will also provide the following:

- Provision of the Bikeability national standard training course offered to every primary school for as long as funding can be found to support it (currently funded by government grant with top-up funding from the county council).
- Partnership through 95 Alive – providing strategic analysis with efficient use of public resources and local delivery and response
- Continue as a leading partner in the 95 Alive York and North Yorkshire Road Safety Partnership
- Work more closely with other services to connect our strategies and our service delivery including with Public Health, Public Rights of Way and local, neighbouring and regional authorities and agencies to achieve shared or complimentary aims.
- Maintain and promote popular and newly emerging on-road cycle routes with cyclist safety in mind, working with others such as Sustrans and local councils.
- Take particular care to identify and support the specific needs of older people to help them to stay independent for as long as they safely can and wish to.
- Work with carers and support groups to help carers and those with life changing illness to support their travel needs.

We will have an elected member who will act as Road Safety Champion and advocate for road safety being incorporated across council activity in policy and in service planning and delivery. For less obvious or smaller scale issues such as Road Safety, there is a real benefit from a well-placed advocate to look for opportunities and represent the importance of road safety and crash and casualty prevention work across the Councils decisions and services.

The council, working through the 95 Alive Partnership, will continue to actively engage with motorcycle groups through local and regional information campaigns and at popular locations in the county to educate riders about hazards and good riding practice, and to listen to their concerns and ideas to reduce the incidents of motorcycle accidents. This work will be coordinated with police enforcement operations on key motorcycling routes focussing on where there have been crashes.

## **Key Commitments**

We will:

- adopt the internationally recognised Safe Systems Approach to how we manage and maintain our road network
- appoint an elected member who will act as Road Safety Champion and advocate for road safety
- continue as a leading partner in the 95 Alive York and North Yorkshire Road Safety Partnership
- deliver appropriate and effective public information and training programmes to promote safe use of the road network.
- seek any improvements that can be addressed through the development planning process.
- We will seek further improvements through any transport grants that become available.

## 3f - Traffic Engineering

The term traffic engineering covers a broad range of services that includes collision investigation and prevention, traffic signals and the strategic management of on street parking across the whole county. The aim of the Traffic Engineering theme is to continue to reduce collisions, facilitate the movement of traffic and improve the infrastructure throughout the county's road network making users journeys safer and more enjoyable.

NYCC has already been working to the Safe Systems Approach<sup>1</sup>, going forward this approach will be formally adopted. The Safe Systems Approach covers:

- Safer vehicles;
- Safer roads and infrastructure;
- Safer Speeds;
- Safer Road Users;
- Post-Crash response;

Traffic Engineering focuses on Safer roads and infrastructure, Post-Crash response and Safer Speeds. This Safe Systems Approach is incorporated into the design of all highway improvement and maintenance schemes and will consider the safety of all road users on the network.

### Collision Investigation and Prevention

The role of Collision Investigation and Prevention is primarily to prevent personal injury collisions from occurring on the highway. This is done through collision reduction studies at known collision cluster sites, fatal collision investigations and road safety audits.

#### *Collision reduction studies*

North Yorkshire County Council has a statutory duty under the Road Traffic Act 1988 to carry out personal injury collisions studies and take appropriate action to try to prevent these personal injury collisions from occurring on the highway. The Council carries out collision reduction studies at locations identified from:-

- **Cluster sites** – where four or more collisions have occurred within 100m radius for rural sites (speed limit greater than 40mph) or 50m radius for urban sites (speed limit of 40mph or lower). Locations that meet this criterion are subjected to detailed personal injury collision analysis and then where appropriate a cost effective collision reduction scheme is designed and implemented as soon as possible.
- **Route studies** – NYCC will continue with the development of its new routes analysis tool which, using a statistics based approach, highlights routes of concern for investigation. The tool will highlight locations where, compared to the surrounding area, it is unusual for personal injury collisions to be occurring. These routes are then subjected to collision reduction studies where detailed personal injury collision

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<sup>1</sup> See Part 3e - Road Safety for more information

analysis is undertaken and where appropriate a cost effective scheme is designed and implemented as soon as possible.

- **In Year Clusters** – By focussing on ‘in year’ cluster sites the County Council is more reactive to the personal injury collision cluster sites on its road network. We will continue to produce ‘In year’ cluster site lists on a quarterly basis using a rolling year of personal injury collision data, which will highlight any emerging concerns on the network. We will focus our attention on sites with three or more personal injury collisions or sites with a high severity factor within the relevant search radius for urban or rural locations.

When investigating collision reduction studies detailed analysis is carried out to establish patterns. These could be the type of road user e.g. cyclist, motorcyclists, HGV, age of drivers or alternatively, weather conditions, time of day or clear manoeuvres such as loss of control on a bend. This information is used to inform the collision reduction study. In some instances a joint improvement and maintenance or joint improvement and education scheme is required to tackle the collision problem.

NYCC will continue to prioritise collision sites and implement improvements to reduce the number and severity of collisions. To ensure this happens, where possible, schemes are developed and implemented within the same financial year (or for those occurring late in the current financial year, as soon as practicable at the beginning of the following financial year).

We will monitor the effectiveness of collision reduction schemes using appropriate statistical techniques. This monitoring will help inform future collision reduction studies by highlighting the most cost effective and highest casualty savings for a certain engineering technique for a specific collision problem.

### ***Fatal collision inspections***

NYCC will continue to investigate all fatal collisions that occur on the road network and where appropriate recommend measures aimed at preventing collisions of a similar nature from occurring again. The fatal collision investigation is separate to any investigation that may lead to prosecution by North Yorkshire Police and will investigate all highway characteristics to establish whether these could have been a contributory factor in the collision. The investigation will look in detail at the highway vertical and horizontal alignment, drainage, road markings, reflective road studs, signs and the highway surface condition. NYCC will continue to prioritise fatal collisions and will carry out investigations in accordance with the timeframes set out in the County Council’s Fatal Collision Procedure. Any recommendations necessary as a consequence of the fatal collision will wherever possible be implemented within 6 months.

### ***Road safety audits (RSA)***

We will ensure road safety audits are carried out on highway improvement schemes being undertaken by developers and NYCC. Road safety audits are carried out independently from the scheme designer or promoter. The objective of a road safety audit is to identify aspects of a highway improvement scheme that could result in future road safety problems and to suggest modifications that would improve the road safety of the resultant scheme. Getting

involved at an early design stage is important to ensure any potential safety concerns are identified. This plays a key role in the Safer Systems approach.

NYCC will continue to ensure its road safety auditors have the appropriate training and experience to enable them to be suitably qualified to carry out audits. NYCC will provide quotations to developers for members of the traffic engineering team to carry out road safety audits for developer led schemes and will carry out these audits subject to the quotation being accepted. NYCC will also continue to carry out audits on internal led highway improvement schemes subject to the availability of the qualified team members.

### *Sign clutter and safety*

North Yorkshire is a predominately rural county with two National Parks and a number of Areas of Outstanding Natural Beauty and Conservation Areas. As such the visual impact of installing signs and other infrastructure in the highway must be considered. NYCC will aim to remove unnecessary signs to de-clutter the highway environment because studies have found that a proliferation of signs can lead to reduced effectiveness.

### *Passively Safe Roadside Features*

In addition to the de-cluttering of the highway, any sign or structure put in the highway must not be of a robust unforgiving nature that could result in severe injury to road users should it be collided with. These are called passively safe features. Passively safe roadside features include lightweight sign posts, lighting columns and vehicle restraint systems (crash barriers). They are designed to deform or break upon impact by a vehicle and reduce the severity of injury to road users in the event of such an impact. NYCC carry out a risk assessment on all new installations to assess whether a passively safe structure is required. This assessment looks at the speed of the road, vertical and horizontal alignment and previous collision history. The County Council has an approved Passive Safety Protocol.

## **Traffic Signals**

NYCC is responsible for the maintenance and refurbishment of over 330 sets of traffic signal installations located across North Yorkshire. Over 100 of these installations are signalised junctions with the remainder being mainly signal controlled pedestrian crossings. This number continues to increase as housing, shopping and industrial developments are constructed within the County.

Traffic signals are an important feature of the highway infrastructure as they:

- Improve facilities for vulnerable road users such as pedestrians, cyclists and equestrian users;
- Improve congestion and safety at junctions;
- Help facilitate the movement of traffic;
- Manage traffic at locations such as swing bridges and narrow bridges.

Traffic signals can be used at complex junction arrangements and allow for priority or dominating arms and / or priority routes. Advances in the capability of traffic signals over



recent years have led to much more intelligent systems enabling NYCC to better monitor, manage and maintain their traffic signals infrastructure.

### ***Maintenance of traffic signals and faults***

Traffic signal controlled junctions, pedestrian and cycle crossings are the key points of interaction between motorised vehicles and the most vulnerable road users in our society, it is therefore crucial that they are maintained to an appropriate standard. NYCC therefore aims to have all traffic signals fully operational and it has a traffic signal maintenance contractor to undertake maintenance and repair on all traffic signal infrastructure following annual inspections.

The Council prioritises traffic signal faults into three categories: Urgent 1, Urgent 2 and Non urgent faults. These faults are identified through the annual inspections, reports from members of the public, NYCC officers or by North Yorkshire Police officers and computer based programmes such as the remote monitoring system.

Urgent faults are allocated for any of the following issues:

- All equipment inoperable;
- Equipment failing to change;
- Equipment damaged or in a dangerous condition;
- Defective equipment which is likely to cause excessive queues or abnormal traffic conditions;
- Traffic signals showing multiple or ambiguous or conflicting indications;
- Pedestrian phase inhibited;
- Pedestrian push button unit not demanding;
- Audible and/or rotating tactile device not working;
- Where the NYCC authorised officer considers the fault requires urgent attention.

Urgent 1 category faults are those reported Monday to Friday between 08:00 and 22:00 and these should be attended within 3 hours of the report. Urgent 2 category faults are those reported on a Saturday or Sunday at any time or between 22:00 and 08:00 Monday to Friday. These should be attended within 4 hours of the report.

All other faults will be reported as non-urgent. Non Urgent faults should be attended within 8 hours of reporting.

### ***Programme of traffic signal refurbishment***

NYCC is committed to improving the traffic signal infrastructure and has an annual programme for refurbishment. Assessments are carried out on each traffic signal on an annual basis, this information is then analysed to prioritise sites for refurbishment. The refurbishment programme upgrades the signal equipment which leads to improved safety for pedestrians and reduced delays to traffic. The refurbishment programme helps reduce congestion, improves localised air quality and improves road safety. In addition the replacement of old equipment reduces the energy consumption of the system through the use of extra low voltage systems and LED signal lights.

### ***Management of traffic***

A brand new remotely hosted cloud based Urban Traffic Management & Control (UTMC) system is now operational in North Yorkshire and will help to reduce delays in the two major urban centres Harrogate and Scarborough. This consolidation of the County Council's traffic control infrastructure onto a hosted system will lead to a significant year on year cost savings as well as improving system reliability.

NYCC will continue to promote the use of more sustainable transport methods and therefore will introduce Bus Pre-emption measures which will allow buses some priority at traffic signals. This will lead to increased efficiency of bus journey times by linking into the UTMC systems. We are currently considering the appropriate measures necessary on the A61, A59 and town centre in Harrogate which potentially could be rolled out to other areas of the County later.

### ***Improvement to the signal infrastructure***

The County Council is also committed to improving the method of control at traffic signal installations across the County. The most common system of traffic signalisation is called vehicle actuation (VA), has limitations in terms of the number of traffic lanes it can control, and how responsive it can be to changes in the traffic behaviour.

Microprocessor Optimised Vehicle Actuation (MOVA) is a product developed to overcome some of the problems associated with traditional VA control. It is more responsive to traffic conditions and often leads to a significant increase in capacity (and hence reduction in congestion and delays) at an isolated junction. The County Council has already introduced MOVA at a number of signalised junctions in urban areas and will continue to introduce MOVA when and where appropriate to improve efficiency.

Alternatively the introduction of Urban Traffic Control SCOOT (Split Cycle Offset Optimisation Technique) will optimise timings at existing VA controlled junctions. SCOOT links a number of sets of traffic signals together, and responds automatically to fluctuations in traffic flows. It is therefore beneficial to use this on urban routes with multiple, relatively closely spaced, signalised junctions in order to optimise traffic flow and minimise delay.

## **Car parking**

There are three main types of car parking facilities:

- Private car parks at homes or businesses owned and managed by the householder or business;
- Off street public car parks owned and managed by District Councils or National Parks<sup>2</sup> (although they could also include privately owned and operated);
- On street car parking which is the responsibility of the County Council.

In North Yorkshire the County Council is responsible for on-street car parking on the local highway network and the District Council and National Parks are responsible for most public off-street car parks. It is important that on-street and off street car parking are best

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<sup>2</sup> NYCC own and operate the 'Park & Ride' car parks in Scarborough and Whitby

considered together and therefore the County Council is committed to joint working with partners to provide a consistent approach to the public.

NYCC have adopted Civil Parking Enforcement (CPE) which transfers the power of enforcement for most on-street parking offences to the local highway authority. This enables the local highway authority to issue Penalty Charge Notices (PCN) to improve compliance of parking restrictions. The primary purpose of CPE and parking is to aid the movement and safety of traffic by reducing inappropriate parking.

### ***Parking Strategy***

On street parking can be a sensitive matter for local residents, therefore NYCC will continue to develop its policies and strategies to ensure it complies with all relevant legislation when dealing with requests from the public.

Demand for car parking is closely linked to the number of journeys being undertaken by transport users. These journeys must begin and end at a parked location, whether this is a residential property, place of work, leisure facility, shopping destination or other location. The rural nature of the county means that many people rely on the car to access key services and sufficient parking provision at certain locations is required. NYCC will continue to look at viable alternatives to the car and therefore on street parking provision will be managed to encourage use of these alternatives such as Park & Ride facilities.

Effective on street parking management measures help to balance on and off street parking supply and demand. This inter-relationship should encourage drivers to park in designated on-street spaces for short visits and deter those wanting to park on-street for longer periods. NYCC will continue to work with its District Council and National Park partners to develop the links between on-street and off-street parking.

### ***Residents Parking***

Issues can occur where a significant proportion of residents and their visitors have difficulty in finding parking on the public highway close to their property and a reasonable alternative is not available. Parking displacement into residential areas can occur around:-

- Town centres;
- Retail / leisure / tourist locations;
- Large employers;
- Railway stations.

Residents parking schemes impose constraints on both residents and non-residents the implications of introducing them must be considered very carefully. As a result of recent public concerns the County Council has reviewed the assessment criteria in its current Residents Parking Policy.

## **Key Commitments**

We will:

- continue to prioritise collision sites and implement improvements to reduce the number and severity of collisions;
- continue to prioritise fatal collisions and will carry out investigations in accordance with the timeframes set out in the County Council's Fatal Collision Procedure. Any recommendations necessary as a consequence of the fatal collision will wherever possible be implemented within 6 months;
- ensure road safety audits are carried out on highway improvement schemes;
- improve the traffic signal infrastructure and the method of control at traffic signal installations across the County.

# 3g – Planning and New Developments

1. Managing the impact of new development on NYCC’s highway networks is a key function linked to the Local Highway Authority’s (LHA’s) status as a ‘statutory consultee’ in the planning process. In its position as a consultee in the planning process the LHA is able to recommend to the Local Planning Authority (LPA) but not direct how it determines an application. This contributes to the delivery of plan objectives by contributing to economic growth whilst ensuring road safety requirements are met and endeavouring to minimise environmental<sup>1</sup> impact and secure healthy travel options<sup>2</sup> through Travel Planning whilst providing the best possible access to services for existing and new developments. In delivering these aims there is a need to manage public expectations in what can be delivered through the planning process and the extent of the powers and influence NYCC has as local highway authority in the planning process.

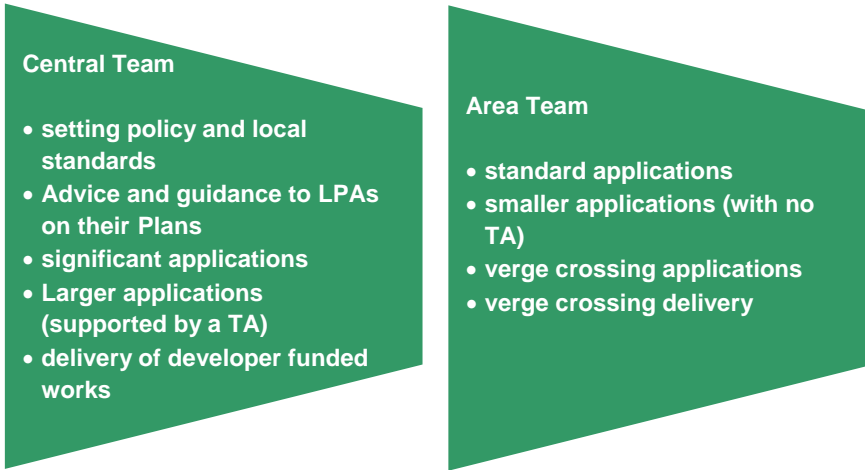
## Impact on the Local Highway Network

2. NYCC takes a proactive approach to its input to the planning process as the LHA. Within North Yorkshire there are ten planning authorities; seven are District Councils, two are National Parks plus the County Planning Authority. This presents a challenge in delivering consistency across the huge geographical area and in the logistics of meeting differing priorities and deadlines. The matter is further complicated by the varied nature of the highway network, from the central urban cores of the two major towns of Harrogate and Scarborough, to the remote rural settlements via the numerous market towns which characterise the County and the largest military base in Europe at Catterick Garrison.

3. To deliver this key contributor to economic growth the LHA will maintain a professional service whilst refining the well-established delivery mechanisms to provide a service which is responsive to emerging changes in the Planning process.

4. The delivery mechanism is based on a central team and seven geographically based Area teams with the workload split between the central and local team along the following lines as shown in Figure 3g-1.

**Figure 3g-1 - Split of LHA responsibilities between Central and Area Teams**



<sup>1</sup> See also Part 3n - Air Quality and Noise

<sup>2</sup> See also Part 3j - Walking and Cycling

## Key elements of the LHA input to the Planning Process

5. The key elements will continue to be as shown in Figure 3g-2.

**Figure 3g-2 - Key elements of the LHA input to the Planning Process**

Pre-application advice	Formal LHA response to application	Responses to Local Plans and Public Consultations	Negotiation of Section 106 requirements
Negotiation of Section 278 agreements	Negotiation of Section 38 agreements	Managing the delivery of developer funded works	Setting local standards

6. Considering these enables the LHA to ensure the advice it provides to the planning authorities is impartial professional advice based on National and local Policy, Guidance and protocols. It is advice which contains the input from the diverse range of internal transport related disciplines in a single response underpinned by the relevant Guidance. In addition the advice is established in consultation with the relevant external parties. This is particularly important when development will impact on both the local highway network and the Strategic Highway Network (trunk roads and motorways) managed by Highways England. The two authorities work together to ensure that advice is consistent or where there are any differences these are recognised and can be defended. This practice is now endorsed by the Highways England document 'The strategic road network planning for the future'<sup>3</sup>

7. Any advice the LHA provides to the planning authorities will be constrained by the content of the documents submitted in support of application and the Planning Legislation. Whilst much can be done by negotiation, to endeavour to align NYCC's and the developers aspirations, in the end an application must progress or be refused on the actual merits of the submitted application. If these do not trigger a "severe" impact on the highway network, as defined in the Department of Communities and Local Government's National Planning Policy Framework (NPPF), there is little the LHA can do to resist the development.<sup>4</sup>

8. In considering all planning applications the LHA will always give priority to considering matters relating to highway safety. This will be linked to other issues such as growth and economic development, the convenience of all road users, reducing journeys by car, and future maintenance of the network. Whilst generally matters relating to the environmental impact of development which are defined in the Environmental Impact Regulations are outside the remit of the LHA, where development impacts on identified Air Quality Management Areas and DEFRA's Noise Important Areas the LHA will require the impact of the traffic generated by development to be considered.

<sup>3</sup> [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

<sup>4</sup> [www.gov.uk/government/publications/national-planning-policy-framework--2](http://www.gov.uk/government/publications/national-planning-policy-framework--2)

9. Where necessary the LHA will be ready to defend its advice through the appeals process.

## **Transport Assessments (TAs) and Travel Plans (TPs)**

10. Transport Assessments (TAs), Transport Statements (TS), and Travel Plans (TPs) are the developer funded transport planning documents which support a planning application. They set out the theoretical impact that the proposed development will have on the local highway network, and present the mitigation identified for reducing this impact. These documents will continue to be key tools in assessing the impact of developer's proposals. TAs and TS are required to assess the impact of development on the highway and transport network surrounding the development whilst Travel Plans identify the developer's proposals to reduce the amount of traffic associated with the development by encouraging the use of alternative modes of transport to the car. The absence of detailed National Guidance on the content of these documents will result in the LHA preparing local policies and protocols to ensure the submitted TAs and TPs adequately address all the issues of concern to the LHA on North Yorkshire's highway network. In preparing this local guidance the LHA will give consideration to other available advice such as Highways England's 'The strategic road network: Planning for the future' guidance.

11. The local requirements will need to ensure that all readers can regard TAs and TPs as truly impartial giving a fair and robust assessment of the proposed developments. The document will set trigger points for assessment and mitigation taking account of the nature of the county's highway network and the need for developers to fund the mitigation of the impact of their development in a local context. The mitigation can take many forms from providing substantial junction improvements to funding buses to reduce the traffic that will be generated.

12. The local highway authority will continue to seek appropriate developer funded mitigation that meets the tests of NPPF by being necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. The proposals will also need to be deliverable without third party land and in an appropriate timescale. The County Council cannot require developers to fund works that are not necessary for their development. Developer funded works cannot resolve existing problems or satisfy aspirations, they are only required to mitigate the cumulative impact of the application in question, together with any adjacent developments which the planning process considers as 'committed development'. The LHA will establish mechanisms with the LPAs to ensure that the constraints of the Community Infrastructure Levy do not compromise the delivery of the necessary transport infrastructure.

13. The LHA will continue to work with the LPAs to establish appropriate area wide traffic and transport models of key settlements and conurbations. Where these exist the LHA will expect developer's proposals to be assessed using the available modelling.

14. Travel Plans will continue to be assessed in accordance with NPPF. They will need to reflect the emerging links between travel planning and the health agenda.

## **Design Standards for Developer Funded Works**

15. Design Manual for Roads and Bridges (DMRB) is the national standard for trunk roads which NYCC as the LHA also applies to roads where traffic takes priority. Manual for Streets (MfS) is the national standard for residential or lightly trafficked streets.

16. The LHA now has a formally approved matrix to inform which of these standards to use; it is based upon a “movement and place” matrix. Where “movement” takes priority DMRB is the appropriate standard and when “place” takes priority MfS is the appropriate standard. Application of the matrix results<sup>5</sup> in residential areas being designed to MfS with through routes on busy roads with no “place” function having a DMRB standard.

17. The determination of which standard is applied can influence the suitability of a site to be developed as DMRB requires higher design standards including greater visibility splays appropriate for locations where vehicles take priority.

## **Parking Standards for Development**

18. NYCC has re-introduced minimum parking standards for residential development. This is interim advice to accommodate the high volume of residential development coming forward. Building on this interim advice it is proposed to work with the ten planning authorities through the North Yorkshire Planning Officers Group (NYPOG) to conduct a full review of all standards for parking at residential, employment, retail and other types of development and adopt these through the usual consultations and approval processes.

## **Residential Estate Layouts**

19. Within residential areas where “place” functions take priority the LHA will continue to expect layouts to constrain vehicle speeds to 20mph; this should be done without the introduction of vertical speed reducing features (e.g. speed humps) except for tables at junctions.

20. Where new schools are to be built as part of a wider new development the layout of the whole estate will be expected to provide safe routes to school so that all children can be encouraged to walk and / or cycle to school. Footway routes will continue to be sought to all play areas to enable good road safety habits to be established.

21. Developers will be encouraged to follow the advice of MfS layouts to provide attractive pedestrian routes which help to discourage the need to use cars for short journeys. The Council recognises that the MfS advice in some cases conflicts with the Police “Secure by Design” guidance which prioritises security and defensibility. For example, the “Secure by Design” guidance advises against footways linking culs-de-sac as they could potentially provide an escape route for criminals. Whilst recognising the potential conflict between the MfS and Secure by Design guidance, the LHA will continue to encourage walking through the provision of suitable walking routes on pedestrian ‘desire lines’.

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<sup>5</sup> [www.northyorks.gov.uk/media/31211/Design-standards-for-developer-funded-works/pdf/Design\\_standards\\_for\\_developer\\_funded\\_works.pdf](http://www.northyorks.gov.uk/media/31211/Design-standards-for-developer-funded-works/pdf/Design_standards_for_developer_funded_works.pdf)



## **Industrial Estate Roads**

22. Many industrial estates are self-contained culs-de-sac serving no real benefit to the wider adopted highway network. In practice they form a drain on the LHA's maintenance resources with the high level of HGV use requiring a disproportionate level of maintenance particularly to maintain footways in an acceptable condition. The current practice of continuing to add such roads, which do not form a through route to the network as highway maintainable at the public expense would benefit from a review. A change to the current practice could allow the industrial estates to manage indiscriminate parking in a way the LHA cannot and remove the need for the LHA to maintain roads which are subject to heavy wear and tear.

## **Mechanisms for delivery of Developer Funded Highway works**

23. NYCC will continue to deliver developer funded highway works using the most appropriate mechanism. The choice of mechanism will vary from site to site having regard for all the circumstances. The most commonly used mechanisms are described below:

### ***S106 Agreements and Community Infrastructure Levy (CIL)***

24. A section 106 agreement is used to secure financial contributions from a developer to fund improvements to the highway. Traditionally off site highway works have been secured through the planning process using Section 106 Agreements, often pooling contributions from numerous sites to fund major infrastructure. This was sometimes supported by special planning policies which linked contributions to a formula based on site size or trip generation.

25. The CIL regulations were introduced by Government to provide developers with certainty about the value of contributions required in support of planning applications. The regulations apply a rate per square metre to cover the cost of delivering strategic infrastructure such as roads, schools, and affordable housing. They are administered by the LPA. To establish the infrastructure to be delivered by CIL the LPA is required to list everything they will be funding on a list; the Regulation 123 List. Once infrastructure is on this list it cannot be delivered outside CIL; this prohibits the use of Section 106 Agreements to secure delivery and implementation using Section 278 Agreements.

26. The CIL regulations also restrict to a maximum of five the number of Section 106 contributions which can be pooled for a specific piece of infrastructure not on the Regulation 123 list. The detail of CIL and its administration is still evolving. The County Council will need to ensure it is able to respond to the changes and have the necessary processes in place to continue to protect the wider interests of the travelling public.

### ***Section 278 and Section 38 Agreement Works***

27. A Section 278 Agreement is a legal agreement between the Council and a developer which allows the developer to carry out works to the existing public highway (for example, the construction of new access/junction improvement or improved facilities for pedestrians and cyclists).

28. A Section 38 Agreement is a legal agreement between the Council and a developer enables the highway authority to 'adopt' any new roads (and associated infrastructure)

constructed as part of the development on land outside the existing highway. Adoption means the highway authority agrees to undertake future maintenance of the road at the public expense.

29. For both Section 278 and Section 38 Agreement works, NYCC will manage developer proposals and programmes in a proactive way to facilitate growth, minimize network disruption, and optimise the use of the authority's limited resources.

### ***Section 184 Agreement Works***

30. Where developer proposals will not result in the addition of new highway to NYCC's network, simple works in the existing highway to provide access to the site will be controlled through licencing under Section 184 of the Highways Act 1980. The Council will continue to require contractors delivering these works to be suitably qualified through New Roads and Streetworks Act (NRSWA) qualifications, to carry adequate liability insurance and to be suitably experienced. A process to remove contractors who do not perform from the approved list will be established.

### ***Seeking Third Party Funding***

31. The current development market is placing pressure on the viability of many sites partly through the level of infrastructure needed such as roads, schools, affordable housing, and abnormal ground conditions. This is balanced by an increase in opportunities for securing external funding, for example through the Governments Local Growth Fund. NYCC will work with external partners and developers where appropriate to bid for and secure external funding to deliver infrastructure to facilitate development. For example, the work to be undertaken in 2015 at key junctions on the A6136 at Catterick Garrison has been secured in partnership with Richmondshire DC with assistance from Defence Estates and will provide additional junction capacity to facilitate delivery of Richmondshire District Council's housing allocations in the key growth area of Catterick Garrison.

## **Local Plans**

32. NYCC highways will continue to support and advise the LPAs in the preparation of their development plans through the development of key policies, selection of sites and the identification of appropriate mitigation. Where necessary the LHA will support and assist the LPA through the examination in public processes. However where LHA advice has not been included in the plan for adoption the LHA will need to bring this to the attention of the Examiner.

## **Conclusion**

33. The advice provided by NYCC as LHA in considering developer proposals is professional, defensible, in accordance with standards, and based on the application submitted. Whilst the LHA is mindful that NPPF has set a high threshold for requesting mitigation the LHA will continue to secure appropriate developer funded mitigation to ensure new development will not create future issues for NYCC as LHA.

## Key Commitments

We will:

- proactively contribute to the planning process in the role of the Local Highway Authority, one of the Statutory Consultees in the planning process;
- remain committed to providing advice to the planning authorities that is professional, defensible, in accordance with standards, and based on the application submitted when considering developer proposals;
- continue to secure appropriate developer funded mitigation to ensure new development will not create future issues for NYCC as LHA whilst ensuring the mitigation is also acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development;
- ensure developer funded highway works are delivered using the most appropriate mechanism;
- maintain the LHA support and advice to the LPAs in the preparation of their development plans;
- continue to work with external partners to bid for and secure external funding to deliver infrastructure to facilitate development;
- progress the preparation of local policies and protocols to assist with assessing the impact of development on the highway network in North Yorkshire.

## **3h - Bridges and Highway Structures**

The County Council owns and maintains 1,709 bridges and 250 kilometres of retaining walls on the road network throughout North Yorkshire. We also are responsible for the surfacing over bridges that we do not own, these are 220 Network Rail bridges, 23 Canal and River Trust bridges and 56 disused railway bridges.

### **Legal Responsibilities**

In accordance with the Highways Act the Highway Authority is required to maintain all the structures owned and maintained by the authority so that they are fit for purpose and safe to use.

The County Council achieves the two requirements; fit for purpose and safe for use by adopting an asset management plan. The highways asset management plan details the levels of service and the procedures and standards that have to be complied with so that we comply with our duties in accordance with the Highways Act.

### **Maintenance of Structures**

Every bridge that is owned and maintained by the authority is inspected visually for faults every two years; this is called a general inspection. We have an annual rolling programme of 854/855 bridges examined each year. So every two years we have data which covers all 1709 bridges which have been examined and there is then a complete picture of the condition of the asset. We inspect all structures in accordance with the Code of Practice for Highway Structures and BD63/07 Inspection of Highway Structures.

We carry out Principal Inspections on bridges which are either a complex structure, carry high numbers of vehicles, or are on Principal or A-roads. We have a list of 72 bridges that receive a Principal Inspection, which means the bridge gets a close up inspection everywhere from foundation to superstructure.

We carry out 40 diving inspections of bridges on the faster flowing rivers throughout the county on a rolling six year programme which gives us information on the state of the structure below the water line, about how the bed of the river is moving, and if scour action is occurring so that we can plan works to resist the action of scour. During times of flood we inspect the bridges using divers to ensure that they are still structurally sound and safe for use. It is our policy to keep bridges closed to all traffic and pedestrians when they have been flooded until we have checked them. It is very easy to underestimate the damage caused by floods. Storms in 2000 and 2005 caused £2.5 million and £3.6 million of damage to bridges over a very short period of time in one case less than six hours.

The authority has two maintenance programmes each year. One is Capital funded and the other is Revenue fund. Capital works are planned using a two year rolling programme of strengthening schemes, major maintenance or modifications such as widening. Revenue works are planned on an annual programme of small jobs which are safety related, wear and tear or minor repairs to a wall or bridge. Works which are safety related will always take priority over others within this limited budget so there will be structures that are not perfectly

presented, that will have pointing missing and may look untidy but they are still safe to use. All projects are prioritised using the data collected from the bridge inspections; principal and general. The two year rolling programme of capital works is prioritised according to the available budget and the priority of the work.

## **Ancient Monuments and Listed Structures**

Road users use our structures on a daily basis and some of these are Ancient Monuments and Listed Structures. There are twenty five Ancient Monuments and seven hundred and eighty Listed Bridges in the bridge stock. In keeping with the required laws the maintenance of these structures is carried out using materials and techniques in keeping with the age of the structure. There are procedures which have to be followed to get consent to carry out repairs on either of these types of structure which can involve input from several agencies. We have in house and externally the expertise available to design schemes and supervise the works. The same inspection regime is used for these bridges the only difference between them and the rest of the bridge stock is that they are either priceless or a factor of two or three times the cost to replace a standard bridge if damaged.

## **Retaining Walls**

We have 250 kilometres of retaining wall which support the highway in multiple locations across the county. Many of these walls are made with local stone and are not pointed in the same way that a modern wall is. These walls are called mass or gravity retaining walls and they are, if built correctly, very good at supporting the land around them.

## **Accident damage to Structures**

Vehicular damage to bridge and walls costs the County Council a great deal of money each year when the accident is not reported. All damage should be reported in the first instance to the County Council so we can check to see what action needs to be taken to make the structure safe.

## **Weight Limits**

In compliance with EU statutes the County Council has strengthened four hundred weak bridges during the period 1990 to 2014. We currently have twelve permanent weight limits that protect weak bridges which are exempt from the requirement to be strengthened due to listed status or the fact they were limited before the statute came into law. It is the Council's policy not to place a weight limit on a structure unless it is due to a strength issue on the bridge. There are thirteen other weight limits on bridges in the County owned and maintained by others. We do from time to time have temporary bridge weight limits on bridges when they are being maintained but these are normally removed when the project is completed.

## **Key Commitments**

We will:

- maintain all the structures owned and maintained by the authority so that they are fit for purpose and safe to use
- examine all structures in accordance with the Code of Practice for Highway Structures and BD63/07 Inspection of Highway Structures.

## 3i - Street lighting

Street lighting generally consists of roadway and footway lighting. Roadway lighting is provided by the County Council whilst footway lighting is most often provided by the district, town or parish council. In order to reduce public confusion, the County Council coordinates all communications (such as enquiries, comments etc.) on street lighting.

Roadway lighting is generally provided to improve road safety and personal security for transport users. It is also often a deterrent to property crime (car theft, burglary etc.) but this is not its main purpose. There are around 50,000 street lights operated by the County Council in North Yorkshire and it costs approximately £2.1m per year to power them.

Many street lighting columns are old and consequently there is an on-going programme of replacement based on routine testing and inspection. The Council has an on-going replacement programme for damaged or decrepit columns; since 2004 the County Council has replaced over 25,000 street lighting columns with equipment expected to last a minimum of 40 years.

### Legal Responsibilities

There is no legal or statutory obligation for North Yorkshire County Council to provide or maintain roadway lighting except where there are road humps present and the speed limit exceeds 20mph. In these circumstances there is a requirement to provide one light either side of the road hump.

All other roadway lighting within North Yorkshire is installed and maintained at the County Council's discretion.

It is the Council's practice to install new street lighting in the following circumstances:

- All roundabouts;
- Adjacent to road humps (where the speed limit exceeds 20mph);
- Traffic signal junctions that have a pedestrian phase;
- Pedestrian crossings;
- All new housing developments (unless the local Parish Council request a reduced standard scheme that they will maintain or where the rest of the village is unlit);
- As an accident reduction measure (subject to available finance);
- To prevent/minimise crime and antisocial behaviour (subject to available finance).

The street lighting service allows residents and visitors to access commercial, leisure and tourism activities outside of daylight hours, supporting the County Council's Social Inclusion Strategy. Street lighting also contributes to better community cohesion as it aims to reduce crime and the fear of crime.

Factors used to assess scheme benefits include; crime, fear of crime, proximity of services, hospitals, schools and sheltered accommodation. Priority is given to locations where children or older people are the primary stakeholders such as schools, routes to schools, and sheltered accommodation. In some cases gender and/or race are also considered where these groups are particularly at risk.

## **Maintenance**

North Yorkshire County Council endeavours to keep all street lighting fully operational by undertaking proactive maintenance to all equipment on a fixed maintenance cycle. Depending on the lantern type the maintenance cycle can be either one visit every four or six years.

During the maintenance visit, all equipment is cleaned, a new lamp installed, a visual inspection is undertaken of all components, an electrical test is carried out and the street light is tested for correct operation. This process has helped reduce the number of defects from 12,500 during the 2004/05 financial year to 3,600 in 2014/15.

Approximately 5% of all street lighting defects relate to power supply failures that can only be repaired by the local Electricity Company. Within North Yorkshire there are three electricity companies, Northern Powergrid (Northern), Northern Powergrid (Yorkshire) and Electricity North West. These companies have different service level agreements for attending to street lighting power supply failures; however, their average response time over the last 3 years has been 19 days.

The Council prioritises street lighting defects into emergencies, category 1 and category 2 defects.

### ***Emergencies – 3 hour response***

A 3hr response is necessary in order to react to any defect that poses an immediate risk to public safety. This can include lighting columns that have been damaged during road traffic accidents, an installation where live wires may be exposed such as a lighting column with a door missing, lighting columns loose in the ground which may carry a risk of collapse, or a loose brackets/lanterns which may fall off.

### ***Category 1 Defect – 24 hour response***

This constitutes a defect, other than an emergency, where it is deemed that a rapid response is required. This can include street lighting in critical locations such as pedestrian crossings, roundabouts or main road junctions, lighting adjacent to schools (in the Winter months) or where a section of consecutive street lights are defective.

### ***Category 2 Defect – 7 day response***

This constitutes any defect that is not an emergency or a Category 1 defect.

Since 1<sup>st</sup> April 2012, more than 95% of all street lighting defects have been attended within the prescribed timescales.



The County Council has a new on-line service that includes a map of almost all street lights in North Yorkshire<sup>1</sup>. This allows customers to accurately select a specific street light and generate a fault report that will be passed instantly to the Council's street lighting team. In the event that the street light does not belong to the County Council the customer will be directed to the correct asset owner.

## Energy Reduction

There are increasing pressures on local authorities to make savings in energy consumption and service costs.

The current budget position has forced us to look closely at how we make best use of our resources to maintain those services that the public value most. Street lighting provision is one service area in which many local authorities have made significant energy and cost savings. Our current energy costs for street lighting provision in North Yorkshire are around £2.1million per year and we produce over 10,500 tonnes of carbon emissions (CO<sub>2</sub>). The Council's energy reduction strategy aims to reduce street lighting energy consumption by approximately £400k per year with an associated reduction in carbon emissions of over 3000 tonne.

All street lights in North Yorkshire used to switch on between dusk and dawn. Since the implementation of the energy reduction programme approximately 55%-60% of the street lights will switch off between midnight and 5am, when road use is at a minimum.

The potential for switching off each individual lighting column is assessed using the following criteria:

- Main traffic routes and road junctions (dimming may be introduced if appropriate);
- Locations with a significant night-time road traffic accident record;
- Potential hazards in the highway such as traffic calming, speed humps and road crossings;
- Parts of town centres that have concentrated night-time activity or economy;
- Areas covered by Council or Police CCTV operations;
- Areas with 24hr operational emergency services, including hospitals;
- Lights outside sheltered housing and other residences accommodating vulnerable people;
- Areas with a significant record of relevant night-time crime or anti-social behaviour.

Any street light that does not meet one or more of the above criteria will be switched off between midnight and 5am<sup>2</sup>.

North Yorkshire County Council is committed to reducing crime and antisocial behaviour and will retain full night operation of any street lighting where North Yorkshire Police advise that street lighting would act as a deterrent.

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<sup>1</sup> [www.northyorks.gov.uk/article/25604/Report-a-street-light-fault](http://www.northyorks.gov.uk/article/25604/Report-a-street-light-fault)

<sup>2</sup> [www.northyorks.gov.uk/article/25645/Street-lighting-energy-reduction-programme](http://www.northyorks.gov.uk/article/25645/Street-lighting-energy-reduction-programme)

We will continue to review other methods for reducing energy costs and carbon emissions including switching lights on later and off earlier but also using low energy technology such as LED lamps which can provide an equivalent level of illumination at a much lower wattage. The County Council may also remove street lighting that is now considered superfluous. This will only apply to a very limited number of street lighting columns.

### **LED Lighting**

The Council has updated its street lighting equipment specification to stipulate the use of light emitting diodes (LED's) on all new and replacement lighting projects.

The use of LED technology on North Yorkshire County Council's street lighting and illuminated traffic signs brings a number of benefits:

- Reduced energy consumption therefore reduced energy costs. These can save up to 60% energy compared to a standard street light;
- Reduced carbon emissions;
- Longer life with low maintenance requirements. New LED units have up to 20 year guarantee with maintenance only required once every 6 years;
- Instant lighting: LEDs brighten up immediately when switched on whereas older lanterns can take up to 10 minutes to reach full brilliance;
- LED lights are free of toxic materials and are 100% recyclable.

The Council has commenced a replacement programme designed to remove the older most inefficient lighting and replace it with new energy efficient LED lighting.

## **Design – New Housing Developments and Highway Improvements**

North Yorkshire County Council's Electrical Engineering Team will undertake any street lighting design and any electrical design associated with the installation of illuminated traffic signs, bollards, beacon poles or feeder pillars. A quotation for Design, or Design and Build, can be obtained from the Electrical Engineering Team on request.

Alternatively, an Institution of Lighting Professionals (ILP) approved Consultant may be used. A list of approved consultants may be obtained from the County Council's Electrical Engineering Team<sup>3</sup>.

Any street lighting design undertaken within North Yorkshire will constitute "Road Lighting" as defined by section 270 of The Highways Act 1980. The design will also fully comply with the requirements of BS5489 "Code of Practice for the Design of Road Lighting" and BS EN 13201-2 "Road Lighting – Part 2: Performance Requirements".

Where an alternative design is provided by an ILP Approved Consultant the proposals for street lighting must be submitted for the approval of North Yorkshire County Council's Road Lighting Engineer prior to works commencing.

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<sup>3</sup> [www.theilp.org.uk/home/](http://www.theilp.org.uk/home/)

## **Decorative (Heritage) Street Lighting**

When a location is designated a Conservation Area or Area of Outstanding Natural Beauty it is important to note that there is no prerequisite for decorative or heritage style street lighting. Quite often the installation of overly ornate street lighting can actually detract from whatever the Conservation Order is set up to protect.

In addition, decorative lighting is less effective at illuminating the highway and often requires additional lighting columns or higher wattage lamps to achieve the required design standards. This has long term financial implications to the County Council that include increased maintenance costs, higher energy costs and potential fines from Central Government for failing to achieve the required Carbon savings imposed on all local authorities.

Notwithstanding this, North Yorkshire County Council is prepared to install decorative street lighting where appropriate however the increase in cost, over and above that for standard street lighting, must be met by a third party such as the Parish, Town or District Council. Members of the public may also contribute to the installation of decorative lighting although this must be as part of a larger lighting scheme and not for single street light outside a resident's property.

Where decorative lighting is installed as part of a new housing development, the County Council requires the developer to pay a commuted sum for the increase in maintenance and energy costs.

## **Adoption of Footway Lighting from Parish or Town Councils**

Under Section 270 of the Highways Act (1980), a Parish Council can insert new lighting columns into an existing footway lighting system so that it ceases to be footway lighting and become roadway lighting. The Parish Council can then request that ownership of the new roadway lighting network be transferred to the County Council.

North Yorkshire County Council will not adopt street lighting columns of concrete construction nor lanterns attached to wooden poles. Any such columns shall be removed and replaced with suitable steel or aluminium columns prior to adoption.

Alternatively, the County Council may request that any footway lighting networks that are improved to roadway lighting standard be subjected to a condition survey and structural test appropriate to those carried out by the County Council on its own columns. Any defective columns identified by the structural test must be repaired or replaced prior to adoption.

The structural survey and any subsequent column replacements should be carried out by the Parish or Town Council at its own expense. In accordance with Section 270 (4) of the Highways Act (1980) liability for any costs incurred do not transfer to the County Council.

## **Key Commitments**

We will:

- endeavour to keep all street lighting fully operational by undertaking proactive maintenance to all equipment on a fixed maintenance cycle;
- rectify street lighting defects on a prioritised basis;
- continue to implement a replacement programme to remove the older most inefficient lighting and replace it with new energy efficient LED lighting;
- continue the Council's energy reduction strategy which aims to reduce street lighting energy consumption by approximately £400k per year with an associated reduction in carbon emissions of over 3000 tonnes;
- install new street lighting in line with Council policy, for example, at new housing developments, and all roundabouts.

## 3j – Walking and Cycling

### Background

Over 40% of the population of North Yorkshire live in communities with a population of over 10,000 people. Almost 25% of the population of North Yorkshire live in our two largest urban areas of Harrogate / Knaresborough and Scarborough alone. Towns of this size tend to provide many of the everyday services that their populations require. As a result of this many trips in these towns are relatively short and walking and cycling is a very viable mode of transport for many people for these local trips.

Walking and cycling are the cheapest, healthiest and least polluting forms of travel. Most journeys involve some element of walking, whether it is a walk from home to work, walking to the bus stop or even walking from the car park to the shops. Good walking and cycling links to public transport facilities can integrate different transport modes and further encourage sustainable travel and ultimately reduce car use.

For many people cycling is also a healthy and environmentally friendly mode of travel. Compared to walking, the extra speed of cycling makes longer trips feasible and can offer a suitable means of travel for those who cannot or choose not to drive (e.g. children and those on low incomes). Providing for and encouraging more walking and cycling as an alternative to driving can also make a significant contribution to boosting social inclusion and to reducing congestion and its environmental and economic impacts.

The County Council is therefore committed to continuing to provide for and promote walking and cycling as a mode of travel for 'utility' trips to access local services.

In recent years the growth of leisure cycling in the County has been significant. Following on from the Yorkshire Tour de France Grand Depart in 2014 and the on-going Tour de Yorkshire leisure cycling continues to grow. Building on these sporting events and on long distance National Cycle Network routes (such as the Way of the Roses) cycle tourism now makes a significant contribution to the tourist economy of North Yorkshire, to improved public health and in many cases to people taking up utility cycling as an alternative to driving.

The County Council will therefore continue to work with partners (such as Welcome to Yorkshire, the National Park Authorities, Sustrans and other voluntary groups) to seek further growth in leisure cycling.

It must however be recognised that much of the County is sparsely populated with many people living in small towns and villages. The distance between these communities means that people have to travel greater mileage in order to go about their daily lives. Additionally the topography of much of the County, winter weather conditions and short hours of daylight from autumn to spring are a significant constraint on walking and cycling that make it much less feasible for many people.

Recognising that the health, environmental and congestion reducing benefits of increased walking and cycling, as well as the greatest scope for mode shift, is in our main urban areas

we will concentrate our efforts to provide for and promote utility cycling in the main towns especially Harrogate / Knaresborough and Scarborough.

## **Walking**

Walking (and other pedestrian travel such as wheelchair use, mobility scooters and prams/pushchairs) is available to most of the population of North Yorkshire and forms part of most journeys. The County Council manage over 4,400km of footway (pavements), over 200 signal controlled pedestrian crossings and over 70 traffic signal controlled junctions with pedestrian facilities. Most of these are situated in our main towns and villages and are a vital part of the County's transport infrastructure allowing people to go about their everyday lives and allowing local economies to flourish.

The coverage of the current footway network is very good and in recent years the County Council have carried out a comprehensive programme of installing dropped kerbs to assist wheelchair / mobility scooter / pram users on the most used footways. As such there is very little demand for new footways (though some localised widening may be beneficial) or new dropped crossings. However, the County Council consider all requests for new or improved footways and where appropriate allocate budgets for improvements (including budgets specifically aimed at assisting individuals' with mobility problems).

Pedestrian crossings are provided to assist people with crossing busy roads for either safety reasons and / or improved convenience. The County Council will always consider requests for new pedestrian crossing facilities as well as pro-actively considering improved crossing facilities especially in town centres as funding allows.

Facilities within and to new developments (e.g. new housing estates and industrial areas) are usually provided by the developer. The ultimate decision on the level of facilities provided by the developer is taken by the relevant Local Planning Authority (District Council or National Park Authority); however the County Council as the Highway Authority are a consultee on any planning application and always seek the highest quality of provision for pedestrians. It must however be recognised that a balance often needs to be achieved between the needs of different road users.

Annually we spend in excess of £2m per year (based on 15/16 allocations) on maintaining pedestrian facilities. As a result of this investment only about 4% (or 7km) of our most heavily used footways (those in the main town and village centres) require maintenance. This is reflected in a low level of claims for trips and falls on footways. We will continue to invest in maintaining our pedestrian facilities to ensure that we continue to provide a high quality network for pedestrians.

## **Cycling (utility)**

We know that 40% of residents travel 30-60 minutes by car to get to work<sup>1</sup>. Transferring many of these journeys from car to bicycle is feasible especially as a seasonal choice (i.e. it

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<sup>1</sup> See Part 2c – Access to Services for more information

will be more cycle-able during spring and summer but less so in winter when there is poor weather and commuting hours would be in the hours of darkness).

It is recognised that whilst there are many positive benefits to cycling such as:

- Providing exercise as part of daily living leading to better personal health;
- Reducing pollution from vehicles to contribute towards improved air quality for all;
- Reducing delays associated with urban traffic congestion;
- Cheaper than public transport or owning and running a car;
- In congested urban areas cycling is often quicker (especially taking into account the search for a parking space).

There are also a number of disincentives including:

- Distance and length of journeys, weather and hours of daylight impact on people's assessment of whether a journey is practical and acceptable to them to walk or cycle;
- Terrain – steep hills or long inclines can be off putting to many especially if they are just returning to walking or cycling;
- Lack of confidence in one's own abilities, physical stamina and confidence in traffic to return to cycling or to walk longer distances;
- Concerns about safety as a cyclist – either for oneself or as a parent for one's children;
- Taking the easy option is all too easy when a car is sitting on the driveway and we are already in the habit of using it;
- Lack of safe and user friendly cycle storage and changing facilities at destinations (school/work/shops).

To achieve the positive benefits of increased cycling we must address the actual (or in many cases perceived) disincentives. In 2016 we will develop a cycling policy which will set out the County Council's plans for cycling in the short to medium term in more detail including trying to address some of these disincentives. Cycling has not been the norm for an entire generation, and whilst we recognise it will not be easy to reverse this trend, we will work with partners to try to encourage healthier travel habits. Young people, particularly in rural areas, are accustomed to travelling in cars and on buses, and relatively few regularly cycle any distance or to school. Much of the action to achieve the culture shift that will normalise cycling needs to be undertaken at a national level but we must also play our part locally. This will be achieved through both education (promotion of cycling) and engineering (provision for cycling).

Education is primarily about accentuating the positive benefits of cycling and de-bunking some of the negative myths about cycling. In order to expand our role in educating people about cycling the County Council are currently (2015) investigating a number of funding opportunities so that we can appoint a Sustainable Travel Officer to provide expertise and information about how developers, employers and communities can plan and coordinate healthier and sustainable travel (including cycling) needs and opportunities within new developments and existing communities. With the County Council's new Public Health role, and recognising that active travel including cycling can play a significant role in improving

public health, the linkages between the transport and the public health teams are being improved and a number of joint initiatives are currently being developed.

Whilst in recent years much of the public focus on cycle facilities has been on the provision of dedicated off road routes it must be recognised that much of the 9000km of road network in North Yorkshire is eminently suitable for most cyclists. Many of our rural roads and even many roads in our urban areas have very low traffic levels and are suitable for most cyclists. The most economically viable way to provide for increased cycling is to ensure that these roads remain as safe and convenient for cyclists as possible and to provide suitable facilities for cyclists to negotiate short sections or crossing of busier and / or high speed roads.

Whilst until recently the County Council successfully installed millions of pounds worth of facilities for cyclists (especially in our largest urban area of Harrogate / Knaresborough) unfortunately the current financial climate and competing demands on the network mean that we are no longer in a position to plan and install hundreds of miles of off road cycleways neither is it always necessary or appropriate to do so. A new off road cycleway costs between £150k and £250k per kilometre (possibly more depending on what utilities are encountered). Given that the County Council receives an annual Government allocation for all new transport improvements (not just cycling) of only £3m per year for the whole of the County the amount of new cycle facilities that we can afford to deliver are severely limited. In recent years the funding constraints on delivering new cycle infrastructure have severely restricted the County Councils ability to plan and deliver new infrastructure. Nevertheless, we have taken every possible opportunity to seek additional funding for cycle facilities and have in the recent past had some success for example with the Governments Local Sustainable Transport Fund providing £1.653m in 2012 for sustainable transport (including on and off road cycle routes, cyclist crossing facilities and public cycle parking) in Harrogate.

The County Council will continue to seek such additional funding. A major opportunity for additional funding for cycling initiatives is through the Governments recently announced Access fund<sup>2</sup>. This was announced in the 2015 Comprehensive Spending Review and it is expected will provide funding for the Governments Cycling and Walking Investment Strategy which is to be published in summer 2016. In order to prepare for potential funding opportunities arising from this strategy the County Council has recently commenced scoping a potential DfT / Local Authority Cycling and Walking partnership<sup>3</sup>. In addition to which the County Council will increase our current involvement with the Borough Council led Cycling Forums in Harrogate and Scarborough with a view to supporting potential localised Cycling and Walking Partnerships with the DfT. As an essential part of this increased involvement in promoting and providing for cycling an elected member will act as a Champion and advocate for the needs and potential of walking and cycling across council activity in policy and in service planning and delivery.

In general terms the County Council will continue with our current approach of pro-actively planning and developing cycling infrastructure where there is a realistic chance of funding being available to deliver the improvements however we will not commit time and funding to

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<sup>2</sup> See Part 3b – Funding for more information

<sup>3</sup> <https://www.gov.uk/government/consultations/cycling-delivery-plan-informal-consultation>



develop aspirational cycle plans where there is no realistic chance of funding in the near future.

As with facilities for pedestrians, cycling provision within and to new developments (e.g. new cycle routes and cycle parking facilities) is usually provided by the developer. The County Council will always seek an appropriate quality of provision for cycling and cyclists. It must however be recognised that a balance often needs to be achieved between the needs of different road users.

## **Cycling (leisure)**

Leisure cycling can both bring public health benefits and is increasingly contributing towards the important tourist economy in North Yorkshire. Whilst the remit of the Local Transport Plan is primarily about transport it is recognised that leisure cycling can contribute towards the aims and objectives of the LTP. As the highway authority for North Yorkshire the focus of our activities to promote leisure cycling will be aimed at on road (or cycle track) cycling rather than off road cycling (mountain biking).

Whilst there are clear similarities between the aims, outcomes and constraints on both utility and leisure cycling there are also significant differences in both their geographical emphasis and in the approach to increasing levels of participation. In recent years the County Council have worked closely with partners (especially Sustrans) to deliver a number of long distance primarily leisure focussed cycle routes in the County. As with utility cycling we will continue with the approach of planning and developing proposals where there is a realistic chance of funding in the near future.

The County Council have also invested significant time and funding to play a crucial role in bringing the 2014 Tour de France and the Tour de Yorkshire to North Yorkshire. This has significantly contributed to the economy on the County both directly through spectators, indirectly through increased cycle tourism and through promotion of North Yorkshire as a tourist destination.

## **Cyclist safety**

As set out in part 2b, unfortunately as cycling levels in North Yorkshire have increased so have the number of cycling casualties reaching 67 killed or seriously injured in 2014. Whilst the increase in cycling levels is welcomed the County Council needs to take measures to address this increase in casualties. Road safety and reducing road casualties regardless of mode of travel remain a very high priority for the County Council and despite the financial pressures capital budgets for road safety related engineering works and revenue budgets for road safety education have been retained. Cyclists are classed as vulnerable road users and as such are identified as a Key Priority for Road safety<sup>4</sup>.

## **Highway maintenance**

As set out elsewhere in this LTP the majority of the County Council transport spending will be on the management and maintenance of the highway network. As most of the cycle network is relatively new the need for maintenance is limited and so the budgets allocated

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<sup>4</sup> See Part 3e – Road Safety for further information

specifically to maintenance of cycle tracks is relatively small. As cycle tracks become older there will be an increasing need for maintenance and so in accordance with the principles of asset management<sup>5</sup> specific budgets for cycle track maintenance are likely to be increased in future.

Spending on road maintenance is often, and wrongly, perceived to be only for the benefit of motorists however the reality is that the majority of cycling in North Yorkshire is and will remain on the County Councils roads so better highway maintenance is a significant benefit to cyclists. Poorly maintained roads are a much greater issue for cyclists than motorists and often the main maintenance problems on our roads occur exactly where cyclists want to ride (near (kerb) side vehicle wheel track on urban roads and edge damage on rural roads). Addressing the County Council's highway maintenance problems to improve the quality of roads for all users therefore remains a high priority for the County Council.

### **Incorporating cycling into other transport schemes**

As a result of the financial pressures and the need to focus on maintaining the highway network there are very few new transport schemes (regardless of mode of transport) being delivered by the County Council. However, where new improvement schemes are being developed the County Council will ensure that the needs of cyclists (and pedestrians) are fully considered and appropriately catered for. The County Council consult widely on all our proposed new transport schemes and this includes statutory bodies such as the Local Access Forum as well as local cycling groups and the views of these groups are considered in decision making.

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<sup>5</sup> See Part 3c – Highway Maintenance for further information

## Key Commitments

We will:

- Continue to prioritise the maintenance of our existing infrastructure for walking and cycling (including footways, roads, and cycle tracks) over the provision of new facilities;
- Seek appropriate high quality provision for walking and cycling within and linking to all new developments;
- Continue to consider requests and where appropriate and affordable provide alterations to the pedestrian network to enable improved access for individuals with mobility difficulties;
- Work with public or voluntary sector partners to further develop any ideas for new cycling infrastructure where there is a specifically identified source of funding. (We cannot commit time and resources to developing aspirational plans where there is no realistic funding source);
- Work with public and voluntary sector partners (including the Borough Council led Harrogate and Scarborough Cycling Forums) to develop Department for Transport / Local Authority Walking and Cycling Partnerships with a view to attracting investment in walking and cycling from the Governments Cycling and Walking Investment Strategy.

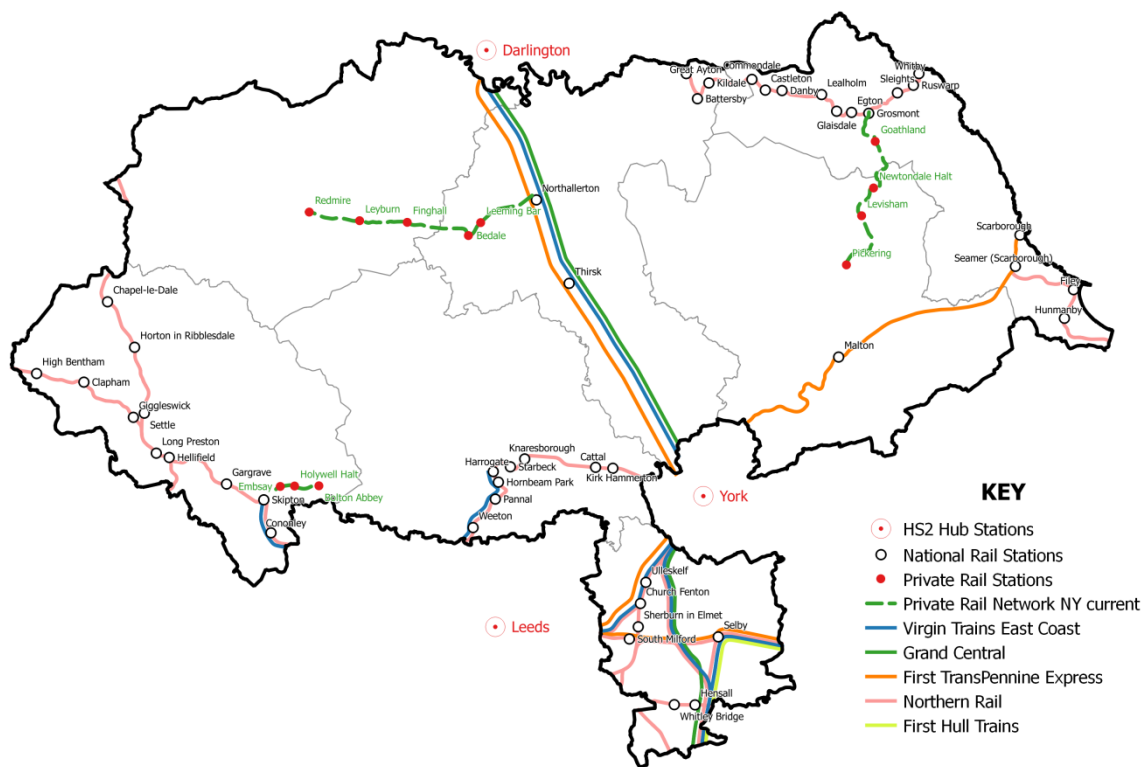
### 3k - Rail

Railways are a driver and facilitator of sustainable economic growth and social wellbeing connecting cities, towns and communities across the UK, the North and within North Yorkshire.

Some 7.77 million rail journeys are made annually to and from the 46 stations within North Yorkshire. Two stations record over 1 million users a year (Harrogate at 1.58m, and Skipton 1.1m), a further three stations over half a million (Scarborough 927k, Northallerton 671k, Selby, 549k), Knarborough 353k and 5 others, (Hornbeam Park, Malton, Thirsk, Starbeck and Cononley) record usage over 170,000 passengers a year. Over the last ten years rail patronage in North Yorkshire has grown by over 2.1 million extra journeys, a 39% increase, and in the year 2014-15 it had grown by 6% delivering over 450,000 extra journeys.

Overall there are 260 miles (418km) of rail routes in North Yorkshire.

**Figure 3k-1 Rail network in North Yorkshire**



The above map highlights the rail network in North Yorkshire where national franchised operations, local franchised operations and open access operators provide the following principle rail services:

- Inter City East Coast franchise to and from London and Scotland serving Skipton, Harrogate, Selby, and Northallerton;

- TransPennine Express: North East and East coast Via York and Leeds to Manchester and Liverpool, serving Northallerton, Thirsk, Scarborough, Seamer, Malton and Selby;
- Northern Rail: Local Franchise services to York and Leeds serving Harrogate, the Dales, Skipton, Esk Valley & Selby;
- Grand Central: Open Access to London serving Northallerton & Thirsk;
- Hull Trains: Open Access to London serving Selby.

There are three Heritage Rail operators in North Yorkshire that are not part of the National Rail Network. They are North Yorkshire Moors Railway, Wensleydale Railway Company, and Embsay & Bolton Abbey Steam Railway.

Rail freight is important and increasingly so within the County. The extraction of timber from the Yorkshire Dales using Ribblesdale sidings, the reconnection of Arcow quarry in Horton-in-Ribblesdale to the rail network for aggregates together with aspirations for increasing volumes through the east coast ports, provides benefits in reducing HCV traffic, but offers challenges for capacity and with the interface of road and rail for example at level crossings.

## **Our responsibilities and influence**

The County Council does not have direct responsibility for the management of the rail network. The majority of the rail network infrastructure is managed by Network Rail on behalf of the Government and regulated by the Office of Rail and Road. Rail services are provided by private Train Operating Companies as a franchisee under contract to Secretary of State for Transport or open access (i.e. commercial operation).

This arrangement is however changing with greater powers being devolved from central government for the specification and management of local franchised services; for North Yorkshire this means greater influence over TransPennine and Northern rail services. To accommodate and deliver additional devolved powers a North of England Association of Local Councils and incorporated body have been established. North Yorkshire County Council (NYCC) together with the other 28 Local Transport Authorities across the North of England are part of the formal structures that create the Association of Rail North Partner Authorities and as one of 11 regional representatives sit on the board of the incorporated Rail North Ltd. Together these bodies oversee the work of Rail North to manage the TransPennine and Northern franchises and implement the Rail North Long Term Rail Strategy<sup>1</sup>.

In the short term, Rail North is working with the Department for Transport (DfT) under a formal Partnership Agreement. The declared ambition and purpose of the Partnership is to move Rail North to a position of full devolution when sufficient maturity and competence can be demonstrated.

Alongside more direct involvement through Rail North, we continue to work with and influence the Department for Transport for longer-term planning and funding opportunities;

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<sup>1</sup> [www.railnorth.org/strategy/](http://www.railnorth.org/strategy/)

Network Rail who are responsible for rail infrastructure, investment and safety of the railway; High Speed 2 in development of and connectivity with future high speed networks; Train Operating Companies for timetable and service improvements and Local Authorities to develop our plans and achieve the best outcomes for residents and transport users in North Yorkshire.

## **Strategic Context**

In March 2015 the then coalition government, together with the key northern cities published the Northern Powerhouse: One Agenda, One Economy, One North<sup>2</sup>. This sets out an ambitious programme of transport investments to achieve transformational change and rebalance the economy of the North. The Northern Powerhouse has been endorsed by the current Government and in the summer budget of 2015 announced £30m pa to create a statutory body, Transport for the North, and to progress this work.

Central to the direction of the northern powerhouse is greater devolution of powers and freedoms to determine local priorities and spending at the devolved level. Progress on transport devolution has been made in relation to rail devolution with the creation of Rail North as mentioned above.

Transport for the North (TfN) is continuing to develop a strategic vision for the North, and will publish a final version of The Northern Powerhouse by March 2016. Alongside this NYCC produced a Strategic Transport Prospectus identifying its strategic transport priorities.

When considering strategic transport at north of England level NYCC has identified its aspiration, 'to ensure that that all parts of North Yorkshire benefit from and contribute to the success of The Northern Powerhouse'. In this context our Strategic Transport Priorities are:

- Improving east – west connectivity (including Trans Pennine links);
- Improving access to High Speed and conventional rail;
- Improving long distance connectivity to the north and south.

To address these priorities we have identified a series of desired rail improvements. These include:

- Transformational change of the Leeds-Harrogate-York Railway Line delivering improved journey times, increased frequency, modern high quality rolling stock and customer service and ultimately electrification;
- Access to High Speed rail where 85% of North Yorkshires population can get to an HS2 hub (York, Leeds, Darlington) within 40 minutes;
- 75% of the population to access a conventional railway station within 20 minutes;
- New rail infrastructure to enable Leeds–Newcastle in 60 minutes with phase one allowing Leeds–Harrogate in 15 minutes;
- Journey time reductions and increased frequency on Scarborough–York line.

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<sup>2</sup> [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/427339/the-northern-powerhouse-tagged.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/427339/the-northern-powerhouse-tagged.pdf)

We will work with all partners to identify short, medium and long-term deliverables through the relevant organisations and processes including Network Rail's Long Term Planning Process (to 2043), Yorkshire Rail Network Study, North East Rail Network Study, North of England Route Study and East Coast Route Study (to 2023/ 24) and The Rail North Long Term Rail Strategy and the emerging work of Transport for the North.

## **Stations**

Stations are gateways to the communities that they serve and can act as a catalyst for housing and economic growth. The new Northern Franchise (from April 2016) includes a commitment of at least £30m for investment at some of the North's smaller stations. We will review the facilities at each railway station and work with Rail North, Train Operating Companies and local communities to help deliver an agreed standard for our stations.

The work on stations will include developing Station Facilities Audits for each station, where access to the station, facilities at the station, car parking, interchange with other transport modes and signage will be assessed. These audits will be published in 2016 and will identify where stations fall short of agreed standards and station facilities.

Station infrastructure often doesn't keep pace with changes in demand and to accommodate recent significant growth in rail usage, future new housing and commercial developments and to support economic growth of local areas NYCC will identify opportunities for improvements to current stations and identify potential sites for new railway stations in North Yorkshire. Taking account of the service improvements proposed by the rail industry, including improved frequency, reduced journey times and better connectivity together with developer led investment, we will maintain a prioritised list of North Yorkshire station improvement aspirations.

Harrogate as the busiest station in North Yorkshire is highest on the list of priorities; Thirsk has been identified as offering potential significant benefits to the East Coast Main Line as well addressing current access issues; Crosshills has been identified in recent work as a potential strong case for a new station and Seamer has grown significantly in the last ten years with large housing growth close by.

We will carry out initial outline business case feasibility studies to quantify the value of any station improvements / new stations and where the work provides a satisfactory Benefit Cost Ratio, we will continue to develop proposals to "ready state" to implement when funding is available.

## **Community Rail Partnerships (CRPs)**

The Government has a programme of support for Community Rail Partnerships based on its 2004 and 2007 Community Rail Development Strategies. The current strategy aims are:

- Increasing ridership and revenue;
- Managing costs down;

- Greater involvement of the local community;
- Enabling local rail to play a larger role in economic and social regeneration.

There are four Community Rail Organisations operating in North Yorkshire:

- Esk Valley Railway Development Company – Whitby – Middlesbrough;
- Leeds – Lancaster – Morecambe CRP;
- Yorkshire Coast CRP – Scarborough – Hull;
- Settle & Carlisle Development Company / Friends of Settle & Carlisle.

The new Northern franchise demonstrates a much stronger commitment to CRPs and the new franchisee have committed to provide £0.5m pa of funding for the North's 18 CRP organisations.

Alongside the Rail North management of the Northern franchise including CRPs, NYCC will continue to support and work with the Boards of the CRPs. We will facilitate work on increased frequency, improved journey times, encouraging community engagement, wider marketing and improving the passenger / community experience.

## **Rail Line Re-openings**

The County Council supports, in principle, proposals for rail reopening in the County, on identified routes such as Skipton to Colne and Harrogate to Ripon / Northallerton.

In the past many of the line re-openings were considered to be "local schemes" and therefore required local funding. The Council will only actively support opportunities for line re-openings where these are demonstrated as of National or pan North of England importance. National or pan North strategic importance will be assessed on the basis of the contribution to network resilience, improved strategic connectivity, the delivery of greater capacity or improved rail freight opportunities.

In all cases North Yorkshire County Council will only work with railway industry and local stakeholders where there is common agreement to develop a proposal.

## **Future of Rail**

On the East Coast Main Line, over £240m is being spent by Network Rail on infrastructure, increasing capacity, reducing journey times and improving reliability. With investment in new InterCity Express trains and the franchise holder's commitment to further investment, including a new timetable with 6 direct services between Harrogate and London, the route is set to be transformed by 2020.

The re-franchising for both the Northern and TransPennine services has produced franchise commitments that are transformational. In North Yorkshire this will result in many routes having increased frequencies, additional Sunday services, new or modernised trains and better customer focus. With greater local input into the management and development of



the franchises through Rail North it is felt that we can achieve the rail services that are needed for the North.

High Speed connectivity with proposals for HS2 network linking London –Midlands– Sheffield-Leeds–York and the North East in the early 2030s and the work of Transport for the North on HS3, providing fast frequent and reliable links between Northern Cities provides opportunities now for the Council to develop its plans for good connectivity for North Yorkshire to and within these networks.

Private investment such as the Potash Mine near Whitby (improvements planned for the rail service on the Esk Valley) along with other planned housing and economic growth in North Yorkshire all combine to facilitate growth in rail.

The County Council remains committed to ensuring North Yorkshire benefits from the growth and investment in our railways and will continue to influence decisions to achieve the best outcome for the County.

## **Key Commitments**

We will:

- Continue to work with Rail North, the Association of Rail North Partner Authorities and other sub national bodies to influence and manage the TransPennine and Northern franchises
- Continue to work with and influence the Department for Transport, Transport for the North, Network Rail and Train Operating Companies to seek to achieve the best conventional and High Speed rail services for residents and transport users in North Yorkshire.
- We will review the facilities at each railway station in North Yorkshire and work with stakeholders to help deliver an agreed standard for our stations, and identify further opportunities for improvement or potential sites for new railway stations.
- Continue to work with and support the Community Rail Partnerships in North Yorkshire and help to implement agreed business plans.
- Actively support opportunities for line re-openings but only where these are demonstrated as of National or pan North of England importance.

## 3I - Buses and Community Transport

Our Bus and Community Transport Strategy will support the County Council's Vision and the Local Transport Plan objectives by supporting an environment for commercial local bus services to grow and remain sustainable and delivering core passenger transport services that meet access needs of residents, through our support for bus services and community transport.

### National Context

There has been significant change in the passenger transport industry in the last 5 years from changes in funding for the sector with Bus Service Operators Grant being reduced by 20% and a proportion of the payment being transferred to the Local Authority for services that are tendered; changes to concessionary travel with the free national scheme being introduced and administration of the scheme being transferred to upper tier authorities; changes to the legislative framework for elements of the local bus sector, through the 2000 and 2008 transport acts.

Recent administrations have also changed local transport policy thinking with an emphasis on the whole journey through the Door to Door Strategy<sup>1</sup>; recognition that transport across all modes is an essential requirement for delivering economic growth and more sustainable communities, with the publication of Transport an Engine for Growth<sup>2</sup> and an acknowledgement of the impact Passenger Transport has on public health, social welfare and wellbeing, with the publication of a number of studies in this area, including Valuing the Social Impacts of Public Transport<sup>3</sup>.

In 2015, further important changes were evident, with a proposition for further devolution of powers from Westminster being submitted by York North Yorkshire and East Riding Council's to government in September, government support for the concept of Total Transport with the announcement of funding for local authorities to bid for pilot initiatives, and the introduction, in the queen's speech, of a Buses Bill which is anticipated will pave the way for legislative reform to allow bus franchising and encourage simplified and smart ticketing.

It is not possible to discuss recent changes in national public sector context without referring to austerity and the impact of reducing local authority budgets. Budget reductions for NYCC has meant the County Council has had to reduce its revenue expenditure overall by 1/3, a saving of £166m per year by April 2016. This change will continue, with austerity lasting for many years to come, and further budget reductions likely. The effect of reduced budgets is felt across all County Council services and public transport expenditure will see support for local bus service budget reduce from £6m to £1.5m pa by April 2016.

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<sup>1</sup> Door to Door: A strategy for improving sustainable transport integration: DfT March 2013

<sup>2</sup> Transport: An engine for growth; DfT August 2013

<sup>3</sup> Valuing the Social Impacts of Transport; DfT March 2013

Inevitably this will impact on our ability to provide subsidy for conventional scheduled local bus services and as funding is reduced we will need to look at innovative ways of enabling people to access services they need and remain active and independent in their communities.

## Current Passenger Transport services

Over the past 10 years, we have seen bus patronage in North Yorkshire grow from 14.7m in 2005/6 to a peak of 17.5m in 2009/10 with the past 5 years seeing a steady reduction in passenger journeys to an estimated 15.5m in 2014/15.

There are a number of factors that have contributed to this trend, with growth factors in the latter part of last decade coming from the introduction of free national concessionary travel and the impact of increased local authority spend; the decline seen in the early part of this decade attributable to the general economic downturn and a reduction of local authority funding available to procure tendered bus services.

In Table 3I-1 we can see that proportionally there is a much higher decline in patronage on subsidised bus services, and this is as expected given the reduction in spending of 66%+ with a further reduction to bring spending down 75% from the levels at the turn of the decade. This table shows that the commercial sector has remained largely stable for the past 5 years with some signs of growth in the most recent years, and the proportion of passengers carried on the commercial network growing from 75% to 85% as the tendered network reduced.

**Table 3I-1 Bus Passengers 2010/11 – 2014/15 (millions of passengers)**

	2010/11	2011/12	2012/13	2013/14	2014/15
Concessionary passengers	8.5	8.0	7.0	7.2	7.0
Total Bus passengers	17.3	17.3	16.4	15.8	15.5
Commercial Bus Passengers	12.9	13.2	13.1	12.6	13.3
Tendered Service Bus Passengers	4.4	4.1	3.3	3.2	2.2
Proportion of bus patronage that is commercial	75%	76%	80%	80%	85%

## Achieving reliable and effective passenger transport services

### Commercial sector

As seen above the commercial sector provides the vast majority of local bus services, accounting for 85% of passenger journeys. It is therefore clear that assisting the commercial

sector is a crucial element in our strategy to help facilitate access to services across North Yorkshire.

The commercial bus sector has maintained fairly stable patronage levels over recent years. In certain areas we have seen good growth and this is noticeable where the operator provides the right product, which is attractive to users, is reliable and is priced and promoted for the available market.

We have good working relationships with our commercial bus operators and our overall approach to this sector is to support and work in partnership to grow the market, expanding the provision of public transport that is provided commercially and to deliver measures that enable public transport to operate reliably and sustainably throughout the county. Reliability is particularly an issue in the main urban areas where volume of traffic and congestion can have the biggest negative impact; we will seek a joint approach to develop measures to mitigate these impacts for bus services.

We have noted above that a major policy change in Government is the drive for further devolution and in passenger transport this is seen as potentially the introduction of bus franchising.

We believe generally that in North Yorkshire the market provides well for the provision of passenger transport. This is particularly true in the urban areas and between urban centres where the volumes of potential bus passengers is higher and the opportunity to attract these to bus services is greater. It is evident however, that competition amongst bus companies for these commercial passengers is not strong, with only limited commercial competition on a few routes. In addition, in the 'marginal commercial' areas, there is little risk taking amongst bus operators to grow the market to achieve a profitable route, relying instead for the local authority to step in and provide subsidy.

This situation is not sustainable, and it is no longer possible for local authorities to provide subsidies and tender for services not provided by the commercial sector.

In some regards, this supports the argument for franchising, where the overall revenues from the public purse, together with that from fare paying passengers, (estimated c£80m from fares per annum across York, North Yorkshire and East Riding) can be shared across the whole network, providing a suitable level of service with an adequate level of operating profit.

Whilst we acknowledge this approach is an option, our preferred approach is to work with our commercial operators to encourage them to take more 'supported' risk to grow marginal routes and deliver a larger sustainable commercial local bus sector overall. We will support this approach with limited capital pump priming funding and joint marketing/promotion of services.

### ***Tendered Service Sector***

As part of its role the County Council has to consider its duties under transport and equalities legislation (Transport Act 1985 as amended 2000 and 2008; Equalities Act 2010) and to decide whether the commercial network caters sufficiently for the needs of the community. In doing this it must have regard to the transport needs of members of the public who are

elderly or disabled. The County Council will consider whether there is a need to procure additional services and what funding is available to deliver these. Our main priority is to provide services which meet the day-to-day transport needs of local communities, where core daytime services are retained and lower priority evening, Sunday or tourist services may be reduced or withdrawn.

Taking the need to reduce expenditure and with regard to national and local policy priorities the County Council has consulted on an overall strategy and for a range of specific measures to reduce local bus service expenditure to £1.5m.

Our overall strategy for public transport is to:-

- ensure that as many communities as possible have transport services which contribute to alleviating isolation and loneliness and allow people to live independently;
- support the local economy where possible, by maintaining access to the National Rail network and providing public transport links between towns and villages;
- ensure that the services we subsidise give value for money.

In allocating funding from the supporting bus services budget we will first consider the following criteria:

- we are able to continue to support the development of Community Transport Services;
- we are able to work with operators to develop additional commercial services and ensure the continued viability of existing commercial services.

and taking account of the types of service we will support, we will examine:

- the cost of providing a contract service which will be benchmarked against the cost of a similar service provided by our in-house fleet;
- the availability of alternative services, including other bus services, rail services and demand responsive services;
- the frequency and days of operation of a service.

We will not support or specify the following types of services:

- a service frequency which operates more than one journey every two hours;
- those operating primarily for the purposes of leisure or tourism;
- services which operate on Sundays;
- services which operate weekday or Saturday evenings;
- services which we regard as "Town Services";
- services which operate primarily for the benefit of children attending a preferred school;
- services which don't meet value for money and performance criteria.

### **Community Transport Sector**

North Yorkshire County Council has a long history of productive working relationship with the community transport sector. We have over the past 5 years provided over £500k funding in capital one off grants including contributing to the purchase of 18 minibuses and 45 Wheels to Work mopeds. In the past three years we have provided on-going revenue support jointly with the health sector of £350k for 13 community transport volunteer car schemes delivering 45k, 49k and 58k passenger journeys for health and social welfare purposes respectively in the 3 years 2012/13 – 2014/15.

We support community transport through our small grants scheme where organisations can apply for funding up to £2,500 for small projects and in the past this has provided for accessibility adaptations for vehicles, marketing materials, website development, and pump-priming funding for innovative new community solutions.

### **Current Community Transport Partners**

In working with communities to support local voluntary transport, we see the greatest success where organisations are close to their constituent community and the community is actively involved in the design and delivery of the service. These services are most sustainable where there is strong commitment to support and encourage volunteers in the delivery of the service and good partnership working between the County Council and the community exist.

### **Little White Bus (Richmondshire Dales)**

In 2015, as part of our contract renewal process, we had undertaken a consultation on the proposed introduction of community transport services in Wensleydale and Swaledale to be operated by Upper Wensleydale Community Partnership (Little White Bus).

The County Council provides low floor vehicles to be used on the services and Little White Bus operate with a mix of volunteer and paid drivers and staff, providing a combination of a scheduled bus service with additional pre-book demand responsive journeys. Services were introduced in May 2015 and this arrangement has proved popular with passenger numbers increasing month by month.

### **Nidderdale Plus Community Car**

In this example, the community felt that a minibus wasn't always the best solution as the passenger numbers would be quite low. With agreement, the County Council provided a community car (Peugeot diesel estate car) for Nidderdale Plus and they provide local transport for the Nidderdale community.

The service is entirely delivered by volunteers and is well used and valued locally. On the occasions where a larger vehicle is needed e.g. for the weekly market day trip to Ripon the local school minibus is borrowed.

### **Scarborough and District Dial-A-Ride (SDAR)**

In this example, SDAR is a long running established organisation that has strong links with the community in Scarborough. It operates 12 mini buses and with a combination of paid drivers and volunteers delivers community transport services in the area.

The County Council has contributed to capital costs for vehicles and premises and revenue funding to reimburse concessionary fares offered, and with a small enthusiastic management team, the organisation is sustainable without on-going grant funding and provides for over 50,000 passenger journeys pa.

### **Community Transport Issues and Perception**

From various consultation exercises, public meeting and discussions with community transport providers it has been found that the potential for community transport and the role it can play is not fully appreciated or understood by the public. There are concerns about the availability and safety of using volunteers, the cost of some longer distance journeys and the ease and suitability of booking demand responsive journeys. We have found that awareness is generally low, however where people do use community transport services they are very complimentary and positive about the service provided.

### ***Fares, Ticketing and Information***

Under the current regulatory arrangements, the county council doesn't have any responsibility or control over the fares and ticketing policies of commercial bus operators; they are able to set fares and offer daily, weekly, or other discounted products as they wish. Similarly, providing information or promoting available bus services is also a responsibility of bus operators. In this last regard, the council is able to establish a bus information strategy, and require operators to meet established minimum enforceable standards.

We are keen to see modern channels for providing information and selling tickets to be exploited and will work with operators to ensure information is clear, accurate and suitable for people's needs, when they need it. This will include timetable information for journey planning in advance, operational information to give passengers live real time information on their actual or planned journey, and printed material where people can read or take away timetable information for services they use.

We are keen too to see smart ticket products becoming widely available across the county and across different modes of travel. We will work with operators to ensure these advances are introduced and available for North Yorkshire residents and visitors, and will support the work of Transport for the North in their development of a North of England smart ticketing platform, delivering 'Oyster' style ticketing throughout the north.

### **Future Developments**

Despite challenging times the County Council is committed to ensure public and community transport is available and sufficient for people in North Yorkshire.

We will work with our commercial operators to encourage them to take more 'supported' risk to grow marginal routes and deliver a larger sustainable commercial local bus sector overall. We will support this approach with limited capital pump priming funding and joint marketing/promotion of services.

We will specify a service for tender with regard to our criteria for any supported bus services, having first assessed the cost and feasibility of providing the service through our own fleet.

We will support the community transport sector to contribute to our overall objectives and accommodate growth where needed by addressing public concerns and providing financial support within approved available budgets

## **Key Commitments**

We will:

- look at innovative ways of enabling people to access services they need and remain active and independent in their communities.
- assist the commercial sector to help facilitate access to services across North Yorkshire.
- consider our duties under transport and equalities legislation to decide whether the commercial network caters sufficiently for the needs of the community having regard to the transport needs of members of the public who are elderly or disabled. We will consider whether there is a need to procure additional services and what funding is available to deliver these.
- prioritise the provision of services which meet the day-to-day transport needs of local communities, where core daytime services are retained and lower priority evening, Sunday or tourist services may be reduced or withdrawn.
- support community transport to contribute to our overall objectives, providing financial support within approved available budgets.



## 3m - Public Rights of Way

There are over 10,000km of Public Rights of Way in North Yorkshire. A third of them lie within two designated National Parks. The Public Rights of Way do not sit independently to the rest of the County's footways and cycleways, rather they are linked together to create a network of access, where people may use a quiet road or street, a footway, a bridle path and a public footpath to complete their walk or leisure activity. The integration of Public Rights of Way into holistic transport planning allows the whole network to be more effectively developed and managed in a way which can cater for all users, help increase choice, and encourage a switch to more sustainable forms of transport in the future.



Public Rights of Way include all of the following:



Footpaths – over which the right of way is on foot only



Bridleways – available for pedestrians, horse riders, and pedal cyclists



Restricted byways – for all traffic except mechanically propelled vehicles i.e. except for motor vehicles or motorbikes



Byways open to all traffic – carriageways over which the right of way is on foot, on horseback and for vehicular traffic, but which are used mainly for walking, riding and cycling



Cycle tracks – a way over which there is a right of way on pedal cycle and possibly also on foot. (Cycle tracks arise as a result of conversion from footpath to 'cycle track' under the Cycle Tracks Act 1984 or a construction under the Highways Act 1980).

It is acknowledged that there are many unrecorded rights which may still exist. The Department of Environment Food and Rural Affairs (Defra) has urged all highway authorities to ensure that any unrecorded footpath, bridleway and restricted byway rights are recorded on the Definitive Map and the Statement by 2026, even if they are already included in the List of Streets as highways maintainable at public expense. This could therefore include alleys, cuts and ginnels in older residential areas, footpaths in new residential developments, and other well used routes in urban and rural locations which are not recorded on the Definitive Map and Statement, and may not be covered by exceptions issued by the Secretary of State. Public Rights of Way remaining unrecorded on the definitive map by 2026 are likely to be protected by transitional arrangements for a period of time after 2026, proposed to be covered in new regulations currently being developed by Defra. However after that period any outstanding unrecorded routes which would rely on historical evidence alone, are likely to be extinguished. NYCC are striving to record all known alleged Public Rights of Way on the Definitive Map before the 'cut-off' date.

### **Other public access**

Routes that are not designated as Public Rights of Way, but are open for public access might include:

- Open space such as parks and green spaces around communities;
- Access provided on their own land by public bodies such as the Forestry Commission, Yorkshire Water and British Waterways;
- Access provided by trusts and charities, such as the National Trust and the Yorkshire Wildlife Trust;
- Access provided by private estates, for example country houses open to the public.

### **Open Access routes**

Areas of Open Access are defined as mountain, moors, heath and down, as well as registered common land. These areas are identified and mapped by Natural England and provide a right of access on foot only. In North Yorkshire the total area of open access land is 181,158ha. The largest concentration is found in the Yorkshire Dales National Park with 95,387ha, the North York Moors National Park with 48,851ha, and in Nidderdale Area of Outstanding Natural Beauty (AONB), as well as small pockets of access throughout the rest of North Yorkshire.



Open Access has provided a much larger area for the public to explore, and the Park rangers are able to help landowners and the public to improve the opportunities for this. For example, they may be able to help by installing stiles or gates to prevent walls that have been damaged by people climbing over them. They may also be able to install additional signage or information points, or perhaps install new access routes to an area of accessible land.

## **Manage, Maintain, Improve**

Landowners, the County Council, and the public each have responsibilities for Public Rights of Way. Among the County Council's responsibilities are protecting the accessibility of the Public Rights of Way network, working with landowners to ensure that paths are free from obstructions and that the furniture is easy to use and in good condition. Landowners have a responsibility for ensuring the network is accessible, usable and in good condition. The public can do their part by following the Countryside Code, closing gates, protecting plants and animals and taking litter home.

In 2007 NYCC adopted a Rights of Way Improvement Plan covering the period 2007-2011, which set out NYCC's approach to managing, maintaining and improving the network. The 2007-11 document was developed before the period of economic austerity and subsequent reductions in public funding. To help meet NYCC corporate savings requirements, in 2014/15 the County Council made significant savings from its PRow management and maintenance budgets. During 2015/16 NYCC is reviewing all of its policies and working procedures. The County Council is committed to engaging with all its stakeholders to develop a new policy framework and set of working approaches and procedures that will:

- place greater emphasis on prioritising our approach to managing, maintaining and improving the network;
- increase the County Council's understanding of the value placed on different parts of the network;
- continue engaging with the public and user groups;
- place greater emphasis on ensuring that landowners meet their responsibilities;
- seek to harness greater support from community volunteers.

Following the service review, the County Council's Rights of Way Improvement Plan will be updated before the end of March 2017.

The County Council is responsible for the maintenance of the majority of the County's Public Rights of Way as the Highway Authority. However, responsibility for maintenance of Public Rights of Way within the National Parks has been delegated to the National Park Authorities. The County Council retains responsibility for the definitive map across the whole of North Yorkshire, including the National Park areas.

The role of the National Parks is set out in more detail below. Outside the National Parks, the duty to maintain Public Rights of Way is undertaken by County Council Countryside Access Service staff with additional support being provided by a team of countryside volunteers. Some of the work our team will do is to:

- Check obstructions and survey paths;
- Liaise with landowners to resolve problems;
- Ensure the repair of broken stiles and gates;
- Ensure that signposts and waymarkers are correct and in good condition;
- Survey and maintain long-distance and promoted routes;
- Supervise volunteers and contractors.

Most local Public Rights of Way are unsealed (i.e. unmetalled or unsurfaced). They may be surfaced with loose gravel while others are entirely unsurfaced or use a natural surface, like natural bed rock. This means that where the relationship between supply and demand is out of balance and the route is heavily used relative to its surface, the route may become degraded. This relationship clearly needs careful management in order to ensure that all unsurfaced Public Rights of Way are available for future generations of users to enjoy.

### **Local Transport Plan funding for Public Rights of Way**

Although they are part of the wider highway network, the Government formula that allocates LTP funding for improvements to and maintenance of the highway network, does not take direct account of the Public Rights of Way network. As such, at a time when LTP funding for the surfaced highway (roads, footways, structures etc.) is already insufficient, there is very limited scope for funding the maintenance or improvement of Public Rights of Way from the LTP.

However, as a general working practice, the County Council will consider funding works on Public Rights of Way from LTP money when those works make a significant contribution to the LTP objectives. In practice this means that improvements to or maintenance of Public Rights of Way that provide access to services (e.g. a good route to schools, shops, doctors' surgeries etc.), are much more likely to receive LTP funding than purely recreational Public Rights of Way (such as moorland or mountain top footpaths).

This notwithstanding, any LTP funding for Public Rights of Way will have to compete on an equal basis with the rest of the highway network for funding.

### **Diversions**

Landowners can apply to NYCC to divert an existing Public Right of Way under the Highways Act 1980, where it is their interest to do so. For example, moving a footpath out of a busy farmyard, or moving a cross-field path to a route around the edge of the field, but ensuring that the new route is not substantially less convenient for users. Public consultation is part of this process, and therefore objections can be made to a proposed diversion. Landowners usually have to pay the cost of processing and advertising a Diversion Order, and the costs associate with the provision of the new route, including any new gates and surfacing etc. Promoting Diversion Orders follow a statutory process and cannot always be completed swiftly. Due to the large number of applications awaiting investigation, there is currently a waiting list in operation.

### **Definitive Map**

The definitive map showing Public Rights of Way in North Yorkshire is in fact a series of definitive maps issued by the former Ridings of Yorkshire, North Yorkshire County Council and the North York Moors National Park Authority. The maps are held at County Hall in Northallerton and can be viewed by appointment by members of the public. Work is currently being undertaken to consolidate these maps in order to produce a new definitive map for the whole of North Yorkshire including the National Parks.

The Public Rights of way network can also be viewed on maps on the County Council's website at [http://maps.northyorks.gov.uk/connect/?mapcfg=roads\\_footpaths](http://maps.northyorks.gov.uk/connect/?mapcfg=roads_footpaths)

## **Local Access Forums**

There is a North Yorkshire Local Access Forum (LAF) which performs a statutory function as an advisory body under the Countryside Rights of Way Act 2000. Members are appointed to the Forum for the purpose of advising the Council on the improvement of public access to land in their area for the purposes of open-air recreation, and the enjoyment of the area. The Forum must consider the needs of both the users of those Public Rights of Way and other access to the countryside, and land owners or occupiers over which public access exists. There are also Local Access Forums advising each of the National Parks.

Reflecting the directives given to Forums by government, the North Yorkshire LAF operates under a set of principles which underpins their work and advice including:

- Work to see Public Rights of Way developed to redress the fragmentation of the network, connect communities and improve links to places of demand;
- Any new access should be at the highest rights practicable;
- All Public Rights of Way should be maintained to the standard required and where appropriate upgraded physically and legally to a higher standard;
- Develop more access opportunities to include the widest possible range of users;
- Raise awareness of how different users can enjoy responsible sharing of routes where appropriate, whilst supporting challenges to illegal use;
- Recognise the challenges of establishing new initiatives, such as coastal access, access to water, access to woodland, and dedication of land for public access;
- Whilst the creation of all access is welcome, it is noted that temporary access does not give the same public benefit of definitive (permanent) access.

## **Yorkshire Dales National Park, and North York Moors National Park**

The Yorkshire Dales National Park has 1869km of Public Rights of Way. The North York Moors National Park has around 2200km of Public Rights of Way.

The two National Park authorities have taken responsibility for maintaining the Public Rights of Way within their boundaries under a delegation agreement. The National Parks should be the first port of call for any enquiries about Public Rights of Way in the National Park areas.

More information about how the National Parks approach to the Public Rights of Way can be found in the following documents:

- Yorkshire Dales National Park Authority 'Public Rights of Way Maintenance Plan', 2012-2017<sup>1</sup>;
- North York Moors National Park 'Management Plan', 2012<sup>2</sup>

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<sup>1</sup> Yorkshire Dales National Park Rights of Way Maintenance Plan 2012-17  
[www.yorkshiredales.org.uk/\\_\\_data/assets/pdf\\_file/0005/473441/ydnp-rights-of-way-maintenance-plan-2012-17.pdf](http://www.yorkshiredales.org.uk/__data/assets/pdf_file/0005/473441/ydnp-rights-of-way-maintenance-plan-2012-17.pdf)

<sup>2</sup> North York Moors National Park Management Plan 2012 [www.northyorkmoors.org.uk/about-us/how-the-authority-works/management-plan](http://www.northyorkmoors.org.uk/about-us/how-the-authority-works/management-plan)

## **Key Commitments**

We will:

- Ensure maintenance of Rights of Way outside the National Parks is taken care of by our countryside access officers, area rangers and a team of countryside volunteers;
- strive to record all active Rights of Way on the Definitive Map together with the Yorkshire Dales and North York Moors National Park Authorities;
- consider funding works on Rights of Way from LTP money when those works make a significant contribution to the LTP objectives;
- work with the Local Access Forum to improve public access to land for the purposes of open-air recreation, and the enjoyment of the area, whilst considering the needs of both the users of those Rights of Way, and land owners or occupiers over which a right of way exists.

## 3n – Air Quality and Noise

North Yorkshire is a special place for everyone to live, work and visit, and maintaining the local environment helps it to remain this way. The County has large areas of outstanding and unspoilt natural environment, however, it is recognised that transport can impact on the environment in terms of both air quality and noise levels.

Both road traffic noise and traffic related air pollution can harm our health and wellbeing. The government estimates that air pollution is expected to reduce the life expectancy of everyone in the UK by 6 months on average at a cost of approximately £16 billion per year.<sup>1</sup>

Furthermore, there is growing evidence that transport related air quality problems cause more deaths every year in England than road accidents. Poor air quality can also have economic impacts, for example reduction in crop yields, and also contributes to climate change. The government estimates that the annual social cost of urban road noise is up to £10 billion<sup>2</sup>. This is significantly greater than the impact of climate change (£1 to 4 billion).

The protection of the environment is an important consideration for the County Council when managing existing transport infrastructure and networks as well as planning for future transport schemes. Environmental impacts, including air quality and noise, are outlined in the LTP Objectives<sup>3</sup>. What we will do to manage air quality and noise transport related issues over the LTP4 period is detailed in this section.

We recognise that nationally a reduction in air and noise pollution can be achieved through improvements in car technology including the application of new technologies such as the addition of stop-start functions, reduced nitrogen and carbon emissions, electric vehicles, and further reductions in tyre noise limits. In general terms we can actively promote economic growth and new developments that are sensitive to the environment. We will also seek proactive solutions which ease congestion and consequently the air and noise pollution that can blight areas of congestion.

### Air Quality

Transport is one of the major contributors to poor air quality. Air pollution is likely to occur at locations with high volumes of traffic, especially where there is congestion and queuing vehicles and where there are buildings close to the road, which can result in pollutants being trapped in a ‘canyon’ effect.

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<sup>1</sup> Air Quality: Economic Analysis <https://www.gov.uk/guidance/air-quality-economic-analysis>

<sup>2</sup> Noise Pollution: Economic Analysis <https://www.gov.uk/guidance/noise-pollution-economic-analysis>

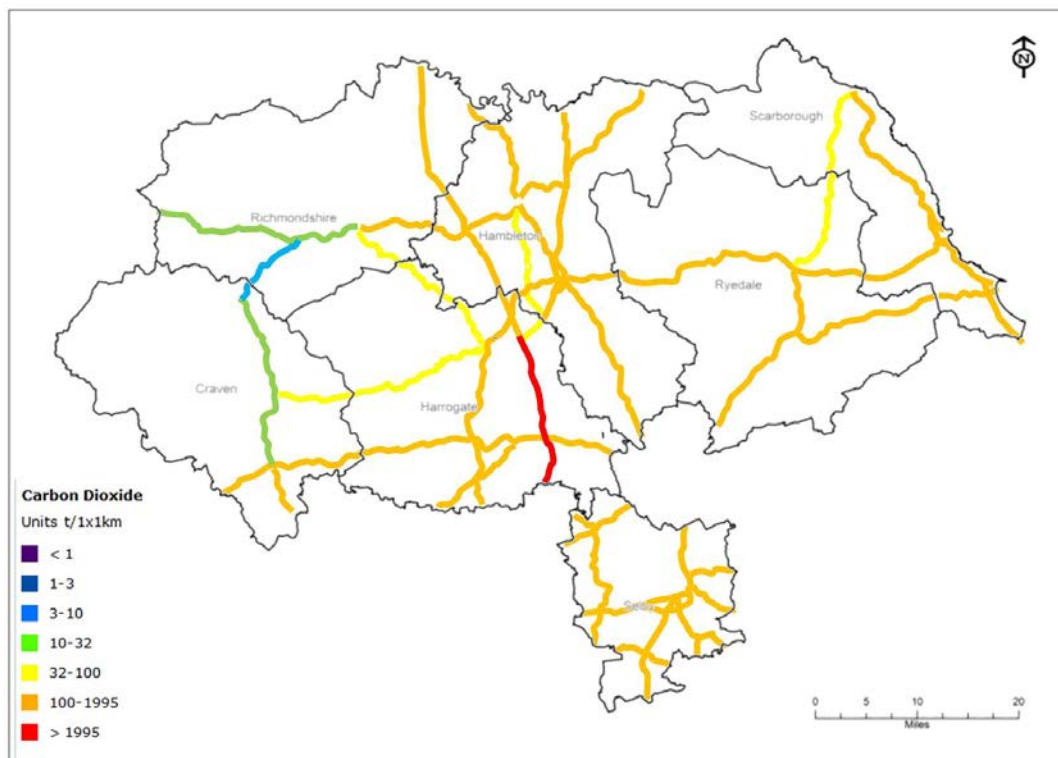
<sup>3</sup> See Part 2d – Environment and Climate change for more information

## Carbon Emissions

Carbon dioxide is a component of greenhouse gases and transport is a source of around 20% of CO<sub>2</sub> emissions in the UK with road transport making up over 90% of this<sup>4</sup>.

As indicated in Part 2d<sup>5</sup>, carbon emissions in North Yorkshire are particularly high on the main highly trafficked road networks, including the A1(M) (red line on Figure 3n-1) and in urban areas. Whilst carbon emissions are not monitored on a local basis we have an aspiration to reduce these emissions from transport. We will encourage people to travel by sustainable modes of transport where they can be considered an appropriate alternative to the private motor vehicle, particularly in urban areas. We also recognise that ultra-low emission vehicles can also help to reduce greenhouse gas emissions and we are currently reviewing the County Council's policy with regard to Ultra Low Emission Vehicles (ULEVs).

**Figure 3n-1 Carbon produced by the highway network**



As a County Council our rolling fleet renewal helps to make sure our vehicles meet the latest environmental standards and the highest possible miles per gallon. As a recent example the combined CO<sub>2</sub> emission savings over three years compared with the previous pool car vehicles prior to 2013 is estimated at 14.24 tonnes. We are also currently trialling several electric vehicles for our pool cars.

<sup>4</sup> Making the Connection, Office for Low Emission Vehicles, June 2011  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/3986/plug-in-vehicle-infrastructure-strategy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/3986/plug-in-vehicle-infrastructure-strategy.pdf)

<sup>5</sup> See Part 2d – Environment and Climate change for more information



## Local Air Quality Management

The Environment Act 1995 sets out the statutory duty for local authorities to review and assess air quality in their area against national standards and objectives. In North Yorkshire local air quality management is the responsibility of the district councils. The seven district councils monitor air quality in their area and must take action where problems are identified. As the highway authority for North Yorkshire, we have a statutory duty to cooperate with district councils where any air quality issues are identified to be from the use of local roads.

The review and assessment of air quality is the first stage of local air quality management. The district councils monitor and assess whether air quality for a number of pollutants exceeds, or is likely to exceed, the objectives set out in the Air Quality Regulations (as prescribed by the EU). These include pollutants that may be caused by vehicle emissions, including nitrogen dioxide and particulate matter. Particulate matter describes condensed phase (solid or liquid) particles suspended in the atmosphere. In relation to PM<sub>10</sub> (particles with a diameter less than 10µm) district councils have to carry out a review and assessment of whether air quality standards are being achieved or are likely to be achieved in the relevant period.

There is no current obligation on local authorities to measure PM<sub>2.5</sub> concentrations (particles less than 2.5µm in diameter). However, as the EU does require the UK to monitor PM<sub>2.5</sub> the government meets this requirement using data from national monitoring networks. The government anticipates future reductions in total PM emissions due to a reduction in exhaust emissions from diesel vehicles; however the non-exhaust traffic sources including tyre wear, brake wear and road surface abrasion will still be a source of particulate matter.

Air quality is considered a problem if it could impact on human health, and consequently part of the local air quality assessment carried out by the district councils considers if residential dwellings are in close proximity to the road. If at the detailed assessment stage one or more of the air quality objectives are not met then an Air Quality Management Area (AQMA) should be declared.

In North Yorkshire there are several AQMAs due to nitrogen dioxide relating to road transport emissions. An AQMA is declared if current or projected levels of nitrogen dioxide (NO<sub>2</sub>) breach, or are likely to breach, the (annual mean) objective of 40 micrograms per cubic metre (40 µg/m<sup>3</sup>) as prescribed by the Air Quality Regulations. Where an AQMA is declared the local authority must produce an Air Quality Action Plan to try to introduce remedial measures to improve air quality and therefore meet the air quality objectives. We will work closely with the district councils to address any air quality issues arising from the use of the County Council's road network, especially where an action plan has been developed.

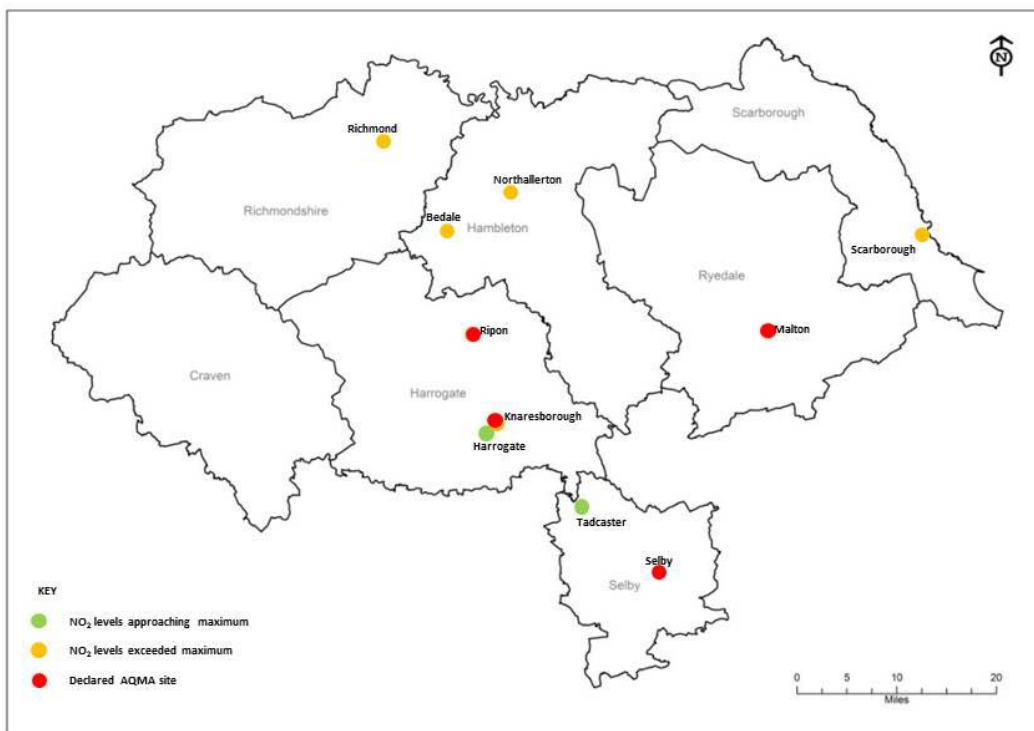
### Areas of concern

The air quality in the majority of the County is of a good standard; however there are a few locations where transport has contributed to localised air quality issues within built up areas. There are several transport related AQMA sites in North Yorkshire:

- Bond End, Knaresborough;
- Butcher Corner, Malton;
- Low and High Skellgate, Ripon;
- New Street, Selby (declared in 2016).

Further information on the air quality, including the monitoring process, is available from individual district council websites. There are several other sites in North Yorkshire which have already, are predicted to, or are close to exceeding the (annual mean) objective of 40 micrograms per cubic metre (40 µg/m<sup>3</sup>) and are therefore monitored regularly. The aim is to try to prevent these sites from exceeding the objective and make sure an AQMA does not need to be declared.

**Figure 3n-2 AQMA sites by District**



## Funding

In terms of funding for mitigating the impact of air pollution we will support district councils in seeking air quality grant funding available from the Department of Environment, Food and Rural Affairs (Defra). Harrogate Borough Council, in partnership with Transdev, were successful obtaining funding from the Department for Transport's Clean Bus Technology Fund 2015 to upgrade buses travelling through the Bond End AQMA in Knaresborough with the aim of reducing nitrogen oxide emissions.

We will also identify any potential measures that could be funded from developments that have a direct impact on an AQMA. As and when necessary we will investigate capital funding opportunities to deliver infrastructure measures to address air quality problems.

Where opportunities for securing external funding arise we will use this to good effect to promote sustainable modes of travel. A recent example is the Local Sustainable Transport

Fund where use of public transport, walking and cycling was promoted to encourage people to use less polluting modes.

## **Related policies**

Before the end of 2016 we will review and update the County Council's transport related air quality policy. We are also currently developing a policy on ULEVs and provision of suitable infrastructure in the County. At the appropriate time these will be made available within Part 4 Policies of the LTP4.

## **What we will do regarding Air Quality**

As the local highway authority we will continue to work with district councils to try to mitigate the impact of transport on air quality, especially where an AQMA is already, or likely to be, declared.

### *Greener modes of transport*

We will encourage the use of more environmentally friendly modes of transport such as walking and cycling<sup>6</sup> and the use of public transport, particularly within urban areas<sup>7</sup>.

We will also encourage bus operators to run more fuel efficient and, where appropriate, LPG or electric buses on urban routes. We may also identify minor road schemes that could improve bus journey times thereby making the bus more appealing. Where appropriate we will work with the rail operator to improve rail services and increase rail passenger numbers.

Whilst we have no direct control over the majority of travel choices for those in the County, we will aim to lead by example in terms of sustainable travel. County Council staff will be encouraged to travel to work using sustainable modes like buses and trains, walking and cycling. Car sharing and combining trips will be promoted both in terms of travelling to work and travelling for work, for example meetings. In addition consideration will be given to avoiding unnecessary travel where possible, such as using teleconferencing.

### *New development*

Each local planning authority is responsible for identifying potential developments that could introduce new receptors (residential dwellings) at sites at risk of air pollution or new developments where generated traffic will make local air quality worse elsewhere in the locality. We will support the planning authorities in this role to encourage measures to promote environmentally friendly forms of transport including provision for Ultra Low Emission Vehicles (ULEVs), and travel planning to consider alternatives to reduce reliance on the private car particularly in urban areas, for example car sharing or walking and cycling.

### *Technology and improved traffic flow*

We will implement measures that reduce congestion and have a resulting positive impact on air quality. These measures may include improving the efficiency of traffic signals.

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<sup>6</sup> See Part 3j - Walking and Cycling for more information

<sup>7</sup> See Part 3l – Buses and Community Transport, and Part 3k – Rail for more information

We will identify and use new technology to deliver air quality benefits through improved and steady traffic flow, and priority for cyclists, pedestrians and public transport. The potential of dynamic pollution responsive traffic management systems will also be considered.

### **Other transport schemes**

We have already worked successfully in partnership with district councils to implement new transport infrastructure which has a positive impact on air quality. In Malton and Norton the County Council and Ryedale District Council worked with Highways England to deliver the A64 Brambling Fields junction improvement which has removed traffic from Butcher Corner which is a declared AQMA.

The Bedale Aiskew and Leeming Bar Bypass is currently under construction and due for completion in Autumn 2016. It is anticipated that this will remove some of the traffic from Bridge Street, Bedale which is currently experiencing exceedences in the nitrogen objective.

We are currently reviewing the Harrogate traffic model to help consider potential options for a long term relief road. If this scheme is considered viable this is likely to reduce congestion in Harrogate town centre and route traffic away from locations with poorer air quality.

## **Noise**

The levels of noise within North Yorkshire are generally low, with significant parts of the County (particularly in the National Parks) considered tranquil. Whilst some noise is to be expected, particularly in urban areas, excessive noise can impact on health and wellbeing. Noise pollution can be unpleasant and can lead to health impacts including disturbed sleep and longer term adverse health effects such as cardio-vascular problems. The World Health Organisation estimates that over 40 per cent of the UK population are affected by traffic noise.

Environmental noise comes mainly from transport sources including road, rail and aviation. The European Commission requires member states to seek to reduce the impact of noise on their population. As a result the government has introduced the 2006 Environmental Noise (England) Regulations which relate to the assessment and management of environmental noise.

Road transport noise can come from a variety of sources including engine noise, tyre noise and braking by larger vehicles. The County Council are unable to control noise from individual vehicles, however the government seeks to control this noise through mandatory noise emission standards for new road vehicles and noise limits for tyres.

### **Noise mapping and action plans**

The European Commission requires the government to create noise maps indicating the public's exposure to environmental noise and adopt action plans based on the noise mapping results. These are to be updated on a 5 year cycle, with the latest update to the noise mapping anticipated in 2017. The action plans are expected to investigate and if necessary manage noise issues including identifying appropriate noise reduction measures.

The Department of Environment, Food and Rural Affairs (Defra) has produced noise maps based on the results of computer modelling. These maps indicate sites with high levels of environmental noise, including from roads. Defra has listed a number of Important Areas where the top 1% of worst affected people are located. It is anticipated that these Important Areas will be prioritised by the relevant authority for investigation through the noise planning process to determine if noise from these roads is excessive as indicated by the modelling. Where appropriate and where funding permits measures could be implemented to control the impact of noise from road traffic alongside the relevant planning authority. These measures would vary greatly from location to location.

## **Funding**

In terms of funding for mitigating the impact of transport related noise nuisance as and when necessary we will investigate capital funding opportunities to deliver infrastructure measures to address noise issues. We will seek contribution from new significant development towards mitigation of noise impact on roads identified in Defra Noise Action Planning process.

## **Related policies**

Before the end of 2016 we have plans to review and update the County Council's transport related noise policy. At the appropriate time this will be made available within Part 4 Policies of the LTP4.

## **What we will do regarding Noise**

We will, as highway authority, work with Defra and any other relevant authority on Noise Action Planning where possible and within our available financial resources.

In North Yorkshire Defra has identified noise hotspots located on main roads, particularly where there are higher traffic volumes and with properties close to the roadside. We will liaise with Defra and undertake a review of the Important Areas where the noise source is from a County Council managed road. This review will include a consideration of the levels of noise at each location and an investigation of potential mitigation measures to reduce the impact of the road noise. Although a review of the important areas will be conducted before 2017 it is anticipated that this work will be on going as the Defra noise mapping progresses.

Where possible, we will seek to reduce the impact of traffic noise from new highways schemes on residential areas, for example, by re-routing of traffic away from sensitive receptors or if appropriate, the use of low noise surfacing. We will also continue to seek to reduce the impact of transport related noise from the existing network where this is feasible and increase the take up of sustainable travel modes.

## **Key Commitments**

We will:

- cooperate with district councils to try to mitigate the impact of transport on air quality, especially where an AQMA is already, or likely to be, declared;
- encourage the use of more environmentally friendly modes of transport such as walking and cycling and the use of public transport, particularly within urban areas;
- work with Defra and any other relevant authority on Noise Action Planning where possible and within our available financial resources;
- continue to seek to reduce the impact of transport related noise from the existing network where this is feasible and increase the take up of sustainable travel modes.

## Initial equality impact assessment screening form

<b>Initial equality impact assessment screening form</b> (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')	
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.	
Directorate	Business and Environmental Services
Service area	Highways and Transportation
Proposal being screened	Local Transport Plan 2016-2045
Officer(s) carrying out screening	<b>Andrew Bainbridge / Victoria Hutchinson</b>
What are you proposing to do?	<p>Publish the latest LTP – the North Yorkshire Local Transport Plan 2016-2045 (LTP4).</p> <p>LTP4 is a high level policy document that sets out the overall vision and objectives for transport in the County, as well as reviewing the County Council's position and overall direction in relation to a number of key transport themes.</p> <p>Officers have actively considered the equality impacts of our transport policies as an integral part of the work to develop the LTP4.</p> <p>LTP4 is not an operational document, however where specific policies, protocols or procedures are developed which have an impact on transport matters on the ground these may be subject to a separate EIA.</p>
Why are you proposing this? What are the desired outcomes?	The previous LTP3 ends on 31 March 2016 and the County Council as Local Transport Authority for North Yorkshire has a statutory duty to have and maintain a Local Transport Plan therefore has produced LTP4 which will run from April 2016 – 2045.
Does the proposal involve a significant commitment or removal of resources? Please give details.	LTP4 outlines the current government funding arrangements for transport. The document does not outline any significant changes to the existing commitment or removal of resources.
<p><b>Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics?</b> As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> <li>• To what extent is this service used by particular groups of people with protected characteristics?</li> <li>• Does the proposal relate to functions that previous consultation has identified as important?</li> <li>• Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> <p><b>If for any characteristic it is considered that there is likely to be a significant adverse impact or</b></p>	

you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your [Equality rep](#) for advice if you are in any doubt.

Protected characteristic	Yes	No	Don't know/No info available
Age		✓	
Disability		✓	
Sex (Gender)		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
<b>NYCC additional characteristic</b>			
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	
<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (e.g. disabled people's access to public transport)? Please give details.	Yes – issues including access to services and public transport are actively considered in LTP4. The document seeks to redress inequalities, especially those related to people in rural areas, age and deprivation.		
<b>Will the proposal have a significant effect on how other organisations operate?</b> (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No direct effect. LTP4 brings the County Council's policy up to date in respect of partnership and funding arrangements. The update of transport policies set out in the LTP4 do not alter the fundamental policy approach and priorities of the County Council and its partners, and are not anticipated to have any negative impact on any of the protected characteristics.		
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	✓	Continue to full EIA:
<b>Reason for decision</b>	<p>As stated above LTP4 is a high level policy document that sets out the overall vision and objectives for transport in the County, as well as reviewing the County Council's position and overall direction in relation to a number of key transport themes.</p> <p>Officers have actively considered the equality impacts of our transport policies as an integral part of the work to develop the LTP4.</p> <p>Following officer discussions, in terms of LTP4 delivery it has been concluded that there have been no fundamental changes to the policy approach and priorities of the County Council from</p>		



	<p>the previous LTP3.</p> <p>Prior to the adoption of LTP3 a series of Equality Impact Assessments were carried out to assess any differential impacts on different groups of the population. These found that there was no adverse impact arising from the adoption of LTP3. The assessment further found that in many cases the policies and practices embedded within LTP3 were specifically intended to redress inequalities, especially those related to age and deprivation.</p> <p>Given the above details it is not anticipated that LTP4 will have any negative impact on any of the protected characteristics.</p> <p>LTP4 is not an operational <u>document</u>, however where specific policies, protocols or procedures are developed or changed which have an impact on transport matters on the ground these may be subject to a separate EIA. For example, an Equalities Impact Assessment was completed to assess the impact of reducing bus subsidies. As with LTP3 specific transport schemes and initiatives many required a separate EIA when they are being planned and implemented.</p>
<b>Signed (Assistant Director or equivalent)</b>	
<b>Date</b>	

## North Yorkshire County Council

## Executive

2 February 2016

## Joint Health and Wellbeing Strategy 2015-2020

## Report of the Assistant Director – Health and Adult Services

**1.0 Purpose of Report**

- 1.1 The purpose of this report is to seek Executive endorsement of the North Yorkshire Joint Health and Wellbeing Strategy.

**2.0 Background**

- 2.1 Members will be aware that the North Yorkshire Health and Wellbeing Board is made up of partner organisations from across the county. The Board brings together adult social care and children's services, the NHS, public health and a wide range of other stakeholders, including elected representatives, to plan how best to meet the health and wellbeing needs of the North Yorkshire population.
- 2.2 The Board produced its first Health and Wellbeing Strategy in 2013. This has been updated for 2015-2020 in order to take into account of changing priorities at both national and local level, as well as recognising the need to manage reduced budgets across partner organisations. The Strategy also recognises the wider determinants of health and social care: education, housing, employment, transport, the quality of the local environment and the type of community people live in. These elements can affect health and wellbeing at any point throughout an individual's life and the Board recognises the need for partners to work together to make sure the Strategy is delivered.

**3.0 Joint Health and Wellbeing Strategy**

- 3.1 The Strategy (attached) has been updated for a number of reasons: people in North Yorkshire are living longer than ever before; not all communities are as healthy as we'd like them to be; there are more demands on finances so we need to make the most of the North Yorkshire pound and; national priorities for health and wellbeing focus on prevention, the best start in life, reducing admissions to hospital and the integration of services.
- 3.2 The Strategy restates partners' commitment to improving the health and wellbeing for the whole population and sets out those things that the Board considers to be the most important areas to work on going forward within five themes: Connected communities; Start well; Live well; Age well; Dying well.

Theme	Outcome(s)
Connected communities	<b>Outcome:</b> <i>We want North Yorkshire to be a place where communities flourish, people shape services and have control of their lives</i>
Start well	<b>Outcomes:</b> <i>Ensuring education is our greatest liberator; Helping all children enjoy a happy life; A healthy start through healthy lifestyles</i>
Live well	<b>Outcomes:</b> <i>People are emotionally resilient and experience good mental health; Everyone has the opportunity to have a healthy body and a healthy mind; People are active, involved and can be free from isolation and loneliness</i>
Age well	<b>Outcomes:</b> <i>People can make choices to self-manage their care to help them stay independent for longer; Carers are supported to live their own life</i>
Dying well	<b>Outcomes:</b> <i>Individuals are supported and encouraged to prepare for and plan their last days; All individuals, their carer's and families experience good end of life care</i>

Aligned to each of the themes is a set of strategic outcomes as set out in Table 1.

Table 1: Five JHWS themes and outcomes

3.3 The Strategy sets out why each of these themes, and associated outcomes, is important and describes some key changes that the public can expect to see by 2020. The themes are not intended to be age specific but do reflect the need for partners to collectively deliver the outcomes described.

3.4 There are some themes that have a close connection to other significant North Yorkshire strategies and this has been reflected in the document. Connected communities recognises the need to create a stronger link between work programmes across health and social care such as Stronger Communities, Living Well and local Transformation Board plans. The Start well theme has a close correlation to 'Young and Yorkshire' and, in Live well, there is a link to the York, North Yorkshire and East Riding Strategic Housing Partnership Housing Strategy.

3.5 These linkages reflect the Board's recognition of the need to get the whole system working together to deliver the changes needed to achieve the outcomes set within the Strategy. The Board has set out four things that partners need to focus on to ensure there is progress:

3.5.1 Developing a new relationship with people who use services

The Board recognises that people are part of a community and that partners need to build on the strong relationships that are in place locally to get the best outcomes for everyone.

3.5.2 Workforce

To deliver good health and wellbeing services we need a skilled, motivated and flexible workforce. Recruiting and retaining staff is a

real challenge for health and social care in North Yorkshire and partners have identified this as a key requirement if the changes that have been set out in the Strategy are to be realised.

### 3.5.3 Technology

The Board recognises that technology is now a fundamental part of every aspect of people's lives. The focus here is not just about ensuring services are delivered in an efficient, effective way but also about helping people to take responsibility for self-managing their care through accessing information and advice as well as tools to help them live as independently as possible for as long as possible.

### 3.5.4 Economic prosperity

Growing our existing businesses and inspiring enterprise is part of the long term strategy for North Yorkshire. Viable businesses have a direct impact on people's health and wellbeing and the Strategy identifies the importance of this as part of getting the whole system working together.

## 4.0 **Guiding principles**

4.1 The Board has agreed a set of guiding principles to be used by partners when developing plans, commissioning services and delivering care. These are:

- Recognise where things are different
- Tackle issues early
- Join things up to make life simpler
- Make a positive contribution
- Keep people safe
- Spend money wisely

4.2 The Strategy describes what these principles mean for people who use services and are a way of restating the commitment of the Board to making the changes partners wish to see a reality.

## 5.0 **Engagement with others**

5.1 The draft strategy was consulted on throughout the summer of 2015 and the Board used a number of methods to gain the views of both partners and the public. This included: On-line survey hosted by NYCC on behalf of the Board; publication of the Strategy on partnership websites; attendance at service user and partner forums which provided opportunities to discuss the Strategy; and written feedback from wider stakeholders.

5.2 In addition to the survey questionnaires, the following partners and stakeholder organisations also submitted comments:

- Healthwatch
- Scarborough Borough Council
- Richmondshire District Council
- Transport Planning Office
- NYCC Scrutiny of Health Committee
- County Homelessness Group

- Harrogate Borough Council
- Woodland Trust

5.3 Easy Read and Summary versions of the Strategy were produced to help ensure service users could easily engage and respond throughout the period. The consultation closed on 19 August 2015 with 75 questionnaire responses being received in total, of which 13 were in Easy Read format. The vast majority of respondents were supportive of the strategy and the outcomes set within it. 67 out of the 75 respondent (89%) agreed or strongly agreed with the strategy (question 1 of the survey). The generic survey responses to questions 2-5 were varied and produced a total of 290 comments which ranged from broad agreement with much of the strategy to some specific and individual responses about particular issues. As advised by communications and quality & engagement teams, survey questions were adjusted slightly for the Easy Read version.

5.4 As a result of the responses and comments received during the engagement/consultation period, a number of changes were made to the Strategy.

5.6 In particular, the Dying Well theme was added after feedback from Health Overview & Scrutiny Committee which highlighted this as an area which required greater focus. Housing and transport were also issues that were raised as important influences on people's health and wellbeing and these elements were strengthened as a result.

5.7 The Strategy, along with a covering paper, was received by the Care & Independence Overview & Scrutiny Committee on 21 January 2015. The Committee were supportive of the paper.

## **6.0 Next steps**

5.1 The North Yorkshire Health and Wellbeing Board approved the final Strategy at its meeting on 27 November 2015. Partners met in a Board development session on 14 December 2015 to consider how to measure the outcomes set out in the strategy and the way in which the Board will oversee implementation. Subject to endorsement by the Executive, the Strategy will progress to Full Council (17 February 2016) for formal approval in line with the Constitution.

## **7.0 Financial Implications**

7.1 There are no specific financial implications. Specific service/organisation impacts will be addressed within normal budget processes.

## **8.0 Equalities Implications**

8.1 Consideration has been given to the potential for any adverse equality impacts arising from the Strategy as set out in the Equalities Impact Assessment attached.

8.2 The Strategy is intended to have a positive impact on the whole population of North Yorkshire and focuses on creating services that meet the needs of the individual, within a resilient community that can improve the health and wellbeing of all people.

8.3 Within the strategy, there are a number of themes and objectives that will have a positive impact on protected characteristics, particularly:

- Age (older and younger)
- Disability
- Gender
- Carers

8.4 Whilst not protected characteristics, the strategy will also benefit people negatively affected by rurality and low income, both of which have a higher impact on disabled and older people.

8.5 As the strategy is implemented, more detailed consideration will be given within each theme to differential needs and impacts on people according to protected characteristics. In addition, it is expected that statutory partner delivery plans and strategies will take account of each partner's duty to pay due regard to the Public Sector Equality Duty.

## **9.0 Legal Implications**

9.1 Consideration has been given to the potential for any legal implications arising from this report. No specific implications have been identified relating to the Strategy.

## **10.0 Recommendations**

10.1 It is recommended that the Executive:

- i) Endorse the Joint Health and Wellbeing Strategy 2015-2020.

RICHARD WEBB  
Corporate Director of Health and Adult Services  
21 January 2015

Author of Report: Elaine Wyllie, Head of Integration

### Supporting Papers

Joint Health and Wellbeing Strategy 2015-2020  
Equalities Impact Assessment

## Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

North Yorkshire Joint Health and Wellbeing Strategy 2015-2020

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](mailto: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 پوچھیے۔

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	Health and Adult Services
Lead Officer and contact details	Richard Webb, Corporate Director
Names and roles of other people involved in carrying out the EIA	Wendy Balmain, Assistant Director for Integration  Elaine Wyllie, Head of Integration
How will you pay due regard? e.g. working group, individual officer	Health and Wellbeing Board and supporting structures
When did the due regard process start?	March 2015

**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?)

This EIA is about the updated Joint Health and Wellbeing Strategy which has been produced by the North Yorkshire Health and Wellbeing Board.

The North Yorkshire Health and Wellbeing Board is made up of partner organisations from across the county. The Board brings together adult social care and children's services, the NHS, public health and a wide range of other stakeholders, including elected representatives, to plan how best to meet the health and wellbeing needs of the North Yorkshire population.

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?** (e.g. to save money, meet increased demand, do things in a better way.)

The Board produced its first Health and Wellbeing Strategy in 2013. This has been updated for 2015-2020 in order to take into account of changing priorities at both national and local level, as well as recognising the need to manage reduced budgets across partner organisations. The Strategy also recognises the wider determinants of health and social care: education, housing, employment, transport, the quality of the local environment and the type of community people live in. These elements can affect health and wellbeing at any point throughout an individual's life and the Board recognises the need for partners to work together to make sure the Strategy is delivered.

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

Theme	Outcome(s)
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The Strategy restates partners' commitment to improving the health and wellbeing for the whole population and sets out those things that the Board considers to be the most important areas to work on going forward within five themes: Connected communities; Start well; Live well; Age well; Dying well. Aligned to each of the themes is a set of strategic outcomes as set out in the Table below.

The Strategy sets out why each of these themes, and associated outcomes, is important and describes some key changes that the public can expect to see by 2020. The themes are not intended to be age specific but do reflect the need for partners to collectively deliver the outcomes described.



Connected communities	<b>Outcome:</b> <i>We want North Yorkshire to be a place where communities flourish, people shape services and have control of their lives</i>
Start well	<b>Outcomes:</b> <i>Ensuring education is our greatest liberator; Helping all children enjoy a happy life; A healthy start through healthy lifestyles</i>
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Age well	<b>Outcomes:</b> <i>People can make choices to self-manage their care to help them stay independent for longer; Carers are supported to live their own life</i>
Dying well	<b>Outcomes:</b> <i>Individuals are supported and encouraged to prepare for and plan their last days; All individuals, their carer's and families experience good end of life care</i>

**Section 4. Involvement and consultation** (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

As part of the review and updating of the draft strategy, the findings from a range of previous consultations were reviewed as well as the Joint Strategic Needs Assessment.

The draft strategy was consulted on throughout the summer of 2015 and the Board used a number of methods to gain the views of both partners and the public. This included: On-line survey hosted by NYCC on behalf of the Board; publication of the Strategy on partnership websites; attendance at service user and partner forums which provided opportunities to discuss the Strategy; and written feedback from wider stakeholders.

In addition to the survey questionnaires, the following partners and stakeholder organisations also submitted comments:

- Healthwatch
- Scarborough Borough Council
- Richmondshire District Council
- Harrogate Borough Council
- Transport Planning Office
- NYCC Scrutiny of Health Committee
- County Homelessness Group
- Woodland Trust

Easy Read and Summary versions of the Strategy were produced to help ensure service users could easily engage and respond throughout the period.

The consultation closed on 19 August 2015 with 75 questionnaire responses being received in total, of which 13 were in Easy Read format. The vast majority of respondents were supportive of the strategy and the outcomes set within it. 67 out of the 75 respondent (89%) agreed or strongly agreed with the strategy (question 1 of the survey). The generic survey responses to questions 2-5 were varied and produced a total of 290 comments which ranged from broad agreement with much of the strategy to some specific and individual responses about particular issues. As advised by communications and quality & engagement teams, survey questions were adjusted slightly for the Easy Read version.

A more detailed demographic analysis is set out in Appendix 1 of the EIA.

As a result of the responses and comments received during the engagement/consultation period, a number of changes were made to the Strategy.

In particular, the Dying Well theme was added after feedback from Health Overview & Scrutiny Committee which highlighted this as an area which required greater focus. Housing and transport were also issues that were raised as important influences on people's health and wellbeing and these elements were strengthened as a result.

The Strategy has also been presented at the Care and Independent Overview & Scrutiny Committee (21 January 2015).

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

The Strategy is a partnership document which sets out a number of high level outcomes against each of the five key themes. As such, the cost impacts are non-cash quantifiable at this stage.

Any specific service/organisational change linked to the Strategy will require further consideration in terms of EIA in order to ensure that due regard has been paid to all characteristics.

<b>Section 6. How will this proposal affect people with protected characteristics?</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
Age		√		<p>North Yorkshire has a lower proportion of young people than the national average - 28.4% under 25 compared to 32% nationally</p> <p>20.6% of the county's adult population is over the age of 65.<sup>1</sup> This is higher than the national percentage (14.4%) and every year the population of older people increases, and with it the demand for the care and support which the council provides. By 2020 25% of our total population will be aged 65+ and 4% aged 85+.</p> <p>Start well theme: see 'pregnancy and maternity' below.</p> <p>Age well theme: recognises that people are living longer, with a number of on-going conditions such as arthritis, dementia, heart problems or osteoarthritis.</p> <p>People told us that they wanted:</p> <ul style="list-style-type: none"> <li>• Help to remain in their own home but with tailored support</li> <li>• To be able to remain active into old age</li> </ul>

				and not become isolated.
Disability		√		<p>North Yorkshire has the same proportion of people with a disability or long term limiting illness (17.5%) as the national average.<sup>1</sup></p> <p>Live well theme: recognises that the risk of social isolation and loneliness is greater for people living in rural communities, especially (but not exclusively) amongst older people and those with a disability or long term illness.</p> <p>People told us that they wanted:</p> <ul style="list-style-type: none"> <li>• Choice and control in their lives</li> <li>• To be able to socialise, have family around them</li> <li>• To be listened to, to be understood</li> </ul>
Sex (Gender)		√		<p>At county level the proportion of females is slightly higher (50.7%) than that of males (49.3%)<sup>2</sup>. This pattern is reflected across all districts, with the exception of Richmondshire where the large number of predominantly male military personnel have the effect of reversing the proportions. As the population ages, the proportion of females increases.</p> <p>The JHWS does not have objectives that focus specifically on gender. However, the themes apply across the population of North Yorkshire and will thus benefit both genders. For example, due to the age and gender profile of North Yorkshire, the themes relating to ageing well and dying well will affect more women than men. This is because as the population ages, there is a higher proportion of women, and more women are carers than men. The 'Start Well' theme should have a positive benefit for all parents but may have more of a positive impact on mothers as they are still more likely to have a greater role in caring for children in the early years.</p>
Race		√		<p>North Yorkshire has a much lower proportion (2.65%) of Black or Minority Ethnic (BME) citizens than the national average (14.57%)<sup>3</sup> according to the 2011 census. The minority ethnic population has a younger age profile than the majority ethnic population. The dispersed nature of the minority ethnic community can lead to increased isolation and difficulty in accessing culturally appropriate services.</p>

<sup>1</sup> 2011 Census

<sup>2</sup> Office of National Statistics Mid-2014 population estimates

<sup>3</sup> 2011 census

				<p>Connected communities theme: recognises that North Yorkshire people live longer, healthier lives compared to England as a whole, but there are significant variations between districts and communities and population groups.</p> <p>Connected communities theme: By 2020, want to see recognition and provision for military communities, veterans and their families' needs as part of their local health and care services. This should have a positive impact on some specific minority ethnic communities, for example the growing Nepali community in Richmondshire.</p> <p>People told us they wanted:</p> <ul style="list-style-type: none"> <li>To belong to a vibrant, caring community and to have access to health services when I need them</li> </ul>
Gender reassignment	√			<p>The Gender Identity Research and Education Society (GIRES) suggests that across the UK: 1% of employees and service users may be experiencing some degree of gender variance. At some point, about 0.2% may undergo transition (i.e. gender reassignment). Around 0.025% have so far sought medical help and about 0.015% have probably undergone transition. In any year 0.003% may start transition.</p> <p>There are no specific objectives relating to gender reassignment in the strategy. No issues were raised about this characteristic during the consultation.</p>
Sexual orientation	√			<p>The government estimates that 5 – 7% of the population are gay, lesbian or bisexual. We have no evidence to suggest that this is not the case in North Yorkshire.</p> <p>There are no specific objectives relating to sexual orientation in the strategy. No issues were raised about this characteristic during the consultation.</p>
Religion or belief	√			<p>North Yorkshire has higher levels of Christians (69%) than the national average (59%), and lower levels of all other religions than the national average. Percentages of those with no religion or not stating their religion are broadly similar to the national average. (2011 census).</p>

				There are no specific objectives relating to religion or belief in the strategy. No issues were raised about this characteristic during the consultation.
Pregnancy or maternity		√		<p>2013 statistics for North Yorkshire</p> <p>There were 5521 live births. Conception rate per 1000 for 15 – 17 year olds was 13.8 at Quarter 3 2013. This is below the rate for England (22.2) and Yorkshire and Humberside (24.2). 4866 live births (88.1%) were to mothers born in the UK. 655 live births (11.9%) were to mothers born outside the UK. In 2013 58 live births (1.1%) were to mothers under 18.</p> <p>Start well theme: recognises that most North Yorkshire children already get a good start in life, but in a large and diverse county, there are still some who don't experience all the good things we would hope for.</p> <p>The Strategy is closely aligned to 'Young and Yorkshire' with the same strategic outcomes and changes described for delivery by 2020.</p>
Marriage or civil partnership	√			<p>A higher percentage of North Yorkshire's population is married or in a civil partnership (53.7%) than the national average (46.8%).<sup>4</sup> (2011 census)</p> <p>There are no specific objectives relating to marriage or civil partnership in the strategy. No issues were raised about this characteristic during the consultation.</p>

<b>Section 7. How will this proposal affect people who...</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
..live in a rural area?		√		<p>The population in North Yorkshire is generally sparser than the national average (0.74 people per hectare as opposed to 4.07 nationally). In some parts of the county this is lower still (Ryedale 0.34, Richmondshire 0.39)<sup>6</sup>.</p> <p>Distance travelled to access services is further than the national average. The Lower Super Output Area (LSOA) which covers the Dales ward in Ryedale is the most deprived in England for Geographical Barriers to Services.<sup>5</sup></p> <p>Rurality can also mean higher costs for such</p>

<sup>4</sup> 2011 census

<sup>5</sup> Index of Multiple Deprivation, Indices of Deprivation 2015

				<p>things as fuel for heating.</p> <p>A number of the themes/outcomes set out in the Strategy recognise the particular challenges of people living in a rural area. This issue is specifically recognised in the Connected communities and Live well themes.</p>
...have a low income?		√		<p>At local authority level North Yorkshire is among the least deprived in England<sup>7</sup>. Figures for long term unemployment in North Yorkshire (1.1%) are slightly lower than the national average (1.7%)<sup>6</sup>. However, North Yorkshire has a number of lower super output areas within the 20% most deprived in England (23 in 2015, rising from 18 in 2010) and three LSOAs in Scarborough town are within the most deprived 1% in England.<sup>7</sup> In addition, in all communities there are groups who experience more barriers to employment than others.</p> <p>The Live well theme identifies the need to see improved employment opportunities, including rural areas and particularly for young people and those people who often face the most barriers in the labour market – for example people with mental health issues, autism and people with disabilities.</p> <p>The Strategy identifies a number of things that need to be addressed in support of the outcomes described including: Workforce; technology, economic prosperity. Specifically, within the workforce element the Strategy identifies that some of the ways that can help deliver change is to ensure there are better opportunities for people who have experienced poor mental health to access paid employment.</p>
Unpaid carers		√		<p>The Age well theme recognises the need to improve care and support for older people. Specifically, referencing an anticipated rise in the number of families caring for loved ones and the fact that the number of carers over 65 years old is increasing above any other age group.</p>

**Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

The themes will particularly benefit:

Older carers  
 Older and younger women  
 Older and disabled people living in rural areas  
 Disabled people on low income

See section 6 for more information.

<b>Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</b>	<b>Tick option chosen</b>
<b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.	√
<b>2. Adverse impact - adjust the proposal -</b> The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
<b>3. Adverse impact - continue the proposal -</b> The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
<b>4. Actual or potential unlawful discrimination - stop and remove the proposal –</b> The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<p><b>Explanation of why option has been chosen.</b> (Include any advice given by Legal Services.)</p> <p>The JHWS is an all age, whole population strategy for the residents of North Yorkshire. A range of specific protected characteristics have been considered and given due regard.</p> <p>Consideration of a range of groups within the consultation period provided additional feedback and insight from the general population through an on-line survey questionnaire which was also made available in hard copy. Easy read versions and a summary document of the Strategy and questionnaire were produced and shared with a range of stakeholders including:</p> <ul style="list-style-type: none"> <li>• Disabled people</li> <li>• children and young people – indirectly through involvement of CYPS who had already consulted on the Young and Yorkshire Strategy which is reflected in the JHWS</li> <li>• community forums</li> </ul> <p>Some characteristics need further consideration as part of the implementation plan at both a North Yorkshire level and within local transformation plans linked to specific services and/or populations.</p>	

<p><b>Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)</b></p> <p>The Health and Wellbeing Board have committed to developing an action plan to measure success which will include the following elements:</p>
--

- Dashboard – key statistical data monitored regularly by the Board
- Exception reporting – statistical data or information that is escalated to the Board requiring action and review
- Theme discussions – an in-depth review of progress against the five themes and enablers to encourage positive challenge and action
- Peer review – an evaluation by a group of Board representatives to improve and enhance performance and share learning
- Annual report – to be published each year to set out what has been achieved and the impact the Strategy has had on the health and wellbeing of the population of North Yorkshire

**Section 11. Action plan.** List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
Develop an action plan that will support implementation of the JHWS.	Head of Integration.	Draft to HWB by end March 2016 for further development by the NY Delivery Board.		Health and Wellbeing Board.
Develop a performance framework which includes a range of mechanisms to measure success for all groups, specifically recognising those with protected characteristics.	Assistant Director of Integration, HAS.	Draft to HWB by end March 2016.  Final framework to be in place by end June 2016.		Health and Wellbeing Board.

**Section 12. Summary** Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The Strategy is intended to have a positive impact on the whole population of North Yorkshire and focuses on creating services that meet the needs of the individual, within a resilient community that can improve the health and wellbeing of all people.

Within the strategy, there are a number of themes and objectives that will have a positive impact on protected characteristics, particularly:

- Age (older and younger)
- Disability
- Gender
- Carers



Whilst not protected characteristics, the strategy will also benefit people negatively affected by rurality and low income, both of which have a higher impact on disabled and older people.

As the strategy is implemented, more detailed consideration will be given within each theme to differential needs and impacts on people according to protected characteristics. In addition, it is expected that statutory partner delivery plans and strategies will take account of each partner's duty to pay due regard to the Public Sector Equality Duty.

### **Section 13. Sign off section**

This full EIA was completed by:

**Name:** Elaine Wyllie

**Job title:** Head of Integration

**Directorate:** Health and Adult Services

**Signature:**

**Completion date:** 21 January 2016

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

**Date:** 21 January 2016

## Appendix 1

### Demographic analysis:

75 responses received in total comprising 62 generic and 13 Easy Read responses.

Of the 62 generic questionnaires received: 60 on-line responses; 1 by email and 1 by post, the following data has been captured:

#### Agree/Disagree (Question 1):

Strongly agree = 16 (26%)

Agree = 38 (61%)

Disagree = 7 (11%)

Strongly disagree = 1 (2%)

#### Geography:

Postcodes of respondents represented the following areas;

BD23 and 24

DN14

LS3 and 22

DL3, 6, 7, 8 and 9

HG1, 2, 4 and 5

YO7, 1, 12, 13, 17, 22, 30, 32 and 51

#### Ethnicity:

Of the 62 responses (electronic, email and post); 59 answered 'White', 2 answered 'prefer not to say, and 1 answered 'Mixed/Multiple ethnic group'. All 13 Easy Read Format responses answered 'White' to the ethnicity question.

#### Gender:

38 (61%) Female respondents	20 (32%) Male respondents
20 to 29 years = 3 (5%)	20 to 29 years = 1 (2%)
30 to 39 years = 2 (3%)	30 to 39 years = 3 (5%)
40 to 49 years = 7 (11%)	40 to 49 years = 2 (3%)
50 to 64 years = 23 (37%)	50 to 64 years = 13 (20%)
65 to 74 years = 3 (5%)	65 to 74 years = 1 (2%)
4 (7%) respondents = Preferred not to reveal their gender	

Of the 13 Easy Read Format responses received, the following data has been captured:

#### Agree/Disagree (Question1):

All 13 respondents agreed with all of the four main themes in the strategy.

#### Disability/Long-Term Condition:

All 13 respondents stated that they have at least one disability or long-term condition.

#### Geography:

The following geographical areas were represented by easy-read respondents:

Scarborough = 8 (61%); Hambleton = 3 (23%); Harrogate = 1 (8%) and Selby = 1 (8%).

#### Gender:

7 (54%) Female respondents	6 (46%) Male respondents
35 to 44 years = 1 (8%)	18 to 24 years = 1 (8%)
45 to 54 years = 5 (38%)	25 to 34 years = 2 (15%)
55 to 64 years = 1 (8%)	45 to 54 years = 3 (23%)

## Questionnaire responses and themes aligned to questions 2-5

The following rates of response for the on-line generic survey were received for questions 2-5:

Generic questionnaire			
Question number	Question	Number of completed responses	Number of comments
2.	Please tell us which areas in the strategy you would like to prioritise	59	96
3.	Please tell us what matters to you about your own health and social care	56	89
4.	Please tell us anything you would like more information about	38	39
5.	Please tell us any suggestions for how we could improve the strategy	45	38

The comments given by respondents have been grouped according to common themes . Some comments covered more than one issue so were allocated to more than one theme, up to a maximum of three. Across questions 2-5, the most common themes were:

- *Access to, choice and quality of or reduction of services (44)*
- *Healthy lifestyle including diet and/or exercise (27)*
- *Community centred, rurality (26)*
- *Staying at home, age well, elderly (19)*
- *Cost (19)*
- *Mental health (17)*
- *Communications including internet/broadband access (16)*
- *Health and care integration, partnerships (16)*

The following rates of response for the easy read questionnaires were received for questions 2-5:

Easy read questionnaire			
Question number	Question	Number of completed responses	Number of comments
2.	Tell us what you think is important to you to keep you healthy and happy	13	18
3.	Do you have any ideas about how to make the North Yorkshire Health and Wellbeing Board plan better?	13	8
4.	Is there anything you would like to know more about in the plan?	10	3
5.	Is there anything you would like to tell us about?	10	4

The most common feedback themes arising from Question 2 were:

- *Healthy lifestyle including diet and exercise*
- *Social interaction*
- *Access to, choice and quality of, reduction of services*

Most of the responses to question 3 were positive with respondents' comments focusing on being involved in decision making and letting people having a choice.

Fewer comments were given in response to questions 4 and 5 with only one issue raised in responses for both questions as follows:

- *“Have people with a LD and autism on the HWB so they are included from the beginning. Get out and about and talk to more people”*
- *“Why are people with a LD and Autism not involved in these plans from the start?”*

### **Consultation with other stakeholders**

In addition to comments received via the on-line survey, a number of other stakeholders provided feedback on the strategy including: Healthwatch; Scarborough Borough Council; Richmondshire District Council; Harrogate Borough Council; NYCC Scrutiny of Health Committee; County Homelessness Group, NYCC Transport Planning Office and Woodlands.

Whilst not all these partners responded specifically as per the questionnaire, the following recurring themes were recorded;

### **Question 2 – Please tell us which areas in the strategy you would like to prioritise.**

*End of life, dying well* - this needs more attention and should include support for people choosing to die at home and also recognise the contribution made by bereavement services and the Hospice movement.

*Mental health* - more prominence and increased funding for Mental Health issues, particularly as good mental health can help in relation to reducing isolation and loneliness. Scientific evidence also shows that access to woodlands can help reduce levels of mental stress.

*Community centred, rural issues* - more emphasis needs to be placed on areas with high levels of deprivation which can be both town or rurally located. Transport links to and from rural areas need to be improved to prevent increasing rates of isolation.

*Housing* - it is widely recognised by stakeholders that more work needs to be done to reduce homelessness and create more suitable and affordable housing solutions within our communities.

### **Question 3 – Please tell us what matters to you about your own health and social care.**

*Community centred, rural Issues* - more local focus is needed; the strategy does not make clear any differences that the strategy will make for our local populations.

*Housing* - local communities are suffering because young families cannot afford to buy property in ageing, affluent areas. More recognition that good housing options have a determining factor in health outcomes.

Health and care integration, partnerships - more work is needed to reflect and demonstrate how current changes in the health and social care economy are affecting our areas. Also need to work better with our partners and consider what contributions we need from other agencies and partners.

**Question 4 – Please tell us anything you would like more information about**

**Question 5 – Please tell us any suggestions for how we could improve the strategy.**

These two questions have been answered more generally but there are still some commonalities in responses from individual stakeholders;

Improvements needed - the strategy needs to present specifically what will happen next. Stakeholders wish to know what changes they can expect to see and how they can contribute directly to improvements in their own communities. More practical and real examples of anticipated improvements are needed rather than aspirational targets.

Community centred, rural issues - deprived communities need additional support to become more vibrant, self-reliant and connected. Make more use of our own local heritage to contribute towards health and wellbeing.



Start Well



Live Well



Dying Well

Connected Communities

Age Well

# Joint Health and Wellbeing Strategy 2015 - 2020

# Signatories to the North Yorkshire Joint Health and Wellbeing Strategy are



ageUK – representing the voluntary sector



Craven District Council - representing District Council members



Ryedale District Council - representing District Council officers



York Teaching Hospital NHS Foundation Trust - representing acute hospital providers

The organisations that are signatories to this strategy have made a commitment to work together to support local systems to achieve continuous health and wellbeing improvements for the population of North Yorkshire.

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# Foreword

The North Yorkshire Health and Wellbeing Board is made up of partner organisations from across the county. We understand that there are diverse and complex communities within North Yorkshire and recognise the strong sense of local identity that this brings. We have a history of working together to develop healthier, stronger communities in our county and are well placed to tackle the next stage in partnership not only with each other but, more importantly, with those people who use services and the individuals or groups that provide direct support and care to others.

In 2013 we produced our first health and wellbeing strategy, which took into account what local people and our partners told us they thought our priorities should be. This updated document reflects on the progress we have made

so far and outlines what we need to adapt to take into account changing local and national health priorities, as well as managing our reduced budgets. It also takes into account the findings of the latest Joint Strategic Needs Assessment (JSNA), and what local people have told us really matters to them for their long term health and wellbeing.

This updated strategy gives us an opportunity to restate our commitment to improving health and wellbeing as well as setting out how we want to continue to improve services. The five themes of: Connected Communities; Start Well; Live Well; Age Well and Dying Well describe how we intend to maintain the momentum we have built up in delivering our ambition to ensure that people in all communities in North Yorkshire have equal opportunities to live full and active lives from childhood to later years.



**County Councillor Clare Wood**

Executive Member for Adult Social Care and Health Integration  
North Yorkshire County Council  
Chairman of North Yorkshire Health and Wellbeing Board



**Amanda Bloor**

Chief Officer  
Harrogate and Rural District Clinical Commissioning Group  
Vice Chairman of North Yorkshire Health and Wellbeing Board

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## Why are we updating the strategy?

We want our strategy to make a difference, rather than being a document on a shelf. That's why we have taken this opportunity to bring it up to date so that people living in North Yorkshire continue to have access to great services which take account of:

- the latest evidence from our Joint Strategic Needs Assessment (JSNA)
- changes in national policy, local ambition and people's expectations
- listening to local people about what's important to them for their long term health and wellbeing and using feedback to shape our services

There are many changes taking place across North Yorkshire all the time that have an impact on our health and wellbeing, and there is always more to do. This document won't describe every change that is taking place, but it has been developed to help us stay focused on achieving those things that are most important for local people. It will help us make a difference by reducing variations in health and care outcomes across the county.

We know that if we do this, we will be making a positive and lasting impact on the health and wellbeing of people and communities in North Yorkshire.

You can see some of the things that people have said recently in the "What people have told us they want from this strategy" sections which appear throughout this document.

## Why do we need to change?

- People in North Yorkshire are living longer than ever before. That means we all have the potential to enjoy more years of healthy, active life from childhood right into old age by helping ourselves and our families to live well. But it also means that we may need more help as we get older, to age well and be as healthy and independent as we can be through to the end of our lives.
- Not all the communities in North Yorkshire are as healthy as we'd like them to be. Life expectancy for men living in Scarborough, for example, can vary by as much as 11 years between the richest and poorest areas of the district. We are seeing widening variations in obesity between children living in affluent and deprived neighbourhoods. We want to reduce the gaps as part of our strategy to make North Yorkshire healthier and happier.
- There are more demands on the money available to the health and care system than in the past. This means all organisations need to plan carefully about how to spend the North Yorkshire pound. By doing that together, and using new technology wisely, we believe we can deliver better value for money and do more with the resources we have at our disposal.

The North Yorkshire Joint Strategic Needs Assessment (JSNA) contains more information on the current health and wellbeing of North Yorkshire communities. You can download a copy at [www.nypartnerships.org.uk/jsna](http://www.nypartnerships.org.uk/jsna).

## How does this fit into the national picture?

Since 2012 there have also been some big changes in the priorities for health and wellbeing at national level. As the largest county in England, it's not surprising that these are all highly relevant to North Yorkshire.

The most important of these include:

- Working with people throughout their lives to prevent the need for longer term care and making sure people are in control of the choices made about their care and their lives.
- Making sure children's services work together to help every child have the best start in life.
- A new focus on ways in which local health and social care organisations can work together so that people's experience of care is more integrated.
- A new focus on care delivered in or close to people's homes with fewer people being admitted to hospital.

## What is this strategy really about?

### Working together to make North Yorkshire healthier and happier

This strategy really is important. It is a shared agreement between each partner organisation in the Health and Wellbeing Board with, and for, people of all ages living in North Yorkshire. It is about what we can and want to change.

Those of us who commission health and social care have a legal responsibility to make sure that our commissioning plans are guided by this strategy, and the Health and Wellbeing Board has a responsibility to ensure that this happens.

Health and wellbeing is about more than health and social care services. Every aspect of public life - education, childcare, housing, employment, the quality of the local environment, and the type of community we live in - can affect our health and wellbeing at any point through our lives. We understand this and want to help and encourage everyone to be aware of the impact of their actions on health and wellbeing, and to take account of this strategy when they plan to make changes.

Part of our job is to ensure that we all work well together so that we can achieve the best possible outcomes for local people and communities. We have a responsibility to make sure that our individual plans all face the same way and that when we invest the North Yorkshire pound we invest it wisely.



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## Understanding the strategy

### What we plan to do

To help us concentrate on the most important things for North Yorkshire's health and wellbeing, we have agreed on five key themes to help us organise our work. These themes will sometimes overlap and will be relevant to all age groups.

- Connected communities
- Start well
- Live well
- Age well
- Dying well

We set out why each of our themes is important, what we hope to achieve - 'our outcomes' - and the changes you can expect to see, on pages 8 to 17.

### Getting the whole system working better

To really make change happen we want to improve the ways in which the whole health and care system works together in North Yorkshire. We think that a focus on four things which, if we get them right, will help all organisations to achieve better outcomes for local people and communities:

- A new relationship with people using services
- Workforce
- Technology
- Economic prosperity

We explain more about these and why we think they are important on pages 19 to 21.

## How we want things to happen

There are some guiding principles that we have adopted which organisations and people who receive services can use as a checklist when we develop new services. This will help build services that are more personal, joined up and equal across North Yorkshire. Our principles are:

- Recognise where things are different
- Tackle issues early
- Joining things up to make life simpler
- Making a positive contribution
- Keep people safe
- Spending our money wisely

We explain more about these and how we will use them in practice on pages 23 to 24.



# Outcomes

We want North Yorkshire to be a place where communities flourish, people shape services and have control of their lives



# Connected communities

## Why is it important?

North Yorkshire people live longer, healthier lives compared to England as a whole, but there are significant variations between districts, communities and population groups.

For example, a girl born in Hambleton today can expect to live for 2.5 years longer than the average for England, but a girl born in Scarborough can expect to live for 0.5 years less. This variation has grown bigger over the last 10 years.

People with severe mental health problems often have poorer physical health too.

Strong local communities have been proved to be effective in supporting people to make healthy choices. They also help people cope with, and recover from, adverse events like illness, economic pressures and even extreme weather.

It prevents individuals feeling lonely and isolated which, in turn, reduces depression and anxiety.

Volunteering has benefits for both the volunteer and for those they help. Voluntary organisations are a vital part of connected communities - they provide things that other parts of the system can't, and their experience of working locally is a valuable resource.

Technology is a key asset for communities, helping to support local business opportunities, providing everyone with better ways of communicating with the outside world, and providing new solutions to self- manage our care.

## What have people told us that they want from this strategy?

**“To belong to a vibrant, caring community and to have access to health services when I need them.”**

**“Recognise the importance that access to woodland and natural green space can have in improving wellbeing”**

**“To have options and resources available which reduce social isolation. To be able to feel confident attending a medical appointment and understand what’s been said, what actions are required and what treatment is needed”**

## What changes can you expect to see?

### By 2020, you can expect to see:

- Vibrant and self-reliant communities in all parts of North Yorkshire, with local people and organisations working together to develop community libraries, community transport services and activities for all age groups.
- Dementia friendly communities where people living with dementia and their families feel supported and confident and a part of their local area.
- Recognition and provision for our military communities, veterans and their families’ needs as part of their local health and care services.
- Improvements in technology in rural areas, for businesses and homes, and increased access to technology for children and young people from disadvantaged communities.
- More opportunities for volunteering for people of all ages, and more people taking up these opportunities.
- A stronger link between work programmes across health and social care that make it clearer for people to see how things are connected, for example Stronger Communities, Living Well and local Transformation Board plans.

# Outcomes

- Ensuring education is our greatest liberator
- Helping all children enjoy a happy family life
- A healthy start through healthy lifestyles



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# Start well

## Why is it important?

There are over 130,000 children and young people aged 0-19 in North Yorkshire - and this number is growing.

Most North Yorkshire children already get a good start in life, but in a large and diverse county, there are still some who don't experience all the good things we would hope for. This may be for a range of reasons such as rural isolation, poverty, urban deprivation, disability or family breakdown. We need to make sure that these children's needs are spotted early and that they and their families receive the help they need from birth.

It's vital that every child has an excellent education to maximise their life chances - we know that this is a major factor in health and wellbeing throughout life. That includes a positive, safe experience throughout school and college as well as wider educational work to encourage children and young people to make healthy choices about their lifestyle.

Emotional and mental health and wellbeing is important at all ages. We need to support children and young people to be mentally and emotionally healthy. This doesn't just mean the 16,000 or so under-19s who have a recognised mental health disorder. We know that low self-esteem and anxiety can make daily life difficult, and we want to make sure every young person has a source of help when they need it.

## What have people told us that they want from this strategy?



## What changes can you expect to see?

### By 2020, you can expect to see:

- A higher percentage of babies who are breast fed and a higher percentage of children who receive immunisations and vaccinations.
- More children and young people making healthy choices, exercising regularly and eating well.
- A lower percentage of children who are obese or overweight.
- Fewer children and young people taking part in unhealthy, unsafe or risky behaviour - smoking or taking drugs, self-harming, unsafe sex - or becoming the victims of physical, mental or sexual abuse.
- An increase in the level of mental wellbeing amongst children and young people.
- A reduction in the gap in educational attainment between those children who receive free school meals and those who don't.

You can find out more about the work taking place to support children and young people from 'Young and Yorkshire'.

[www.northyorks.gov.uk/youngandyorkshire](http://www.northyorks.gov.uk/youngandyorkshire)



# Outcomes

- People are emotionally resilient and experience good mental health
- Everyone has the opportunity to have a healthy body and a healthy mind
- People are active, involved and can be free from isolation and loneliness



# Live well

## Why is it important?

North Yorkshire people are healthier, and live longer, than the average for England. But there is still work to do to reduce the number of people affected by conditions that can be prevented or delayed. Heart disease, stroke and cancer account for the greatest proportion of deaths within North Yorkshire. Many of these illnesses can be avoided if everyone is helped to make positive lifestyle choices.

The risk of social isolation and loneliness is greater for people living in rural communities, especially (but not exclusively) amongst older people and those with a disability or long term illness - and people who are socially isolated are more likely to die prematurely.

Being in good employment increases mental and physical health and wellbeing. We need to maximise local opportunities for economic and job development, including apprenticeships and graduate opportunities for the young people who are our future workforce.

The quality of our home is another major factor in health and wellbeing. For example, fuel poverty and cold homes are major contributors to poor winter health. We need to ensure that there is an affordable supply of North Yorkshire homes that have a positive impact on health and wellbeing.

The York, North Yorkshire and East Riding Strategic Housing Partnership has produced a Housing strategy. You can find out more about it at [www.nycyerhousing.co.uk](http://www.nycyerhousing.co.uk)

## What have people told us that they want from this strategy?

“Good clear communication so we can make healthy choices. Better awareness/training for people who support us about how we can live a happy and healthy life...”

“Having easier access to fitness centres, lowering costs of fitness centres. More information on healthy choices.”

## What changes can you expect to see?

### By 2020, you can expect to see:

- Fewer people saying that they feel socially isolated in their local communities.
- More people receiving personal budgets for their care, to give them choice and control over their lives.
- More people helped to self-manage their own care at home or through local community hubs.
- Fewer hospital admissions and lower premature death rates from heart disease, stroke and cancer, with the biggest improvements in the most deprived areas of the county.
- Improved employment opportunities, including rural areas and particularly for young people and those people who often face most barriers in the labour market - for example people with mental health issues, people with autism and people with disabilities.
- A higher proportion of young people taking up apprenticeships in North Yorkshire.
- Fewer people living in poor quality or inappropriate housing, or living in fuel poverty.
- More people with autism will have access to a diagnostic pathway to support and help improve their health, wellbeing and independence.
- A greater range of options for accessing exercise and fitness services.

# Outcomes

- People can make choices to self-manage their care to help them stay independent for longer
- Carers are supported to live their own life



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# Age well

## Why is it important?

North Yorkshire people are living longer these days - more than a year longer, on average, than ten years ago. That means more active older people in good health, but also more people (especially the very old) living with on-going conditions such as arthritis, dementia, heart problems or osteoporosis.


We expect there to be a third more people aged 85 plus by 2021 compared to 2011.

The number of families caring for loved ones continues to rise, with the sharpest rises amongst those providing the highest levels of care. The number of carers over 65 is increasing above any other age group

Care and support for older people takes up the greatest share of resources in the NHS and social care. So it's important to get this right - and if we make services work well together for older people, we can be confident that they can work well together for everyone else, too.

People can feel in control of their lives and are able to make decisions and choices for themselves and be valued as part of a community.

## What have people told us that they want from this strategy?



**“Helping people to remain in their own home but provide support that is tailored to them.”**

**“Being able to remain active into old age and not becoming isolated.”**

## What changes can you expect to see?

### By 2020, you can expect to see:

- More health and social care staff working together across local GP surgeries and primary health care centres to support older people in the local community.
- New community hubs offering advice, access and care to people receiving services and those who care for them.
- More carers feeling that they can have a life outside caring.
- Improvements in the way people can choose, buy and fit equipment and Telecare so that they can stay independent for longer.
- A range of options in place that help people to keep their independence for longer. For example, intermediate care and reablement services.
- Fewer older people entering nursing or residential homes for long term care.
- More Extra Care housing available to people across North Yorkshire.
- A greater range of support options for people in their last years of life.

# Outcomes

- Individuals are supported and encouraged to prepare for and plan their last days
- All individuals, their carers and families' experience good end of life care

Before I die  
I want to ...



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# Dying well

## Why is it important?

In North Yorkshire, although most people would prefer to die in their own home, around half die in hospital. The proportion dying at home will increase, but because of a rise in the death rate, the actual numbers dying in hospital will also increase unless we do something to change this.

There has been a substantial shift towards patient choice with people increasingly encouraged to be directly involved in shaping treatment plans for themselves and their relatives.


Death and dying is now beginning to be debated more openly. Nevertheless it still seems to be the case that, in practice, the discussion of death as an inevitable and, in some cases, imminent aspect of life is regarded as morbid and thus avoided.

Hospital cannot offer the individual the same comfort and familiarity that they might find if they were able to die in their own home and in their own bed, surrounded by the people that they love.

Encouraging conversations around quality of life, how and where a person might want to be cared for, as well as financial issues, helps to make sure the wishes of the person dying are followed. If family know about the dying person's wishes it can help them if they ever have to make decisions about care and can help to remove some of the stress at a difficult time.

This could include exploring options such as hospice care which can provide care for the dying and support for the family provided in a person's own home or elsewhere.

## What have people told us that they want from this strategy?



**“To consider how bereavement support is provided to grieving friends and relatives.”**

**“Dying well is very important for all ages and providing support to friends and relatives should have greater prominence from all organisations”**

## What changes can you expect to see?

### By 2020, you can expect to see:

- A greater range of support options for people in their last years of life.
- More people receiving support for themselves and their families at the end of life.
- More people dying at home or in the place that they choose.
- Greater numbers of trained staff and carers with deeper understanding about the range of issues in end of life care.
- Adoption of new and emerging best practice and principles around end of life care (Ambitions for Palliative and End of Life Care: A national framework for local action 2015-2020 - [www.endoflifecareambitions.org.uk](http://www.endoflifecareambitions.org.uk)).
- End of life care being planned in an effective and sensitively appropriate way, and for staff to be adequately trained.



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# Getting the whole system working better

## A new relationship with people who use services

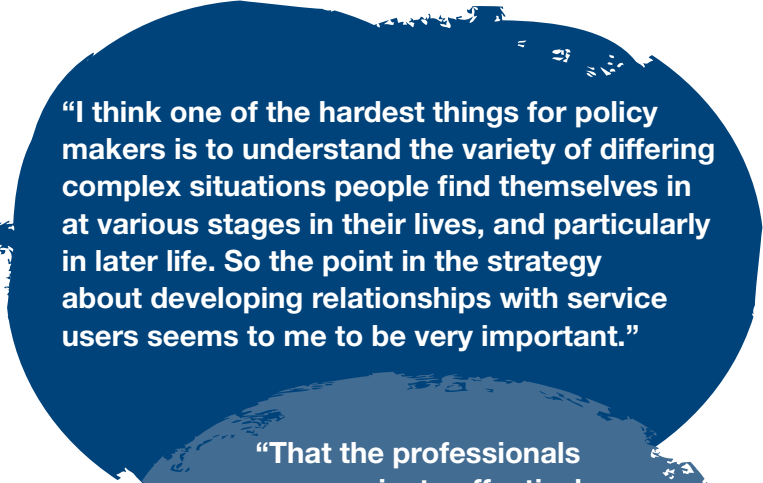
We want to develop a new relationship with people who use services and the communities they live in. We recognise that people are part of a community and that we need to build on the strong relationships that are already in place locally to get the best outcomes we can for everyone.

Health and wellbeing services, by their very nature, are often needed most by those in our society that are the most vulnerable and we recognise that we have a statutory duty to help people in this situation. We also understand that people might find themselves in need of help because of a particular set of circumstances and it is important that we organise services in a way that makes it easy to get help whenever it is needed by a person, or their carer.


We want people to have a bigger say over their own care and how they manage their lives, no matter what their health and care needs might be. For people to be able to do this it is important that there is easy access to good information and advice that helps people make informed choices about their care. Getting this right means that, as our needs change, we can look after ourselves and each other for longer and that we can get the right help at the right time from others.

We want to work with people to do things differently and in a more joined up way. We also want to make it easy for people to tell us what they want from services and how we are doing in delivering services.

## What have people told us that they want from this strategy?



**“I think one of the hardest things for policy makers is to understand the variety of differing complex situations people find themselves in at various stages in their lives, and particularly in later life. So the point in the strategy about developing relationships with service users seems to me to be very important.”**



**“That the professionals communicate effectively with each other, that there are supportive local services, that I am treated as an equal in my care”**

As well as having more input into decisions about the sort of care people might receive, we want people to have direct control of the money available to support their care. We are already doing some of this through personal budgets for both health and care, but we expect to see more people using these budgets to self-manage their care.



## Workforce

To deliver good health and wellbeing services we need a skilled, motivated and flexible workforce. Health and social care organisations don't always find it easy to recruit and retain staff to work locally - we need to help to change that. We know that nursing staff in care homes and some community hospitals is an area of particular pressure. We are working with organisations who provide care and our education partners to develop the workforce of the future and to attract and retain quality nursing staff so that people can be confident in the care that they receive.

North Yorkshire health and care organisations are working with local people to redesign the health and care system. This includes developing new models of care which will help people access more services in the community that join up health and social care. This will mean staff from different organisations will need to learn new skills so that people using services have a better experience of care.

Some of the ways we can make this happen are through:

- Creating new roles that offer exciting career choices in health and social care.
- More local opportunities for people to develop their skills in health and social care sectors, as well as in education and other children's services.
- More opportunities for people to return to work after a break or after retiring from a full time role.
- Better opportunities for people who have experienced poor mental health to access paid employment.

## Technology

Technology is now a fundamental part of every aspect of our lives. The way we access and share information, interact with each other and use services all relies on technology working well and in a way that suits our lives. We want to help organisations to talk to each other more easily so that people can use technology to find out more about health and social care.

We want to help people take responsibility for self-managing their care and technology has a role to play in offering easy ways to access advice and information. There are now many ways to keep in touch and we want to maximise these opportunities for the people who use services.

Technology can be a key asset for communities, helping to support local business opportunities, improving educational experiences across all age groups, providing everyone with better ways of communicating with the outside world, and offering the opportunity to learn from others. We also need to ensure that children are protected from the potential pitfalls of technology especially where this might compromise the personal safety of young people or increase their likelihood of exploitation.

We want to work with partners and the wider community to make sure we are making the best use of the technology that is available to us and our communities.

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## What have people told us that they want from this strategy?



**“My lovely village staying lovely; Being able to communicate with family & friends via Skype which I can’t do very well because we have no broadband.”**

## Economic prosperity

Our successful tourism sector gives us a special sense of the importance of our local communities and heritage. We want to encourage ourselves and our partners to think more creatively about how we can use these assets and the things that are best about North Yorkshire to find new ways in which they can contribute to health and wellbeing.

Creating a supportive environment for businesses is good for the health and wellbeing of the communities around them. For individuals, we know that an increase in income leads to an increase in psychological wellbeing and a decrease in anxiety and depression. For providers, having a vibrant market that offers good opportunities for them to develop their business means that they are more likely to invest in the local area which, in turn, will attract a workforce that delivers high quality care. For communities, ensuring that the local transport plan develops responsive and resilient services, especially in rural localities.

Growing our existing businesses and inspiring enterprise is part of the long term strategy for North Yorkshire. Health and social care organisations are major employers in North Yorkshire and play an important part in the economy, not only in supporting us to stay well, but by offering a wide choice of employment opportunities. This helps local people stay local and it also helps North Yorkshire attract new talent so that we can achieve outstanding quality-improving health and care.



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# Our principles for making these changes real

We will always use these principles when developing plans, commissioning services and delivering care to check that we are keeping our promises in this strategy.

## 1) Recognise where things are different...

- So that we respond to differences between local communities
- So that we prioritise the people and place that need things most
- So that we take full advantage of the different assets in urban and rural communities

Every community in North Yorkshire has a different range of resources and assets that can contribute to improving health and wellbeing. Our role is to help support people at every stage in life to use those assets wisely and well, in the way that suits the local community best.

We also need to make sure that we target our improvements on the people and communities that need it most. Although North Yorkshire is relatively prosperous overall, pockets of deprivation exist both in towns and rural areas where improving health and wellbeing can have a really significant effect, and which we need to make priorities for new investment.

## 2) Tackle issues early...

- By investing more in local services so that we prevent illness in the first place for all age groups
- So that you have more opportunities to access local care and support that can nip problems in the bud

Keeping healthy and well, and tackling ill health in its early stages is much better than trying to deal with things once they have become more serious.

We all know what we should be doing to increase our chances of staying healthy for longer - stopping smoking, cutting down on alcohol, avoiding drugs, keeping our weight down, taking more exercise - but it's much easier to do them when there is a local source of help and support.

## 3) Joining things up to make life simpler...

- So that you only have to tell your story once
- So that you can trust local services to work together effectively
- So that you get the response that meets your needs, not what's convenient for different organisations
- So that there's less waste caused by duplication

Many of the old organisational barriers that stopped services working together are being broken down. We want to make the most of these opportunities to do things differently - when it makes sense locally. This will mean increased integration between health and social care services as well as between county and district councils or NHS services and the voluntary or independent sectors.

#### 4) Make a positive contribution...

- So that you're inspired and enabled to take responsibility for your health and wellbeing and the decisions about your care are shared between the person and the professional
- So that you have opportunities to support the health and wellbeing of others in your community

These days we hear a lot about the importance of being able to live independently - and having control over our lives is good for our health and wellbeing. You can take responsibility for your own health and wellbeing through lifestyle changes, or by having more control about how you use services - for example by managing your own medication, or having a personal budget to spend on the care you need.

But we also depend on each other to live our lives well. The greatest assets we have in North Yorkshire are the people of North Yorkshire. We want everyone to feel able to make a positive contribution to the health and happiness of your local community - whether that's as an employer, an employee, a volunteer, or just by being a good neighbour.



#### 5) Keep people safe...

- So that you can feel safe and secure in your local community, your school and your family home
- So that you can be confident that you will be treated with dignity and respect
- So that you know we take a 'zero tolerance' approach to any form of abuse

Feeling safe in and around your own home is an important part of your overall sense of wellbeing. We will encourage organisations to make safety a priority when they plan and deliver services, particularly where these relate to children, people with disabilities,, those with dementia, and other vulnerable groups.

We also know that you expect high standards whenever you use public services. Everyone who uses services - and everyone who works in them - has the right to be treated with dignity and without being abused and is responsible for treating other people in the same way.

#### 6) Spend money wisely...

- So that we invest in things you can be confident will deliver good value
- So that we improve the quality of services for the long term
- So that we make the most of the North Yorkshire pound

Value for money is always important, but especially at a time when demands on services are growing and budgets are under pressure. Part of our role is to make sure that what we do spend is spent wisely, on things that we know make a real long term difference.

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## What do we expect from the Health and Wellbeing Board?

- We will make a difference and to improve health and wellbeing
- We will support each other to tackle problems together
- We will respect local differences
- We will look for ways in which we can work together
- We will stay focused on the strategy
- We will be ready to listen and take hard decisions together when necessary - and stick to them

## What do we expect from local communities?

- They will value positive contributions from everyone, whoever they are and at all stages of their life
- They will support people to make healthy choices and live well throughout their lives
- They will speak up about the needs of local people including those who are at risk of being marginalised or in particular need, especially where this relates to children and young people, and other groups who might not ordinarily be able to speak up for themselves

## What do we expect from people living in North Yorkshire?

- You will take on more responsibility for your own health and wellbeing
- You will make more healthy choices to improve your health and wellbeing
- You will look out for other people in your community
- You will ask for help when you need it
- You will speak up when things go wrong

## How will we measure our success?

We will develop an action plan to include the following elements

**Dashboard** – key statistical data monitored regularly by the Health and Wellbeing Board.

**Exception reporting** – statistical data or information that is escalated to the Health and Wellbeing Board requiring action and review.

**Theme discussions** – an in depth review of progress against our five themes and enablers to encourage positive challenge and action.

**Peer review** – an evaluation by a group of Health and Wellbeing Board representatives to improve and enhance performance and share learning.

## Letting you know how we're doing

### Every quarter...

We hold Board meetings to look at progress on this strategy and to discuss ideas about how we can best improve health and wellbeing in North Yorkshire. Meetings are held in public, and papers are available on the County Council's website <http://democracy.northyorks.gov.uk/committees.aspx?commid=27>

### Every year...

We will publish a report on what has been achieved, and what impact it has had on health and wellbeing in North Yorkshire.

We hold a range of events across North Yorkshire to bring people together to talk about what's important to their health and wellbeing. Look out for details in your local newspaper, or check on the website at <http://www.northyorks.gov.uk>



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# How can you get involved?

## Find out more

While this strategy sets out how we will organise our work and some of the biggest changes we expect you to be able to see by 2020, it can't cover all the changes that are planned for your local area.

If you want to find out more, you can contact North Yorkshire HealthWatch, who can signpost you to information about what's being planned for your local area.

Contact them by phone: **01904 621631**

By email: **[healthwatchny@nbforum.org.uk](mailto:healthwatchny@nbforum.org.uk)**

Website: **[www.healthwatchnorthyorkshire.co.uk](http://www.healthwatchnorthyorkshire.co.uk)**

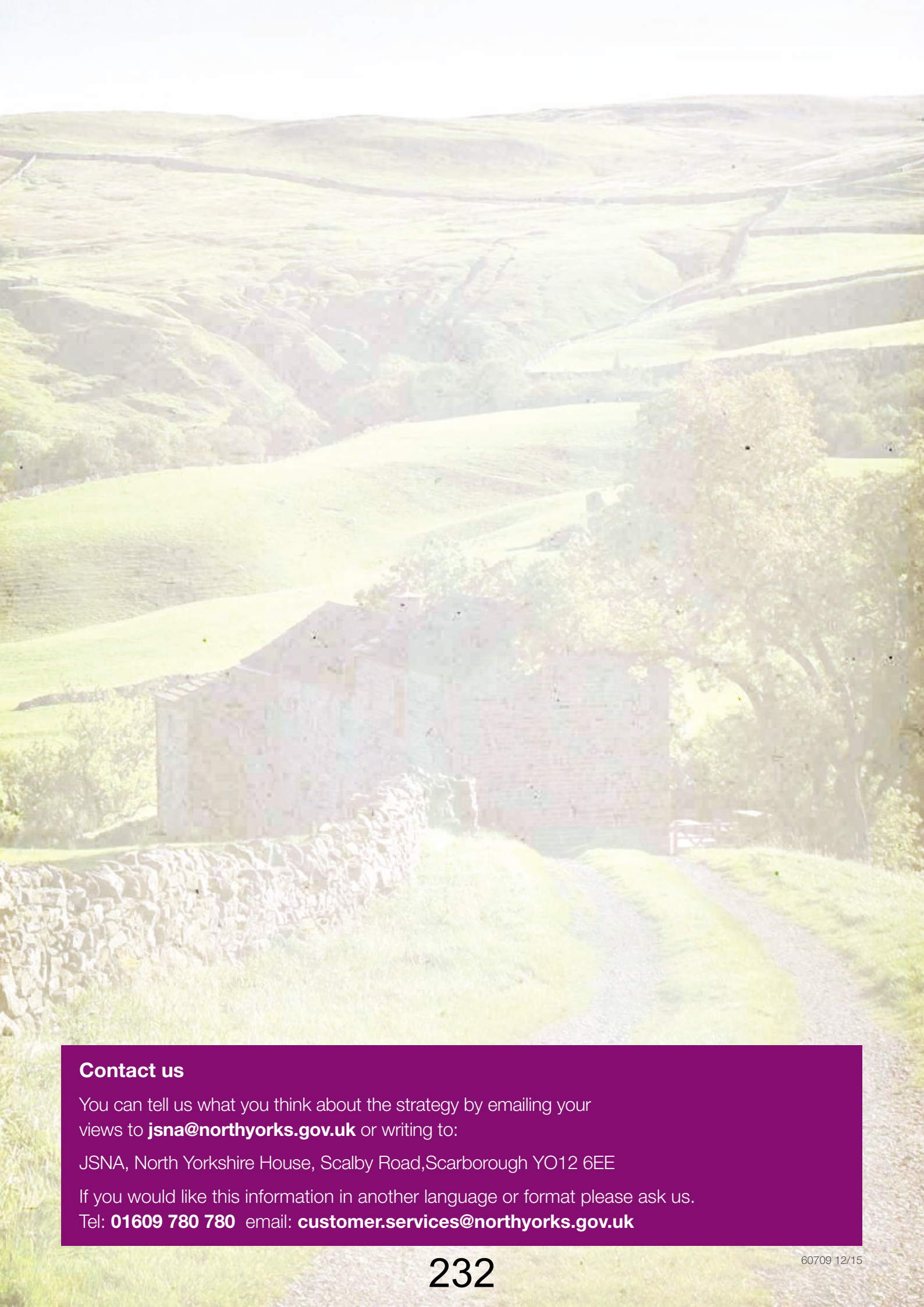
Twitter: **@HealthwatchNY**

## Help us implement this strategy

We won't always get things right first time and we need and value your help to tell us what's working and what we could do better.

We therefore pledge to continue to talk to you and to listen to see if the strategy is making a difference.





## Contact us

You can tell us what you think about the strategy by emailing your views to [jsna@northyorks.gov.uk](mailto:jsna@northyorks.gov.uk) or writing to:

JSNA, North Yorkshire House, Scalby Road, Scarborough YO12 6EE

If you would like this information in another language or format please ask us.

Tel: **01609 780 780** email: [customer.services@northyorks.gov.uk](mailto:customer.services@northyorks.gov.uk)

**North Yorkshire County Council**

**Executive**

**18 January 2016**

**School Admission Arrangements for the School Year 2017/18**

**Report of the Corporate Director – Children and Young People’s Service**

**1.0 Purpose of Report**

- 1.1 To seek views from members on the response to the proposed admission arrangements for Community and Voluntary Controlled schools for the school year 2017/18 and approval for recommendation to the County Council for determination.

**2.0 Issues and Background**

- 2.1 As the admission authority for all community and voluntary controlled schools in North Yorkshire, the local authority consults annually on admission arrangements. The local authority is currently required to determine its admission arrangements, which includes admission policy and admission limits, annually by 15 April each year. When changes are proposed to admission arrangements, all admission authorities must consult by 1 March on their admission arrangements. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.
- 2.2 Consultation must last for a minimum of 6 weeks and take place between 1 October and 31 January in the determination year. This means that schools are consulted in autumn term each year for admissions nearly two years later. The process is, therefore, based to some degree on schools’ best estimates of the numbers of requests for places informed by the local authority’s forecasting model, which takes into account the patterns of parental preference over the years. Since the Council is the only body that may determine the matter, it falls to the Council in February each year.
- 2.3 The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 (SI 1999 No. 124) require local authorities to determine relevant areas for consultation on admission arrangements. The Relevant Areas for schools maintained by North Yorkshire County Council are as follows:
- For Community and Voluntary Controlled Schools, the Relevant Area for consultation is the entire County of North Yorkshire, plus the City of York and the area of Bradford Metropolitan Authority served at secondary level by South Craven School.

For Voluntary Aided, Foundation, Trust Schools and Academies the relevant area for consultation is North Yorkshire County Council and admission authorities within a radius of 3 miles of the school, including admission authorities in neighbouring local authority areas. It is proposed that relevant areas for consultation remain unchanged.

2.4 It is proposed that catchment areas for all other community and voluntary controlled schools in North Yorkshire remain unchanged.

2.5 Consultation has taken place with the headteachers and governors of 3 nursery, 298 primary and 31 secondary (including middle) schools, the academy trusts of converter academies, parents and other groups in the local area, the 13 neighbouring authorities and also with the relevant diocesan authorities. The consultation is published on the NYCC website; all schools are asked to display a poster promoting the consultation and providing a link to the consultation and giving details of how to obtain a hard copy of the consultation documents. We also undertook a Facebook campaign together with a number of 'tweets' with the aim of promoting the consultation more widely to raise awareness and give people an opportunity to engage. Summary analysis of the data shows that overall the campaign reached 34,086 residents via a post on their Facebook feed. Analysis of the data shows that the campaign resulted in 642 'clicks' through to the consultation page with 106 people going on to share the link..

2.6 At the closing date of 4 December 2015 a total of 128 responses (120 of which were from schools and 8 from parents) had been submitted (Josie O'Dowd holds a hard copy of all responses which will be available for Members to view on the morning of the meeting). Schools were asked to express their agreement or otherwise with the proposals relating to their own proposed PAN, the proposed admissions policy for Community and Voluntary Controlled schools, the proposed admissions policy for nursery schools and classes, pre-reception classes and pre-schools under school governance and the proposed In-year fair access protocol. In addition they had the opportunity to make any other comments. Not all school respondents commented on every proposal within the consultation.

In previous consultations we have found that many consultees simply respond to the agree/disagree questions. In an effort to encourage greater interaction with the wider range of consultees all other respondents were asked to put forward comments on any aspect of the consultation. In total we received 8 non- school responses all of which came from parents. Some of these responses were actually queries relating to individual family circumstances rather than general consultation responses, for this reason they have been dealt with separately. A copy of the consultation responses together with officer comments can be found at Appendix 6.

2.7 There are three key areas to the consultation details of which are set out below.

### **3.0 Admissions Policy**

3.1 **Admissions policy [criteria for determining admissions where schools are oversubscribed]:**

The proposed admission policy for community and voluntary controlled schools and the proposed admission policy for nursery schools, schools with nursery and pre-reception classes is attached (Appendices 1& 2 respectively).

The proposed admission policy for community and voluntary controlled schools, and the proposed policy for nursery schools and schools with nursery and pre-reception classes remain broadly unchanged from 2015/16 arrangements. However it is proposed that the oversubscription distance tie-break be amended to include the use of a random allocation process. This is so that, in the case where a school is oversubscribed and the usual method of measuring distance to the school results in two unrelated applicants having exactly the same distance measurement, a place is allocated by the use of a random allocation process. Please see Appendices 1 and 2 for details of the process.

### 3.2 Responses to the proposed admission policy to Community and Voluntary Controlled Schools

The closing date of this consultation was 4 December 2015.

From the total of 120 school respondents, 99 expressed agreement with the proposed policy. Of the three schools which did not agree with the proposal, it is clear from their additional comments that their disagreement is not with the admission policy itself but with their proposed admission limit, see 4.3 below.

### 3.3 Responses to the proposed admission policy for nursery schools, schools with nursery and pre-reception classes

From the total of 120 school respondents, 65 expressed agreement with the proposed policy. Many other respondents noted that this policy did not apply to their school, there were none who disagreed with this particular proposal. One parent did respond to note her disagreement with the policy and to make a suggestion to amend the policy, see Appendix 6.

## **4.0 Admission Limits**

4.1 The proposed published admission numbers [PAN's] for 2017/18 are attached at appendices 4 and 5. The County Council sets the admission limits of Community and Voluntary Controlled Schools in consultation with the governing body of the school.

4.2 Since the school year 2013/14 an own admission authority school (VA, Foundation, Trust Schools, Academies or Free Schools) is not required to include a proposal to increase or keep the same admission number in any consultation on admission arrangements. Conversely all admission authorities must consult if they propose a decrease in PAN. As the admission authority for a community or voluntary controlled school the local authority **must** consult the governing body of each school whether it proposes to increase, decrease or keep the same admission number. Community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish.

- 4.3 The Authority has consulted with the governing bodies of all community and voluntary controlled schools as part of this annual consultation process. Agreements have been reached with the majority of schools.
- 4.4 In response to comments from three schools (as noted above at 3.2), agreement has been reached with two. Unfortunately this has not been possible with Starbeck CP School. The governing body has requested a reduction in their PAN from 50 to 30.

Officer views are that demand for school places across the Harrogate town area is currently high and further housing development is planned. The local authority is responsible for school place planning across the whole of the county and must ensure that there are sufficient school places for every child of statutory school age. This means that we cannot look at a single school in isolation and must consider the wider impact of any reduction in admission numbers.

Currently a large number of pupils living in the catchment area of the school attend other schools across the local area. It would not be appropriate nor an efficient use of resource to reduce the PAN at Starbeck CP when it is clear that across the area as a whole demand for school places is increasing and Starbeck CP has the capacity to satisfy some of this demand.

## **5.0 Co-ordinated Admission Arrangements**

- 5.1 All admission authorities must participate in co-ordination and provide the local authority with the information it needs to co-ordinate admissions for the normal admission rounds by the dates agreed within the scheme. There is no longer a mandatory requirement that local authorities undertake in year co-ordination on behalf of all schools within their area and in liaison with their neighbouring LA's. This does not mean that local authorities cannot propose to continue to do so within their own local area. The Co-ordinated Admission Arrangements Scheme (Appendix 3) proposes the retention of in year co-ordination of admissions by the local authority. As the number of own admission authority schools increases parents may find it increasingly difficult to navigate a system which is fragmented in terms of numbers of admission authorities, proliferation of different admissions criteria and a lack of clarity about where accountability sits for securing their rights.
- 5.2 It is proposed that within North Yorkshire the local authority will continue to co-ordinate in-year admissions for all community and voluntary controlled schools. In order for the scheme to operate effectively across all schools, including own admission authority schools, it is proposed that the local authority will also continue to co-ordinate in-year admissions on behalf of the governing bodies of own admission authority schools which elect to be party to the scheme. Officer views are that as the admission authority for community and voluntary controlled schools we would want to retain responsibility for in year co-ordination within these schools and in the interests of parents and children we will continue to deal with in year admissions for all own admission authority schools which request us to do so. If an academy trust would like us to undertake this function on their behalf this can be managed as a chargeable service.

The School Admissions Code states that 'Local authorities must, on request, provide information to a parent about the places still available in all schools

within its area. Any parent can apply for a place for their child at any time to any school outside the normal admission round.

Own admission authority schools must, on receipt of an in-year application, notify the local authority of both the application and its outcome, to allow the local authority to keep up to date figures on the availability of places in the area.'

The Co-ordinated Admissions Scheme includes the In-year Fair Access Protocol (appendix 3a) the Managed Moves Protocol (Appendix3b) and the Protocol for Looked After Children Applications (Appendix 3c).

- 5.3 94 school respondents express agreement with the proposed arrangements. No responses have been received from any of our neighbouring LA's.

One secondary school (Brayton High School) made the following comment about the In- year Fair Access Protocol, 'We support the proposed in year fair access protocol.' The critical thing is that all schools abide by this so that no student or school is disadvantaged by poor practice.'

Officer views are that this comment summarises the principles underlying the effectiveness of the protocol.

## 6.0 General Comments

- 6.1 All schools were given the opportunity to submit any general comments in relation to the consultation, the majority of schools did not do so. As noted above a hard copy of all responses which will be available for Members to view on the morning of the meeting.

### Legal Implications

- 6.1 The consultation on proposed admissions arrangements for 2017/18 is in accordance with the requirements of the School Admissions Code 2014 and associated legislation. Failure to comply with admission arrangements as determined can lead to challenge by way of objections to the Schools Adjudicator or complaints to the Local Government Ombudsman.

## 7.0 Recommendations

- 7.1 That the proposed Admission Arrangements be recommended to the County Council for approval on 17 February 2016 these include:

- i) the proposed admission policy for community and voluntary controlled schools; and
- ii) the proposed admissions policy for nursery schools, schools with nursery and pre-reception classes, appendices 1 & 2.
- the proposed published admission numbers [PAN's] for community and voluntary controlled schools as show in appendices 4 [primary] and 5 [secondary].
- the proposed co-ordinated admission arrangements which include in year

co-ordination, the In Year fair Access Protocol, Managed Moves Protocol and the Protocol for Looked After Children Applications [appendices 3a,3b and 3c].

Pete Dwyer  
Corporate Director – Children and Young People's Service

COUNTY HALL  
NORTHALLERTON  
6 January 2016

Author of report – Chris McMackin, Lead for Admissions & Transport

Background Documents –

School Admissions Code 2014

The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 (SI 1999 No. 124)

Key to appendices

- Appendix 1 - proposed admission policy for community and voluntary controlled schools
- Appendix 2 - proposed admission policy for nursery schools, schools with nursery classes, pre-reception classes and school run pre-schools under school governance
- Appendix 3 - proposed co-ordinated admission arrangements scheme
- Appendix 3a - proposed in- year fair access protocol
- Appendix 3b - proposed managed moves protocol
- Appendix 3c - proposed protocol for looked after children applications
- Appendix 4 - proposed PAN's – primary
- Appendix 5 - proposed PAN's – secondary
- Appendix 6 - table of consultation responses

## PROPOSED ADMISSIONS POLICY FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR THE SCHOOL YEAR 2017/18

All governing bodies are required by section 324 of the Education Act 1996 to admit to the school a child with a statement of special needs that names the school. This is not an oversubscription criterion. This relates only to children who have undergone statutory assessment and for whom a final statement of special educational needs (SEN) has been issued.

If the number of applications exceeds the Published Admission Number (PAN), after the admission of children where the school is named in the statement of special educational needs (SEN) or Education Health & Care Plan the following oversubscription criteria will apply:

<b>ORDER OF PRIORITY:</b>	<b>Notes:</b>
<b><u>Priority Group 1:</u></b>	
Looked after children and all previously looked after children for whom the school has been expressed as a preference. Previously looked after children are children who were looked after, but ceased to be so because they were adopted <sup>1</sup> or became subject to a child arrangement order <sup>2</sup> or special guardianship order.	<p><i>This applies to all looked-after children, including those who are in the care of another local authority or being provided with accommodation by a local authority in the exercise of their social services function at the time of making an application.</i></p> <p><i>In the case of previously looked after children, a copy of the relevant documentation will be required in support of the application.</i></p> <p><sup>1</sup><i>This includes children who were adopted under the Adoption Act 1976 and Children who were adopted under the Adopted &amp; Childrens Act 2002.</i></p> <p><sup>2</sup><i>Child Arrangement Orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a Child Arrangement Order.</i></p>
<b><u>Priority Group 2 :</u></b>	
Children the Authority considers have special social or medical reasons for admission.	<p><i>We will only consider applications on social or medical grounds if they are supported by a professional recommendation from a doctor, social worker, or other appropriate professional. The supporting evidence should set out the particular social or medical reason(s) why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school.</i></p> <p><i>Panels of professionally qualified people will consider all applications made under priority group 2.</i></p>
<b><u>Priority Group 3 :</u></b>	
Children living within the normal area of the school.	
<b><u>Priority Group 4:</u></b>	
Children living outside the normal area of the school.	

*Children in higher numbered priority groups will be offered places ahead of those in lower numbered priority groups. All applications within each priority group will be considered equally ( i.e. all applications, regardless of order of preference).*

*Tie break:*

*If there are not enough places for all the children in one of these priority groups, we will give priority first to those with a sibling at the school in September 2017 ( in all cases sibling refers to brother or sister, half brother or sister, adopted brother or sister, step brother or sister, or the child of the parent / carer's partner where the child for whom the school place is sought is living in the same family unit at the same address as that sibling ) and then to those living nearest the school.*

*If within a priority group there are not enough places for all those with a sibling at the school in September 2016, we will give priority to those children with a sibling living nearest the school.*



*All distance measurements are based on the nearest route recognised by the County Councils electronic mapping system from a child's home address to school. The measurement is made from a fixed point within the dwelling, as identified by Ordnance Survey, to the nearest school entrance using footpaths and roads. The routes measured to determine the allocation of school places will be those recognised by the electronic mapping system used by the school admissions team.*

If the distance tie-break is not sufficient to distinguish between applicants in a particular priority group a random allocation will be used.

### **RANDOM ALLOCATION PROCEDURE**

Random allocations are necessary where:

1. There is more than one applicant ranked equally according to the published admission rules and there are insufficient places available to allocate all of the equally ranked applicants
2. This occurs where applicants are equidistant from a school because the usual method of measuring distance to the school results in two unrelated applicants having the same distance measurement.

Each random allocation event only holds for the allocation of the currently available school place. On any waiting list the remaining applicants remain equally ranked and any further place is offered as the result of a further random exercise.

In making a random allocation it is important that there is scrutiny from a person who is not involved in the allocation process.

### **DEFINITION OF ROLES**

Independent Scrutineer (IS) – this is a person who ensures the process is carried out in a correct and transparent way. The IS must be independent of the school for which the allocation is to be made and also must be independent of the Council's Admissions and Transport team.

Admissions Officer (AO) – this is an officer from the Council's Admissions and Transport team who is responsible for carrying out the administration of the random allocation procedure and recording the results, under the scrutiny of the IS.

Person who makes the draw (P) – this must be a person independent of the school for which the allocation is to be made and must be a person who is not part of the Council's Admissions and Transport team.

### **PROCESS TO BE FOLLOWED – N.B. This entire process is to be carried out in sight of, and under the scrutiny of, the IS**

1. The AO allocates each pupil to be included in the draw a number and records it on the 'Random Allocation Cross Reference Sheet'. This is placed in a sealed envelope.
2. The AO prepares as many equal sized pieces of white paper as are necessary, which are numbered consecutively.
3. The AO folds each numbered sheet and seals them in identical envelopes, i.e. envelopes with no visibly identifiable differences.
4. The AO shuffles the envelopes and hands them to P who shuffles the envelopes again, picks one envelope and opens it.
5. The AO records the first number drawn on the 'Random Allocation Record sheet'.
6. If more than one place can be offered they continue to draw envelopes and record numbers until all of the available places are allocated.
7. The AO then opens the previously sealed envelope containing the 'Random Allocation cross reference sheet' and records the numbers drawn on the 'Random Allocation cross reference sheet', marking clearly which child(ren) has(have) been allocated a place and which have not.
8. Once the process has been completed, the AO, IS and P should sign and date both the 'Random Allocation Record sheet' and the 'Random Allocation cross reference sheet' in order to certify that the procedure has been carried out correctly.

*We may be able to meet your preference for a place at a school that does not serve the local area you live in. In this case, you will normally be responsible for travel arrangements and the costs of your child's travel to and from school.*

**LOCAL ARRANGEMENTS:**

**Scarborough area** - Graham School - For priority group 3 applications (that is, children living within the normal area covering the school), priority will be given as follows:

- a) Children living in the area normally served by East Ayton Community Primary School and the area west of Scalby Road from Lady Edith's Drive to Scalby Beck.
- b) Children who will have an older sibling at the school of their choice.
- c) Children who live nearest to the school of their choice.

Scalby School - For priority group 4 applications (that is, children living outside the normal area of the school), priority will be given to children who live in the areas normally served by East Ayton Community Primary School and the area west of Scalby Road from Lady Edith's Drive to Scalby Beck and who:

- a) will have an older sibling at Scalby School at the start of the term when the younger sibling starts school;  
or
- b) would have to make the longest journey to another school without them becoming eligible for help with travel costs from us under the local authority transport policy.

**Selby area** - Brayton High School and Selby High School – For the purposes of admissions for priority group 3 children a distinction is drawn between those who live in Selby rural area and Selby town area. Each school, Brayton College and Selby High, has its own designated rural area and the two schools are jointly the normal schools for the Selby town area. Places will be offered, within priority group 3, to children from the individual rural area associated with each school before those in the town area, using the tie break elements of the Admissions policy for community and voluntary controlled schools for the academic year 2017/18 where necessary.

**Ripon Grammar School** - Ripon Grammar School is a designated grammar school,<sup>1</sup> this means that the school is permitted to select its entire intake on the basis of high academic ability<sup>2</sup>. The school does not have to fill all of its places if applicants have not reached the required standard. Ripon Grammar School offers 103 day places and 14 boarding places.

As a maintained boarding school Ripon Grammar School may take boarders as well as day pupils. Maintained boarding schools can set separate admission numbers for day places and boarding places. A maintained boarding school can interview applicants to assess suitability for boarding, but such interviews **must** only consider whether a child presents a serious health and safety hazard to other boarders or whether they would be able to cope with and benefit from a boarding environment. To help with this assessment, they may also use a supplementary information form, and information provided by the previous school and by the child's home local authority (on safeguarding issues).

Boarding schools **must** give priority in their oversubscription criteria in the following order:

- a. looked after children and previously looked after children;
- b. children of members of the UK Armed Forces who qualify for Ministry of Defence financial assistance with the cost of boarding school fees;
- c. children with a 'boarding need', defined by Ripon Grammar School as follows:
  - i. Children at risk or with an unstable home environment and children of service personnel who have died while serving or who have been discharged as a result of attributable injury; or
  - ii. Children of key workers and Crown Servants working abroad, e.g. the children of charity workers, people working for voluntary service organisations, the diplomatic service or the European Union, teachers, law enforcement officers and medical staff working abroad whose work dictates that they spend much of the year overseas.

<sup>1</sup> As designated by the Education (Grammar School Designation) Order 1998 (SI 1998/2219). Where a designated Grammar School converts to become an Academy, the Academy is permitted to continue selecting their entire intake: Section 6(3) of the Academies Act 2010.

<sup>2</sup> Section 104 of the School Standards and Framework Act

## DEFERRED APPLICATIONS FOR INFANTS

Admission authorities **must** provide for the admission of all children in the September following their fourth birthday.

Parents offered a place in reception for their child have a right to defer the date their child is admitted, or to take the place up part-time, until the child reaches compulsory school age. Places cannot be deferred beyond the beginning of the final term of the school year for which the offer was made.

Children reach compulsory school age on the prescribed day following their 5th birthday (or on their fifth birthday if it falls on a prescribed day). The prescribed days are 31 August, 31 December and 31 March.

## SUMMER BORN CHILDREN

Children born in the summer term are not required to start school until a full year after the point at which they could first have been admitted – the point at which other children in their age range are beginning year 1. As noted above, school admission authorities are required to provide for the admission of all children in the September following their fourth birthday, but flexibilities exist for children whose parents do not feel they are ready to begin school at this point.

If you feel that your summer born child is not ready to start school in the September following his/her fourth birthday, you should still submit your application for your child's normal age group at the usual time and at the same time submit a request for admission out of the normal age group directly to the local authority. You will be advised of the outcome of your request for delayed entry prior to the primary national offer date of 17 April 2017.

The DfE has issued non-statutory guidance, "Advice on the Admission of summer born children", which can be accessed via <https://www.gov.uk/government/publications/summer-born-children-admission>

The DfE guidance states that:

- 'It is reasonable for admission authorities to expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case. This should demonstrate why it would be in the child's interests to be admitted to reception rather than year one.
- In some cases parents may have professional evidence that it would be appropriate for them to submit, for example, when a child receives support from a speech and language therapist. However, there should be no expectation that parents will obtain professional evidence that they do not already have. Admission authorities must still consider requests that are not accompanied by professional evidence. In such cases the supporting information might simply be the parent's statement as to why they have made their request.'

If your request is agreed, your application for the normal age group may be withdrawn before a place is offered. If your request is refused, you must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in year application for admission to year one for the September following your child's fifth birthday.

Where your request is agreed, you must make a new application as part of the main admissions round the following year.

## ADMISSION OF CHILDREN OUTSIDE THEIR NORMAL AGE GROUP

The School Admission Code states that 'Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1.'

When such a request is made, the local authority will make a decision on the basis of the circumstances of the case and in the best interests of the child concerned, taking into account the views of the headteacher and any supporting evidence provided by the parent. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. The local authority will notify parents in writing of the outcome of their request setting out the reasons for their decision. Parents have a statutory right to appeal against the refusal of a place at a

school for which they have applied. This right does not apply if they are offered a place at the school but it is not in their preferred age group.

**ADMISSIONS POLICY FOR COMMUNITY AND VOLUNTARY CONTROLLED  
NURSERY SCHOOLS, NURSERY CLASSES, PRE-RECEPTION CLASSES AND SCHOOL  
RUN PRE SCHOOLS UNDER SCHOOL GOVERNANCE  
FOR THE SCHOOL YEAR 2017/18**

All governing bodies are required to admit to the school a child with a statement of special needs that names the school. This is not an oversubscription criterion. This relates only to children who have undergone statutory assessment and for whom a final statement of special educational needs (SEN) or Education Health & Care Plan (EHP) has been issued.

Where the number of applications exceeds the number of places the Governing Body will use the following oversubscription criteria to prioritise applications.

<b>ORDER OF PRIORITY:</b>	<i>Notes</i>
<p><b><u>First priority:</u></b></p> <p>Looked after children and all previously looked after children for whom the school has been expressed as a preference. Previously looked after children are children who were looked after, but ceased to be so because they were adopted<sup>1</sup> or became subject to a child arrangement order<sup>2</sup> or special guardianship order.</p>	<p><i>This applies to all looked-after children, including those who are in the care of another local authority or being provided with accommodation by a local authority in the exercise of their social services function at the time of making an application.</i></p> <p><i>In the case of previously looked after children, a copy of the relevant documentation will be required in support of the application.</i></p> <p><sup>1</sup><i>This includes children who were adopted under the Adoption Act 1976 and Children who were adopted under the Adopted &amp; Childrens Act 2002.</i></p> <p><sup>2</sup><i>Child Arrangement Orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a Child Arrangement Order.</i></p>
<p><b><u>Second priority:</u></b></p> <p>Children who are recommended by the Director of Children and Young Peoples Service, including children in the care of a local authority, or by the appropriate designated medical officer.</p>	<p><i>Note: we will only consider applications in this category if they are supported by a recommendation from a doctor, social worker or other appropriate professional which sets out the particular reason(s) why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school.</i></p>
<p><b><u>Third priority:</u></b></p> <p>Children from homes with poor housing conditions or overcrowding, or from a background which could affect the child's normal educational development.</p>	<p><i>Note: this should be supported by the recommendation of a doctor, social worker or other appropriate professional.</i></p>
<p><b><u>Fourth priority:</u></b></p> <p>Children within the normal area of the school, giving priority to the oldest children first.</p>	
<p><b><u>Fifth priority:</u></b></p> <p>Children from outside the school's normal area, giving priority to those whose home is nearest to school first.</p>	



North

**Yorkshire County Council**

Children and Young People's Service

2017/18  
CO-ORDINATED ADMISSION  
ARRANGEMENTS

# Introduction

The aim of the North Yorkshire Coordinated Primary and Secondary School Admissions Scheme is to provide an open and fair way for considering parental preferences for admission to schools. Our scheme complies with current legislation relating to school admissions and with advice contained in the Department for Education 2014 School Admissions Code.

The scheme is reviewed annually and is designed to ensure that every child living in North Yorkshire, who is due to start at a North Yorkshire primary school, or transfer to junior or secondary school is offered a single school place on the same day. It aims to ensure that each parental preference is considered equally and parents receive a school place in accordance with their highest ranked preference which is available. This scheme applies to admissions in the normal round but not those that take place in-year. In-year admissions are those made during the school year and applications for admission to age groups other than the normal year of entry.

North Yorkshire Local Authority will work with Community, Voluntary Controlled, Voluntary Aided, Foundation, Trust primary and secondary schools and Academies within North Yorkshire, to ensure the co-ordinated scheme operates as smoothly as possible for parents and we will work closely with our thirteen neighbouring authorities to ensure admission arrangements are co-ordinated. Our 13 neighbouring admission authorities, Voluntary Aided, Foundation, Trust schools and Academies are listed at Appendix 3 and Appendix 4.

After consideration of all parental preferences for all schools with reference to the order in which these are ranked, the Local Authority will notify parents living within North Yorkshire of the offer of one school place on behalf of all admission authorities operating within the co-ordinated admissions scheme.

The detailed arrangements and timetable for co-ordinating school admission with the separate arrangements for secondary and primary schools can be found at Appendices 1 and 2.

Arrangements for In Year admissions can be found at page 21 of this co-ordination document. This document is also available on our website at [www.northyorks.gov.uk/admissions](http://www.northyorks.gov.uk/admissions)

The website includes information about:

- The operation of our admissions schemes for all North Yorkshire Community and Voluntary Controlled schools;
- The timescales and timetable for each admission process;
- The number of allocations made at each school in the previous school year;
- The number of schools that were oversubscribed resulting in parental appeals and the numbers and outcome of these appeals. This information about allocations and appeals should help parents to assess realistically their likelihood of obtaining a place at their preferred schools.

## Co-ordination

1. The scheme does not affect the duty of the governing bodies of Academies, Voluntary Aided, Foundation and Trust schools to determine their own admissions policies.
2. We will receive information of children expressing preferences for our Community, Voluntary Controlled, Voluntary Aided, Foundation and Trust Schools and Academies from neighbouring Local Authorities, which we will process as part of our co-ordinated arrangements along with those for North Yorkshire children.
3. Parents requesting literature on Voluntary Aided, Foundation, Trust schools or Academies or non-North Yorkshire schools will be referred to the appropriate school or admissions authority. Where non-North Yorkshire parents complete our form in error we will forward it to their home authority.
4. We will receive complete ranked lists of all preferences from North Yorkshire Voluntary Aided, Foundation, Trust schools and Academies as well as lists from neighbouring Local Authorities of children to whom they can offer places. We will produce lists of children to whom we can offer places at our Community and Voluntary Controlled Schools. We will inform our neighbouring Local Authorities which of their children can and cannot be offered places at any of our schools.
5. Having received information from other admissions authorities we will allocate places to children living in our area according to the highest ranked preference for which a place is available.
6. Where we cannot meet any of the parental preferences expressed for a North Yorkshire child we will allocate a place at an alternative school with places available after all those preferencing the school have first been allocated a place. This may or may not be the local school and may be some distance from their home.
7. Supplementary Information Forms may need to be completed by parents applying for Voluntary Aided primary or secondary schools.



# Admissions Co-ordination 2016

## Secondary

North Yorkshire's co-ordinated admissions scheme applies to 5 Voluntary Aided Secondary Schools, 25 Community Secondary schools, 11 Academies and 1 Trust Secondary School.

## Primary

1 Foundation Primary, 13 Academy, 44 Voluntary Aided Primary Schools and 255 Voluntary Controlled and Community Primary Schools.

We co-ordinate with 4 Diocesan Authorities and 13 Neighbouring Authorities.

On line applications for school places can be made by logging on to our website at [www.northyorks.gov.uk/primaryadmissions](http://www.northyorks.gov.uk/primaryadmissions) or [www.northyorks.gov.uk/secondaryadmissions](http://www.northyorks.gov.uk/secondaryadmissions).

## Applying for a Primary, Infant, Junior or Secondary School Place

8. Parents can list up to 5 schools in order of preference. Parents should consider including their local school as one of their preferences because if we are unable to meet a higher preference and their normal area school is oversubscribed, we will give children a place at the nearest school with places available which may be some distance from their home.
9. If parents name a school other than their normal area school, they will normally be responsible for transport.

## Late Applications

10. Any Common Application Form for school places received after the closing date of 31 October 2016 for secondary schools and 15 January 2017 for primary schools will be considered as a late application unless a reason has been provided that is acceptable to us as the admission authority. Late applications whose reasons have been agreed will be considered along with applications received on time.
11. Applications received after 1 March 2017 for secondary schools or 18 April 2017 for primary schools will be co-ordinated using the same arrangements and criteria as previous applications. The offer of a school place will be made in accordance with our agreed and published scheme. However applications received after the first day of the school year will be considered as in-year applications.

12. No changes can be made to applications for secondary schools after the 27 January 2017 and to primary applications after 10 March 2017. This includes any changes of address. Any applications received after these dates will only be processed after the allocations dates i.e. 1 March 2017 for secondary applications and the 18 April 2017 for primary applications.

## The Offer of a Place

13. No places will be held in reserve for any school.
14. We will contact all parents of North Yorkshire children on 1 March 2017 for Secondary Schools and on the 18 April 2017 for Primary, Infant and Junior Schools, notifying them of the single school place allocated to their child or children.
15. The place offered could be at one of our Community or Voluntary Controlled schools, Voluntary Aided, Foundation, Trust schools or Academies within North Yorkshire or a school in an area served by another Local Authority.

## Appeals

16. Where we have been unable to offer a school place listed as a higher preference, parents will be offered the statutory right of appeal against the decision.
17. In such circumstances the offer letter will give the reasons why we have been unable to allocate their other stated preferences. Where the statutory right of appeal is the responsibility of North Yorkshire Local Authority (LA) we will inform the parents where the appeal forms can be located on the NYCC website.
18. Where the responsibility is that of another admissions authority, we will advise parents to contact them to confirm appeal arrangements.
19. Where the LA have multiple appeals for one school these will be grouped appeals unless the authority decides that this would not be appropriate.
20. Parents who have been refused a place at a North Yorkshire school by their home authority will be informed that they should contact us to discuss the appeals process.
21. The outcome of successful admission appeals will lead to further modifications to the original allocation. These changes must again be communicated to other admission authorities (and theirs to us) to enable all authorities to make final adjustments to the allocation.
22. Once appeals have been completed we will communicate with all the schools within our boundary to ensure that they have a correct and up-to-date allocation list.

## Waiting Lists

23. A waiting list will be maintained for all oversubscribed Community, Voluntary Controlled, Voluntary Aided, Foundation, Trust Schools and Academies until 31 December 2017. Each child added will require the list to be ranked again in line with the published oversubscription criteria
24. The Local Authority requires the governing body of each, Voluntary Aided, Foundation, Trust School and Academy to update us when places become available unless the Local Authority are maintaining the schools waiting list on their behalf. The co-ordination regulations require that any offer of a school place must always be made by the Local Authority.
25. Where places become available they will be allocated from the waiting list in accordance with the published oversubscription criteria.
26. Where we are able to offer a place to a non-North Yorkshire child from the waiting list we will liaise with their home authority.

## Secondary Transfer Scheme 2017/18

27. The secondary scheme enables parents living within North Yorkshire whose children are transferring to secondary school to complete a single application either on-line or in paper form.
28. The parents of Year 5 children who will be Year 7 in September 2017 will be informed by letter via their child's primary school that they will need to apply on line for a school place. They can express up to 5 preferences for admission to any Community, Voluntary Controlled, Voluntary Aided, Foundation, Trust schools and Academies both within North Yorkshire and neighbouring Local Authority area, giving reasons for their preferences where appropriate.
29. Parents without internet access will be informed that they will need to contact the admissions team for a paper copy of the common application form to enable them to apply for a school place for their child.
30. Parents will be informed that supplementary information may also be requested by Voluntary Aided or non-North Yorkshire schools, in order for the school to apply their oversubscription criteria.
31. Common application forms will be required for all transfers at Year 7 as well as transfers to schools who admit children in Year 10.
32. Parents must return their applications by the closing date of 31 October 2016. Every effort is made by the admissions team to ensure that applications are received by the closing date.

33. Parents will not be allowed to change their preferences after 31 October 2016 without a reason that is acceptable to us as the admissions authority. Learning that the child is suitable or not suitable for a selective school will not be considered as an acceptable reason for a change of preference.
34. Parents who wish their children to attend independent schools will be encouraged to tell us. However independent schools are not included in the co-ordinated arrangements. These parents may also wish to apply for a place at a North Yorkshire school.
35. If parents living outside of North Yorkshire enquire about our schools they will be directed to the North Yorkshire County Council website. Parents will be advised to complete a common application form for their home authority.
36. On the common application form parents will need to provide their child's name and residential address. The address provided must be where the child lives permanently. If residency is split, the address provided should be the place where the child lives for the majority of the time. If residency is split equally between two parents, they can nominate the address they wish to use for the allocation of a school place. Confirmation and agreement in writing by both parents will be required.
38. The offer of a single school place will be made on 1 March 2017 and allocation e mails will be sent on that date. For those who have completed a paper application or requested a letter, letters will be sent on that date by second class post.
39. We will offer a place at a North Yorkshire school even if parents have not completed a common application form because we have a duty to ensure a school place is available for every North Yorkshire child.
40. Parents who do not wish to accept a place at a school offered to them must notify the admission authority as soon as possible advising the LA of the alternative provision that is being made. Without this information the place will remain allocated.
41. The timetable for secondary school admissions is attached as Appendix 1 of the Co-ordinated Admissions Arrangements, Secondary Transfer 2017/18.

## Selection

42. There are 3 selective grammar schools within North Yorkshire; one of which is a Voluntary Aided boys' school, one a mixed co-educational school and one a girls' school which has Academy Trust status. In addition there are 3 non selective schools in the selective areas of the County.
43. If a child is entered for selection testing, parents must make sure that they name the selective school they would like them to go to on the common application form.

## **Skipton Selection**

44. Places will normally be provided at Ermysted's Grammar School for boys who are deemed suitable for a grammar school education in accordance with the Local Authority's selection scheme and who live in the area served by the primary schools in Beamsley, Bradley, Burnsall, Carleton, Cracoe, Embsay, Gargrave, Grassington, Kettlewell, Kirkby-in-Malhamdale, Skipton, Thornton-in-Craven and Threshfield. Ermysted's Grammar School is a selective grammar school that offers education to boys aged 11 to 18. . Children can only be admitted to Ermysted's Grammar School if they have been deemed suitable for a grammar school education. The local authority administers the published selection scheme for boys in the Skipton area.
45. All boys living and attending schools within the area served by the Ermysted's Grammar School will be invited to sit the selection tests. Parents will be required to return a reply slip confirming their attendance or not.
46. The governing bodies of Ermysted's Grammar School (Voluntary Aided) and Skipton Girls' High School (Academy Trust) are responsible for applying their own admissions policies and the Local Authority applies its published co-ordinated admissions arrangements on behalf of these schools.
47. Skipton Girl's High School is a selective grammar school that offers education to girls aged 11 to 18 who are deemed suitable for a grammar school education in accordance with their selection scheme.
48. The Skipton Academy is a non-selective Academy and Upper Wharfedale School is a non-selective secondary school in a selective area offering education for children aged 11 to 16.

## **Ripon Selection**

49. Places will normally be provided at Outwood Academy Ripon and Ripon Grammar School for children who live in the City of Ripon together with the parishes of Aldfield, Azerley, Bishop Monkton, Bridge Hewick, Burton Leonard, Copt Hewick, Eavestone, Givendale, Grantley, Grewelthorpe, Hutton Conyers, Kirkby Malzeard, Laverton, Lindrick, with Studley Royal and Fountains, Littlethorpe, Markenfield Hall, Markington-with-Wallerthwaite, Newby-with-Mulwith, North Stainley with Sleningfird, Sawley, Sharow, Skelding, Skelton, Studley Roger and Winksley.
50. Outwood Academy Ripon is a non- selective Academy in a selective area offering education for children aged 11 to 18. Ripon Grammar School is a selective grammar school that offers an education for children aged 11 to 18. Children can only be admitted to Ripon Grammar School if they have been deemed suitable for a grammar school education, in accordance with the local authority selection scheme. The local authority administers both the published selection scheme and the allocation of school places at Ripon Grammar School as it is a Community School. The Local Authority will apply its published co-ordinated admission arrangements on behalf of both Outwood Academy Ripon and Ripon Grammar School.
51. All children living and attending schools within the area served by the Ripon schools will be invited to sit the selection tests. Parents will be required to return a reply slip confirming if their child will be attending or not.

## **Selection tests**

52. Tests for all forms of selection must be clear and objective and give an accurate reflection of the child's ability or aptitude, irrespective of sex, race or disability. It is for the admission authority to decide the content of the test, providing that the test is a true test of aptitude or ability.
53. The results of these selection tests are used to identify the highest scoring 28% or as close as possible of Year 6 children who live in the Ripon selective area and the highest scoring 28% or as close as possible of Year 6 boys who live in the Skipton selective area. This procedure sets the cut-off mark in each selective area and sets the standard which children in Ripon and boys in Skipton must reach, to be deemed suitable for grammar school education in their local selective area.
54. For us to consider children who live outside the selective area to be deemed suitable for a grammar school education at Ripon Grammar School or Ermysted's Grammar School, they must reach the cut-off mark which is set by the performance of the children who live in the selective area, as explained above.
55. There is no guarantee that children who reach the cut off mark in the selection tests will be allocated a place at a Grammar School. If the school is oversubscribed with children who are deemed suitable for a Grammar School education, places will be allocated using the published oversubscription criteria.
56. The Local Authority ensures that parents are aware that meeting the academic requirements for entry to Ripon Grammar School and Ermysted's Grammar School is not, in itself, a guarantee of a Grammar School place.
57. If a child is refused a place at the school on 1 March 2017, which is the national offer date, parents will be offered their statutory right of appeal for a place at the school.
58. The School Admissions Code 2014 states that local authorities should take all reasonable steps to inform parents of the outcome of selection tests before the closing date for secondary applications on 31<sup>st</sup> October so as to allow parents time to make an informed choice of school.
59. The Local Authority must ensure that tests are accessible to children with special educational needs and disabilities, having regard to the reasonable adjustments for pupils with a disability required under equalities legislation.

## **Selection Testing 2017/18**

60. Selection testing will take place during September 2016 and the results of selection testing will be sent out to parents on 14 October 2016.

61. The primary scheme enables parents living within North Yorkshire to complete a single application either on-line or in paper form listing up to five preferences for admission to any primary, infant or junior schools both within North Yorkshire and neighbouring Local Authority areas, giving reasons for their preferences where appropriate.
62. Parents without internet access will be able to contact the Local Authority for a common application form to enable them to apply for a primary school place for their child.
63. If parents list a Voluntary Aided school as a preference the school may request supplementary information in order for them to apply their oversubscription criteria.
64. Parents must complete the common application forms by the deadline of 15 January 2017. Every effort is made by the admissions team to ensure that applications are received by the closing date.
65. Parents will not be allowed to change their preferences after 15 January 2017 without a reason that is acceptable to us as the admissions authority.
66. Parents who wish their children to attend an independent school will be encouraged to tell us. However independent schools are not included in the co-ordinated arrangements. These parents may also wish to apply for a place at a North Yorkshire school.
67. If parents living outside of North Yorkshire enquire about our schools they will be directed to the North Yorkshire County Council website. Parents will be advised to complete a common application form for their home authority.
68. On the common application form parents will need to provide their child's name and residential address. The address provided must be where the child lives permanently. If residency is split between two parents, the address used must be the address where the child lives for the majority of the time. If residency is split equally between two parents, they can nominate the address they wish to use for the allocation of a school place.
69. For primary school applications, all offers must be made on the 17 April 2017.
70. Parents who do not wish to accept a place at a school offered to them must notify the admission authority as soon as possible advising the LA of the alternative provision that is being made. Without this information the place will remain allocated.
71. Appeals will usually be heard for first admission to schools in June and July of 2017.

## North Yorkshire Local Authority

### Secondary, Community, Voluntary Controlled, Aided, Foundation, Trust Schools and Academies Timetable 17/18

Date	Activity
July 2016	Parents informed by letter from the LA via child's primary school to apply on-line and details are provided. Parents without internet access to contact the LA for information.
22 July 2016	Closing date for withdrawal of children who are automatically entered for selection testing. Closing date for applications for children who are not automatically entered for selection.
September 2016	Proposed selection testing date for Skipton and Ripon for all children ( to be confirmed)
14 October 2016	Results of selection testing posted to all parents.
31 October 2016	Closing date for return of secondary Common Application Forms.
11 November 2016	Neighbouring Local Authorities to send us details of children in their area who have expressed preferences for schools in North Yorkshire. We send details of children expressing preferences for schools in other Local Authority areas to those authorities for consideration.
18 November 2016	Details of all children who have expressed preferences for North Yorkshire Academies, Voluntary Aided, Foundation and Trust schools sent to the schools for consideration.
6 January 2017	Information to be returned to us by Voluntary Aided, Foundation and Trust schools on which places they can allocate.
16 January 2017	First round of allocation information send to other authorities identifying potential offer(s).
30 January 2017	Confirmation of allocations with neighbouring admission authorities including Academies, Voluntary Aided, Foundation and Trust schools.
30 January 2017	Input information from first cycle of exchange of allocation information.
6 February 2017	Second round of allocation information sent to other authorities
13 February 2017	Input allocation information from second cycle and send final allocation information to other authorities of school place offers to be made
17 February 2017	Input final allocation preference information and produce final allocation letters.
1 March 2017	National offer day. Send out allocation information to all parents applying for a school place. Inform schools of final allocation.
16 March 2017 to 31 August 2017	Manual adjustments to allocation and communicating those results to other authorities.
April 2017 to July 2017	Statutory admission appeals. These dates may vary
31 December 2017	Closure of waiting lists.



## Appendix 2

### North Yorkshire Local Authority

### Primary for Aided, Community, Voluntary Controlled and Foundation Schools and Academies Timetable 2017/18

Date	Activity
September 2016	Information for parents and common application forms are available on the NYCC website for North Yorkshire parents. Parents without internet access to contact the LA for information.
15 January 2017	Closing date for the return of Common Application Forms.
23 January 2017	Neighbouring Local Authorities to send us details of children in their area who have expressed preferences for schools in North Yorkshire (depending on their timetables). We send details of children expressing preferences for schools in other Local Authority areas to those authorities for consideration.
30 January 2017	The Local Authority send out details of all children who have expressed preferences for North Yorkshire Voluntary Aided, Academy, and Trust schools to the schools for consideration.
10 February 2017	Information to be returned to us by Voluntary Aided, Academy and Trust schools on which places they can allocate.
10 March 2017	Send first round of allocation information to other authorities identifying potential offer(s).
17 March 2017	Input information from first cycle of parental preferences.
24 March 2017	Send second allocation cycle information to other authorities
31 March 2017	Input preference information from second cycle and send final allocation information to other authorities.
18 April 2017	National offer day. Send out allocation information to all North Yorkshire parents. Inform schools of final allocations.
3 May 2017 to 31 August 2017	Manual adjustments to allocation and communicating those results to other authorities.
June 2017 to July 2017	Statutory admission appeals. These dates may vary
31 December 2017	Closure of waiting list.

**Appendix 3**  
**Primary Academy and Trust Schools**

Askwith Community Primary School, Askwith, Otley, North Yorkshire, LS21 2HX Tel 01943 462896	Bilton Grange Community Primary School, Bilton Lane, Harrogate, North Yorkshire, HG1 3BA Tel 01423 502375
Brotherton & Byram Community Primary School, Low Street, Brotherton, Knottingley, West Yorkshire, WF11 9HQ Tel 01977 672676	Bilton Grange Community Primary School, Bilton Lane, Harrogate, North Yorkshire, HG1 3BA Tel 01423 502375
Great Smeaton Community Primary School Great Smeaton Northallerton DL6 2EQ Tel No 01609 881349	Thomas Hinderwell Primary Academy Seamer Road Scarborough YO12 4HF Tel 01723 373110
Lothersdale Community Primary School, Lothersdale, Keighley, West Yorkshire, BD20 8HB Tel 01535 632510	Oatlands Community Junior School, Beechwood Grove, Harrogate, North Yorkshire, HG2 8QP Tel: 01423 872827
Roseberry Academy Roseberry Crescent Great Ayton Middlesborough Cleveland TS9 6EP Tel 01642 722883	St Mary's Primary School Knaresborough, A Voluntary Catholic Academy, Tentergate Road, Knaresborough, North Yorkshire, HG5 9BG Tel: 01423 864631
St Joseph's Catholic Primary School, Harrogate, A Voluntary Academy, Coppice Rise, Harrogate, North Yorkshire, HG1 2DP Tel: 01423 562650	St Stephen's Catholic Primary School and Nursery, A Voluntary Academy, Gargrave Road, Skipton, North Yorkshire, BD23 1PJ Tel: 01756 668395
Western Primary School, Cold Bath Road, Harrogate, North Yorkshire, HG2 0NA Tel: 01423 502737	

**Foundation School**

Nun Monkton Foundation Primary School, The Green, NUN MONKTON, York YO26 8ER Tel. 01423 330313	
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## Primary Voluntary Aided Primary Schools

<p>All Saints C of E Primary School Kirkby Overblow HARROGATE North Yorkshire HG3 1HD Tel No.01423 872491</p>	<p>All Saints RC Primary School Green Lane East THIRSK North Yorkshire YO7 1NB Tel No. 01845 523058</p>	<p>Austwick C of E (VA) Primary School AUSTWICK Lancaster LA2 8BN Tel No. 015242 51366</p>
<p>Barkston Ash Catholic Primary School London Road Barkston Ash TADCASTER North Yorkshire LS24 9PS Tel No 01937 557373</p>	<p>St Mary's C of E Primary School Bolton-on-Swale Scorton RICHMOND North Yorkshire Tel No. 01748 818401</p>	<p>Burneston C of E (VA) Primary School BURNESTON Bedale North Yorkshire DL8 6BP Tel No. 01677 423183</p>
<p>Burnsall VA Primary School BURNSALL Skipton North Yorkshire BD23 6BP Tel No. 01756 720273</p>	<p>Burnt Yates C of E Primary School Burnt Yates HARROGATE North Yorkshire HG3 3RW Tel No. 01423 770586</p>	<p>Carleton Endowed School Carleton SKIPTON North Yorkshire BD23 3DE Tel No. 01756 792910</p>
<p>Carlton and Faceby C of E VA Primary School CARLTON-IN-CELEVELAND Middlesbrough Cleveland TS9 7BB Tel No. 01642 712340</p>	<p>Cawood C of E VA Primary School Broad Lane CAWOOD Selby North Yorkshire YO8 3SQ</p>	<p>Dacre Braithwaite Cof E Primary School SUMMERBRIDGE Harrogate North Yorkshire HG3 4AN Tel no. 01423 780285</p>
<p>Egton C of E VA Primary School EGTON Whitby North Yorkshire YO21 1UT Tel No. 01947 895369</p>	<p>Farnley C of E VA Primary School Farnley Lane FARNLEY Otley West Yorkshire LS21 2QJ Tel No. 01943 463306</p>	<p>Horton in Ribblesdale C of E VA Primary School HORTON-IN- RIBBLESDALE Settle North Yorkshire BD24 0EX Tel No. 01729 860282</p>
<p>Ingleby Arncliffe C of E VA Primary School INGLEBY ARNCLIFFE Northallerton North Yorkshire DL6 3NA Tel No. 01609 882432</p>	<p>Kirkby in Malhamdale United VA Primary School KIRKBY MALHAM Skipton North Yorkshire Tel No. 01729 830214</p>	<p>Kirkby &amp; Great Broughton C of E VA Primary School KIRKBY-IN-CLEVELAND Middlesbrough TS9 7AL Tel No. 01642 714707</p>

<p>Long Preston Endowed VA Primary School School Lane LONG PRESTON Skipton North Yorkshire BD23 4PN Tel No. 01729 840377</p>	<p>Marton cum Grafton C of E VA Primary School Reas Lane MARTON-CUM-GRAFTON York YO51 9QB Tel No. 01423 322355</p>	<p>Masham C of E VA Primary School 1 Millgate MASHAM Ripon North Yorkshire HG4 4EG Tel No. 01765 689200</p>
<p>Michael Syddall C of E (Aided) Primary School Mowbray Road CATTERICK VILLAGE Richmond North Yorkshire DL10 7LH Tel No. 01748 818485</p>	<p>Middleham C of E Aided School Park Lane MIDDLEHAM Leyburn North Yorkshire DL8 4QX Tel No. 01969 623592</p>	<p>Rathmell C of E (VA) Primary School Hesley Lane RATHMELL Settle North Yorkshire BD24 0LA Tel No. 01729 840360</p>
<p>Ripon Cathedral CE Primary School Priest Lane RIPON North Yorkshire HG4 1LT Tel No. 01765 602355</p>	<p>Sacred Heart RC Primary School Broomfield Avenue NORTHALLERTON North Yorkshire DL7 8UL Tel No. 01609 780971</p>	<p>St Benedict's RC Primary School Back Lane AMPLEFORTH York YO62 4DE Tel No. 01439 788340</p>
<p>St George's RC Primary School Overdale Road Eastfield SCARBOROUGH North Yorkshire YO11 3RE Tel No. 01723 58353</p>	<p>St Hedda's RC Primary School EGTON BRIDGE Whitby North Yorkshire YO21 1UX Tel No. 01947 895361</p>	<p>St Hilda's RC Primary School Waterstead Lane WHITBY North Yorkshire YO21 1PZ Tel No. 01947 603901</p>
<p>St Joseph's Catholic Primary School Colber lane BISHOP THORNTON Harrogate North Yorkshire HG3 3JR Tel No. 01423 770083</p>	<p>St Joseph's Catholic Primary School Swainsea Lane PICKERING North Yorkshire YO18 8AR Tel No. 01751 473102</p>	<p>St Joseph's Catholic Primary School Station Road TADCASTER North Yorkshire LS24 9JG Tel No. 01937 832344</p>
<p>St Martin's C of E VA Primary School Holbeck Hill SCARBOROUGH North Yorkshire YO11 3BW Tel No. 01723 360239</p>	<p>St Mary's RC Primary School Highfield Road MALTON North Yorkshire YO17 7DB Tel No. 01653 692274</p>	<p>St Mary's RC Primary School Cross Lanes RICHMOND North Yorkshire DL1 7DZ Tel No. 01748 821124</p>

<p>St Mary's Catholic Primary School Baffam lane SELBY North Yorkshire YO8 9AX Tel No. 01757 706616</p>	<p>St Peter's C of E VA Primary School BRAFFERTON Helperby York YO61 2PA Tel No. 01423 360250</p>	<p>St Peter's RC Primary School North Leas Avenue SCARBOROUGH North Yorkshire YO12 6LX Tel No. 01723 372720</p>
<p>St Robert's Catholic Primary School Ainsty Road HARROGATE North Yorkshire HG1 4AP Tel No. 01423 504730</p>	<p>St Wilfrid's Catholic Primary School Church lane RIPON North Yorkshire HG4 2ES Tel No. 01765 603232</p>	<p>Swainby and Potto C of E VA Primary School Claver Close SWAINBY Northallerton North Yorkshire DL6 3DH Tel No. 01642 700518</p>
<p>Terrington C of E VA Primary School TERRINGTON York YO60 6NS Tel No. 01653 6483340</p>	<p>The Boyle &amp; Petyt Primary School Harrogate Road BEAMSLEY Skipton North Yorkshire BD23 6HE Tel No. 01756 710378</p>	

## Appendix 4

Our thirteen neighbouring admission authorities, Voluntary Aided, Academies, Foundation and Trust secondary schools are listed below:

### Trust /Academies Secondary Schools:

George Pindar Community Sports College Eastfield, Scarborough YO11 3LX Tel. 01723 582194	Skipton Girls' High School Gargrave Road, Skipton North Yorkshire, BD23 1QL Tel. 01756 707600
South Craven School The Technology & Engineering College Holme Lane, Cross Hills, Keighley West Yorkshire, BD20 7RL Tel. 01535 632861	St Aidan's C of E High School Oatlands Drive, Harrogate North Yorkshire HG2 8JR Tel. 01423 885814
Norton College Langton Road, Norton, Malton YO17 9PT Tel. 01653 693296	Rossett School Green Lane, Harrogate HG2 9JP Tel. 01423 564444
Harrogate Grammar School Arthurs Avenue, Harrogate HG2 0DZ Tel. 01423 531127	Harrogate High School Ainsty Road, Harrogate HG1 4AP Tel. 01423 548800
Outwood Academy Ripon Clotherholme Road, Ripon HG4 2DE Tel. 01765 604564	The Skipton Academy Gargrave Road, Skipton BD23 1UQ Tel. 01756 792965
Ebor Academy Filey, Muston Road, Filey, North Yorkshire, YO14 0HG Tel. 01723 512354	Stokesley School Station Road, Stokesley, Middlesbrough TS9 5AL Tel. 01642 710050

### Voluntary Aided Secondary Schools

Holy Family Catholic High School Longhedge Lane, CARLTON Goole, East Yorkshire DN14 9NS Tel No. 01405 860276	St Augustine's RC School Sandybed Lane, Off Stepney Hill Scarborough, North Yorkshire YO12 5LH Tel No. 01723 363280
St Francis Xavier School Darlington Road, RICHMOND North Yorkshire DL10 7DA Tel No. 01748 823414	St John Fisher Catholic High School Hookstone Drive, HARROGATE North Yorkshire HG2 8PT Tel No. 01423 887254
Ermysted's Grammar School Gargrave Road, SKIPTON North Yorkshire BD23 1PL Tel No. 01756 792186	

**Neighbouring Local Authorities**

<p><b>Bradford</b> Pupil Access Manager Education Bradford Future House, Bolling Road, BRADFORD BD4 7EB Tel No: 01274 385604</p>	<p><b>Cumbria</b> Corporate Director – Pupils Services 5 Portland Square CARLISLE CA1 1PU Tel No. 01228 606877</p>
<p><b>Darlington</b> Pupils’s Information Service Town Hall, Feethams, DARLINGTON DL1 5QT Tel No. 01325 380651</p>	<p><b>Doncaster</b> Director of Education and Culture Admissions and Pupil Services The Council House, College Road DONCASTER DN1 3AD Tel No. 01302 737204/727234</p>
<p><b>Durham</b> School Admissions Education Offices, County Hall DURHAM DH1 5UJ Tel No. 0191 383 3115</p>	<p><b>East Riding of Yorkshire</b> Admissions Team Pupils, Family &amp; Adult Services County Hall, BEVERLEY HU17 9BA Tel No.01482 392130/392131/392132</p>
<p><b>Lancashire</b> Director of Education PO Box 61, County Hall, PRESTON PR1 0LD Tel No. 01772 254868</p>	<p><b>Leeds</b> Admissions &amp; Transport Team Leeds Education, 10<sup>th</sup> Floor West Merrion House, LEEDS LS2 8DT Tel No. 0113 2475729</p>
<p><b>Middlesbrough</b> Corporate Director, Families and Learning Middlesbrough Council PO Box 69, First Floor Vancouver House, Gurney Street MIDDLESBROUGH, TS1 1 EL Tel No. 01642 728092</p>	<p><b>Redcar and Cleveland</b> School Admissions Redcar and Cleveland Borough Council, Council Offices PO Box 83, Kirkleatham Street REDCAR TS10 1YA Tel No. 01642 444108</p>
<p><b>Stockton on Tees</b> School Admissions Stockton-on-Tees Borough Council PO Box 228, Municipal Buildings, Church Road STOCKTON ON TEES TS18 1XE Tel No. 01642 526605</p>	<p><b>Wakefield</b> School Admissions County Hall, WAKEFIELD WF1 2QL Tel No. 01924 305616/305617</p>
<p><b>York</b> Education Access Team Learning, Culture and Pupil Services City of York Council Mill House, North Street YORK YO1 6JD Tel No. 01904 554248/554239</p>	

# CO-ORDINATED ADMISSION ARRANGEMENTS

## PRIMARY & SECONDARY IN-YEAR ADMISSIONS 2017/18



## Introduction

1. In-year admissions are those which occur outside of the normal admissions round. The normal admissions round refers to admissions which admit children into infant, junior, primary, middle or secondary school in the first year of entry. These applications become in-year if they are submitted on or after the first day of the first school term of the admission year.
2. There is no requirement for Local Authorities to co-ordinate in-year applications from the offer year 2014/15 and all subsequent years but they must provide information on their website to show how in-year applications can be made and will be dealt with. Local Authorities must, on request, provide information to a parent about the places available in all schools within its area. A preference form should be completed by parents when applying for a school place for their child at any Community or Voluntary Controlled school within North Yorkshire. A preference form will also need to be completed for any Voluntary Aided, Foundation, Trust primary and secondary schools and Academies that have agreed North Yorkshire Local Authority will continue co-ordinating in-year admissions on their behalf. Any parent can apply for a place for their child at any time to any school.
3. In determining applications for school places outside the normal admissions round, whether in-year or at the start of a school year which is not a normal point of entry to the school, admission authorities must comply with parental preference unless the published oversubscription criteria or one of the statutory reasons for refusing admission applies.
4. All applications outside of the normal admissions round for Community, Voluntary Controlled and any Voluntary Aided, Foundation, Trust, primary and secondary schools and Academies that have agreed to continue co-ordinating with North Yorkshire Local Authority will be processed and if applicable offered by the Local Authority. Schools that are their own admission authority and are not continuing to co-ordinate in-year admissions with North Yorkshire Local Authority must communicate the availability of places to the Local Authority when requested and must, when in receipt of an in-year application notify the Local Authority of both the application and its outcome. The Admission Authority must also inform parents of their right to appeal against the refusal of a school place.
5. The in-year co-ordinated scheme does not apply to a looked after child, a previously looked after child or a child with a statement of Special Educational Needs naming the school in question, as these children must be admitted.
6. Each Local Authority must have a Fair Access Protocol, agreed with the majority of schools in its area to ensure that, outside the normal admissions round, unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. There is no duty for Local Authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol.
7. Parents who do not wish to accept a place at a school offered to them must notify the admission authority within 2 weeks of the offer being made.

## Applying for a school place

8. North Yorkshire Local Authority in-year preference forms should be completed by parents living or moving into North Yorkshire requesting a place at any North Yorkshire primary or secondary school. Proof of residency may be required.
9. If a child already attending a North Yorkshire school wishes to transfer to another school, parents should, in the first instance discuss the transfer with the current school that the child attends.
10. Where a child is moving within or into North Yorkshire and is unable to attend the previous school and is without a school place, the application will be processed as soon as possible. Where a child already has a school place but is seeking an alternative school without moving, the application will be processed within a timescale that will enable the child to commence at the proposed new school at the start of the next term or half term. If there are more applications than places available for that year group, the oversubscription criteria will be applied.
11. Where UK passport holders or EU passport holders apply for a school place whilst living abroad, the application will be processed whilst they are still abroad up to 6 weeks in advance of the requested start date. For non EU residents applications will be processed on their arrival in the UK. Exceptions to this would be when an application is received from a forces family which is accompanied by a posting order/assignment order or an official letter that declares a relocation date and a unit postal address or an area address. We would accept a UK address from parents living abroad if they have an address in the UK and they can provide proof that they lived at that address immediately prior to their move abroad and will be returning to that same property.
12. When we receive an in-year preference form from a parent living in North Yorkshire requesting any North Yorkshire school, we will process the form by attempting to comply with the parent's highest ranked preference of school. We will liaise with the school listed as their highest preference.
13. If we are able to allocate the highest ranked preference on the form we will send an offer of that school place to the parent. If we are unable to allocate a place we will offer the statutory right of appeal and will then consider other schools listed in order of preference and will offer a place at one of those schools if possible. If we are unable to do so we will again offer parents the statutory right of appeal or ask that the governors of Voluntary Aided, Foundation or Trust schools who have agreed for North Yorkshire Local Authority to co-ordinate in-year admissions do so. Parents can appeal for a place at an Academy and would need to contact the Local Authority for information on how to do so.
14. When we receive a request for a place in the normal year of entry if the school is oversubscribed a waiting list will be maintained by the relevant admission authority until 31 December 2016.
15. We require a reply within 5 working days from schools informing us if they are able to accommodate additional children. If they are oversubscribed we will offer parents the statutory right of appeal.
16. Voluntary Aided schools may require parents to complete a supplementary information form available from the school before a school place can be considered.
17. If parents name a school other than their normal area school, they will normally be responsible for transport.

North Yorkshire County Council  
Children & Young People's Service

In-Year Fair Access Protocol  
September 2015

**1.0** The Education and Inspections Act 2006 introduced a requirement for each local authority to have in place an In-Year Fair Access Protocol (IYFAP). Further guidance of this requirement is provided in the School Admissions Code 2012, particularly paragraphs 3.9 to 3.23.

Other guidance issued by the Department for Education is located in Fair Access Protocols, Principles and Process, Departmental Advice issued November 2012. Within this guidance it confirms that:

- Schools (including Academies) should work together collaboratively, taking into account the needs of the child and those of the school. There is no duty to comply with parental preference when allocating places through the Protocol but it is expected the wishes of the parents are taken into account.
- Fair Access Protocols should not be used as a means to circumvent the normal in-year admissions process. A parent can apply for a place as an in-year admission at any point and is entitled to an appeal when a place is not offered.

Each local authority must have a Fair Access Protocol, agreed with the majority of schools in its area, which sets out how, outside the normal admissions round, schools in the area will admit their fair share of children with challenging behaviour, children excluded from other schools and children who arrive outside the admissions round who may have difficulty securing a school place. In these circumstances, admission authorities may, if necessary, admit above their published admission number (PAN).

**1.1** All admission authorities must participate in the In Year Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly and that no school takes more than its share of children with challenging behaviour. **There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the In Year Fair Access Protocol.**

## **2.0 Purpose of Protocol**

- 2.1** The operation of In Year Fair Access Protocols is outside the arrangements triggered when a parent of an eligible child has not secured a place under in-year admission procedures, even following the outcome of an appeal. The purpose of the protocol is:
- 2.2** To ensure that for in year admissions (i.e. outside of the normal admissions round) children are admitted to a suitable school as quickly as possible.
- 2.3** To encourage the equitable distribution of children needing to be admitted in year so that no school is overburdened.

### 3.0 To Which Groups of Children does the Protocol Apply?

3.1 The list of children to be included in an In Year Fair Access Protocol includes the following children of compulsory school age who may have difficulty securing a school place. The following are a minimum required by the School Admissions Code:-

- Children involved in the criminal justice system or supported by a Pupil Referral Service (PRS) who need to be reintegrated into mainstream education;
- Children who have been out of education for 2 months or more;
- Children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- Children who are homeless;
- Children with unsupportive family backgrounds for whom a place has not been sought;
- Children who are carers; and
- Children with special education needs /disabilities SEND) or medical conditions (but without a statement of SEN/EHC Plan).

The following groups of children have been agreed with the majority of schools in the area.

- Children permanently excluded from a school or children with fixed term exclusions exceeding 15 days in the current academic year;
- Children without a school place and with a history of serious attendance problems ( i.e. less than 50% );
- Children looked after by a local authority.

3.2 It is important to emphasise that, **in the vast majority of cases, hard to place children in the above categories requiring a school place will continue to be admitted in accordance with the usual admission procedures, rather than through the protocol.**

3.3 Mid-year admissions, where a child is not considered hard to place, will be managed through the usual admission procedure in line with parental preference.

3.4 The protocol does not cover the admission of children with statements of SEN/EHC Plan which will continue to be managed through the statutory processes.

### 4.0 General Application of the Protocol

4.1 In each area of the County, at secondary level, a local behaviour and attendance (B&A) Collaborative panel including secondary Head teachers or their representatives will meet on a regular basis. All Collaboratives in North Yorkshire LA meet regularly: Hambleton and Richmondshire, Ryedale, Scarborough and Selby meet every fortnight and Harrogate, Craven and Whitby meet once a month.

4.2 A key purpose of the panel is to manage in year admissions where the protocol criteria apply.

4.3 No school should take more than its fair share of children with challenging behaviour.

- 4.4** All local partnership schools, including those who are their own admissions authority agree to admit at least 1 hard to place pupil in each year group per academic year. Collaborative panels will consider a 'weighting' for small secondary schools where the impact on small year groups may be considerable.
- 4.5** Schools will not insist on an appeal being heard before admitting a child under this protocol.
- 4.6** Schools will not refuse to admit a pupil who has been denied a place at that school at appeal, if the protocol identifies that school as the one to admit the child.
- 4.7** As part of the Collaborative arrangements for the admission of vulnerable pupils, the collaborative panel **may** ask the school listed as the highest preference on the parental preference form to hold a meeting on behalf of the Collaborative panel. The purpose of the meeting is to gather information about the pupil so that a referral form can be completed and an informed decision about the future placement of the pupil can be made at the next Collaborative panel meeting. This is not a pre-admission meeting but is a procedure used to ensure that vulnerable children and unplaced children are allocated a school place as soon as possible.
- 4.8** The panel must take account of any genuine concerns about an admission, for example a previous breakdown in the relationship between the school and the family, or a strong aversion to, or desire for the religious ethos of a school.
- 4.9** For a pupil to be placed at a North Yorkshire Grammar School in line with the In Year Fair Access criteria, he or she must also meet the academic criteria for that school.
- 4.10 Schools must respond within the timescales specified in this protocol to requests for admission, so that the admission of the pupil is not delayed.**
- 4.11** Wherever possible, pupils with a religious affiliation should be matched to a suitable school. If the school with a religious affiliation has already taken a pupil under the protocol in that year group, then the pupil may be offered a place at a different school that doesn't have the religious affiliation.
- 4.12** Admissions agreed between schools under the scheme of Managed Moves do not count as places allocated under this protocol. The local authority will collate data on the two schemes separately and make the data available to panels on a regular basis.

## **5.0 Local Flexibility**

- 5.1** Whilst working within the spirit of the protocol a local Collaborative panel must use discretion and judgement to achieve the best outcome for the child concerned and other children. For example, one school may have compelling reasons (agreed by the panel) for not admitting to a particular year group at that time. The school might therefore agree to make 2 places available in a different year group.

## **6.0 Monitoring Arrangements**

- 6.1** All mid-year admissions under the protocol will be monitored by the local authority through the local Collaborative panel.

**6.2** A local authority officer will chair all Collaborative Panels whenever possible; this will usually be the Educational Development Adviser: Behaviour & Attendance (B&A) for the area. A colleague from the Admissions team will attend the Collaborative meeting whenever possible.

## **7.0 Additional Support**

**7.1** Additional advice for schools admitting children under this protocol may be available from the local authority e.g. from the Education of Looked After Children team. This discussion should take place at the Collaborative meeting.

## **8.0 Timescales**

**8.1** All referrals under this protocol should be considered within these timescales;

As soon as possible, following the identification of the school which will admit the student, and within 3 school days, a panel representative will discuss admission and potential school(s) with the parent and pupil. It is expected that all parties will act with a sense of urgency to identify a school place for any child who has had difficulty securing one or who fall within the Fair Access Protocol.

Within 10 school days of a panel meeting, the identified school will invite the parent and the child or young person for an admissions meeting with the opportunity to view the school and formulate an integration plan.

The child should be admitted on roll and start attending the identified school within 15 school days.

**8.2** The clerk to the collaborative panel will send a letter to the parents informing them of their child's planned admission to the agreed school.

## **9.0 Actions by Schools that Contravene the Agreement**

**9.1** Schools in the local partnership agree not to advise parents to:

- remove their child from school and find another school.
- remove their child from the roll of the school and voluntarily educate at home.

## **10.0 Transport**

**10.1** Free or assisted transport will be provided to enable a pupil to attend the school agreed by the panel if it is over two miles from home for primary age pupils and three miles from home for secondary pupils.

This arrangement currently applies to pupils permanently excluded from school.

## **11.0 Financial Procedures**

**11.1** Where a pupil is permanently excluded the excluding school must return any remaining Age-Weighted Pupil Unit (AWPU) and any Pupil Premium (PP) funding for that particular pupil to the local authority for transfer to the receiving school.

## **12.0 Cross Border Issues**

**12.1** The local authority will consult with neighbouring authorities over financial support and equity for pupils who meet the In Year Fair Access Protocol, and who attend school in one authority, and live in another.

NORTH YORKSHIRE COUNTY COUNCIL  
CHILDREN AND YOUNG PEOPLE'S SERVICE

September 2015

## MANAGED MOVES

### 1.0 Introduction

This protocol takes into account the School Admissions Code 2012, particularly paragraphs 3.9 to 3.23 and guidance issued by the Department for Education for Fair Access Protocols, Principles and Process, Departmental Advice issued November 2012. The Code reflects legislative changes introduced by the Education and Inspection Act 2006. The underlying principles of the Act and the Code are to “promote fair access to educational opportunity, promote high standards and fulfilment of every child’s educational potential”.

This Protocol cannot override the statutory right of parent /carers to express a preference for any school and it does not change the parent /carer’s right to apply for places at another school. If that school has places, the Admission Authority has a statutory duty to comply with parental preference. If a parent /carer does not wish to consider a move under this protocol, they cannot be forced to do so.

In order for a protocol to operate effectively on a county wide basis it is necessary for all Headteachers and Governors of Academy, Community, Voluntary Controlled, Voluntary Aided, Foundation and Trust Schools to agree to accept decisions made in accordance with agreed in year fair access (IYFA) procedures.

Schools should agree to abide by the decision of their Collaborative Panel and acknowledge that being up to their published admission number does not preclude them from admitting a pupil. However, the school’s current circumstances and the previous number of managed moves into that school will always be taken into consideration.

2. A “managed move” is a transfer of a pupil from one school to another school. It may provide a fresh start for a pupil and may be a successful way of meeting the pupil’s needs. The Protocol on managed moves supports pupils who are vulnerable to repeat exclusion, disaffection and non-attendance as a result of social and emotional circumstances.

A managed move should be suggested as a last resort, an alternative to permanent exclusion, or when there has been a breakdown in relationship between the school and the family. A managed move must only be



considered when the current school feels that it has exhausted all possible options to meet the needs of the pupil.

Managed moves should not be used where:-

- A pupil is well advanced into Year 10 or in Year 11.
- A pupil is not accessing mainstream education or alternative provision.
- The proposed school has pupils with whom the moving pupil has a previous history of disruptive activity, either in or out of school.
- The current school is unable to evidence that every effort has been made to meet the needs of the pupil.
- The pupil is refusing to conform to the behaviour expectations of a school and there is no evidence that they will conform in a new school.

### **3. Managed Moves Protocol**

- i) The current school should hold a meeting to discuss the needs of the pupil with the parent /carer(s). This will often be a review meeting or part of ongoing support within the framework of the Inclusion Passport, individual provision map or similar.
- ii) The meeting identifies that a fresh start in a new school is the best way to meet the pupil's needs. The rationale for a managed move must be recorded within the context of the agreed plan for the pupil and included in the Collaborative referral. The parent /carer(s) and pupil cannot be guaranteed a place at the proposed school at this point. However, the parents /carers and pupils views must be sought and written into the referral.
- iii) Where a pupil has a statement of special educational needs (SEN/ E.H.C. Plan), is looked after by the local authority, or where there is other support from for example health or care services, those services must be actively involved in review /planning meetings, prior to the managed move protocol.
- iv) The school considering a managed move for a pupil should complete a referral to the Collaborative Panel (hereafter 'the panel') which should be discussed at the next panel meeting. Parts A, B & C of the referral form must be completed in as much detail as possible. The parent /carer's written consent for the pupil to be discussed at the panel meeting must be obtained after seeing a copy of the full referral. Parent /carers and pupils must be made aware that a managed move is a trial move for 4 weeks (20 school days).
- v) The managed move will be discussed at the next Collaborative meeting and a new school identified. If the proposed school has reservations regarding the admission, those reservations should be discussed at the panel meeting. Any requests for support will be discussed at the panel meeting and the proposed move will be confirmed or rejected at the

panel meeting. The chair, usually the area education development adviser (EDA) for behaviour and attendance (B&A) and the panel will decide the ultimate outcome of requests for managed moves and the support requirements together with the PRS head teacher or teacher in charge of Ryedale Out Of School Education (ROOSE) /Whitby Outreach.

- vi) Discussions between the current school (school where the pupil is on roll) and identified new school (receiving school) can then take place to share information and ensure effective planning and provision. If a grammar school has been requested to become the receiving school then the pupil must meet the selection criteria.
- vii) Within 10 school days of the Collaborative Panel meeting, the Head teacher of the new school should invite parent /carers and the pupil into school to discuss expectations and admission arrangements. It may be appropriate to invite a representative from the Pupil Referral Service /ROOSE /Whitby Outreach, assessment and review officer (ARO) /Parent Partnership Officer, education social worker (ESW) and /or a member of the current school. If a member of the support services is not available, this should not delay the meeting.
- viii) Within 15 school days of the panel meeting, a start date at the new school should be agreed. With the agreement of the head teacher of a PRS /teacher in charge of ROOSE /Whitby Outreach, the provision offer may include part time attendance at the PRS or other provision managed by the PRS /ROOSE /Whitby Outreach.
- ix) The pupil should be attending the new provision within 20 school days of the panel meeting.
- x) The Clerk to the Collaborative must be informed by the current and receiving schools of a start date and will send a letter indicating the managed move arrangements to the parent /carer. (See Appendix 1)
- xi) A managed move will be reviewed after 4 weeks and the panel informed of progress and reconsideration of placement where appropriate. Review meetings can, however, take place at any time within the 4 weeks, particularly if there are concerns about the pupil's progress.
- xii) If the receiving school feels that, at any point in the managed move process, a fixed term exclusion should be used, then the head teacher of the original school must be informed and requested to administer the required paperwork.
- xiii) Successful managed moves will be reported to the Collaborative panel after the review; the pupil will then be removed from the roll of the original school and placed on the roll of the new school. If the pupil has a statement of SEN/E.H.C. Plan, the school must liaise with the LA

ARO at the original pupil review meeting. The pupil's original school and the receiving school must ensure that their database is changed in order to reflect the change of school. The clerk of the Collaborative Panel will confirm in writing to parent /carers that the new school has agreed admission onto their roll following a successful managed move. (See Appendix 2)

#### **4. Actions by Schools that Contravene the Agreement**

Schools in the Collaborative partnerships agree not to advise parents to:

- remove their child from school and find another school.
- remove their child from the roll of the school and voluntarily educate at home.

#### **5. Support with the Managed Move**

Pupils who transfer schools within the Managed Move Protocol are likely to have additional educational needs and can often be on the SEN register at school support. It is important, therefore, to consider the arrangements that should be made to assist the new placement to be successful. New arrangements should include any agency already working with the pupil. The school should make the commitment to continue with the support within the context of the new school or liaise with the appropriate person in that area to provide continuity for the pupil.

#### **6. Transport**

For managed moves and pupils who are hard to place, the Authority will apply the same principles for transport as it does in the case of pupils who are permanently excluded. The Authority will accept responsibility for the cost of transport to the school identified by the panel, provided that the school lies outside the relevant distances specified in the Authority's Home to School Transport Policy.

It is the responsibility of the head teacher of the original school to make parent /carers aware that the pupil will be expected to access the existing transport network, including public transport, if this meets the journey requirements. If the pupil at some future point is excluded from this transport because of their failure to adhere to the established code of conduct for acceptable behaviour, it will then become the parent /carers' responsibility to ensure that the pupil continues to attend school.

Best value policies will be adhered to wherever possible. The Authority will accept responsibility for the transport costs via a Collaborative cost code until the pupil reaches the end of Year 11. If the pupil is removed from the Collaborative panel agenda, due to the success of the managed move, it is

the responsibility of the receiving school to continue to organise transport, although the Collaborative panel will continue to fund this. If any changes are made to the transport arrangements for the pupil then this must be referred back to panel via the AOB /Business minutes. The Collaborative panel will review transport arrangements of pupils at least once a year and preferably at the meeting before the Easter holidays.

## **7. Pupils with a Statement of SEN/Education, Health and Care Plan**

If the local authority receives a request for a managed move from a parent /carer or school for a pupil with a statement of SEN, the local ARO will liaise with parent /carers and school. A managed move must be the result of an interim review of the statement in accordance with legislative procedure, following which, the ARO will consult with the receiving school. The Head teacher must respond for a change of placement within 15 working days in accordance with the SEN Code of Practice (2014). At the end of the managed move trial period, any change of placement must be as a result of the amendment of the pupil's Education, Health and Care plan. All communication with school and parent /carers will be the responsibility of the ARO.

## **8. Financial Procedures**

Where a managed move is agreed between all parties, it is anticipated that head teachers will consider, as part of the planning arrangements, the voluntary transfer of the proportion of the age weighted pupil unit (AWPU) and Pupil Premium (PP) where appropriate, which would have been deducted, if the route followed had been one of permanent exclusion. This would take place after the Collaborative panel confirms that the pupil is now on the roll of the new school.

## **9. Attendance and absence monitoring**

During managed moves, the original school will maintain the pupil's registration. If the receiving school decides to accept the pupil on a permanent basis then the registration will transfer at that time. During the managed move, however, there is no method of indicating this situation in the receiving school. As the data collected during the census is used for future funding purposes, the inability to credit the receiving school is perceived as a disincentive to accept the pupil, often to the pupil's detriment. The financial arrangements between the schools are a matter for their mutual agreement (see para 8 above) but it is important to be able to identify pupils in this situation. It is recommended that for the duration of any managed move:

- The original school maintains the pupil's record with an Enrolment Status of "M" (Main dual-registration).
- The receiving school maintains the pupil's record with an Enrolment Status of "S" (Subsidiary dual-registration).

(See Appendix 3).

## **10. Monitoring Arrangements**

All managed moves will be monitored by the LA through the local Collaborative panel. The managed move tables on the Collaborative Panel agenda will be amended accordingly so that all schools within each Collaborative Panel can see that managed moves are allocated to each school fairly, openly, transparently and appropriately.

Each Collaborative should arrange for a rolling programme of visits of representatives of the panel to all schools for quality assurance purposes.

Appendix 1: Managed Move Start letter

Appendix 2: Managed move change of roll letter

Appendix 3: Extract from DFE Secondary Census Guidance 2014

**April 2014**

## North Yorkshire Local Authority Internal Procedure Document

### Protocol for managing applications to school places for children looked by the local authority September 2015

1. The Social Worker is made aware of a North Yorkshire looked after child (LAC) who requires a place in a North Yorkshire school. The Social Worker for the child should contact the North Yorkshire Admissions & Appeals Officer (AAO) and the Education Looked After Children (ELAC) Virtual School Team for information about the process for a non-North Yorkshire LAC being admitted into a North Yorkshire school. If the LAC has a statement of special educational needs (SEN) the application should be discussed with the SEN team at County Hall and the ELAC Virtual School team. Local authority admission teams, outside of NYCC, may seek approval from the Virtual School Head teacher in North Yorkshire for NYCC LAC school placements in their authority, before processing an admission request. This is to ensure the Virtual School Head teacher is satisfied the school will meet the LAC needs.
2. The Social Worker should contact the ELAC Virtual School Team who will liaise with the school to discuss a school preference. The ELAC Virtual School Team will liaise with the Social Worker, the receiving school and the previous school to provide information that will help with the school admission.
3. The ELAC Virtual School Team will discuss the child's school place with the Social Worker, Foster Carer and parent if the child is looked after under section 20 (voluntary care). The Social Worker, foster carer or parent are informed that they need to complete a mid-year application for a school place, and they will be advised by the ELAC Virtual School Team or the AAO's to complete on-line or on a paper copy of the preference form available from the admissions team, (Tel: 01609 533679) who will process the form and forward it to the school .
4. In line with the School Admissions Code 2012 a looked after child or a previously looked after child **must** be admitted to a school. If there are significant issues:

- the ELAC Virtual School Team should discuss with the Social Worker and the preferred school whether the child requires a referral to the local behaviour and attendance (B&A) collaborative.
  - ELAC Virtual School to secure as soon as possible educational records for a LAC in the care of NYCC.
  - AAO's must be informed of any LAC application where there is going to be a B&A collaborative referral.
  - The preferred school may refer the LAC to the collaborative to discuss.
  - It would be helpful for the local collaborative to be aware and for schools not to be overburdened with a disproportionate number of LAC with challenging behaviour. This information is recorded with no pupil's name attributed on the business minutes for colleagues' information. The Collaborative should acknowledge challenging LAC that are admitted to schools if there is a challenging placement.
  - This referral should not delay the child's admission to school. ELAC contacts the appropriate AAO to inform them that the LAC will be discussed at the collaborative.
  - The AAO should ensure a copy of the preference form is passed to the Chair and Clerk to the collaborative.
  - If the LAC is referred to the collaborative the AAO ensures that the preferred school admits the child as soon as possible.
5. If no referral is required to the collaborative the child must be admitted as soon as possible to the preferred school.
6. It is essential for the ELAC Virtual School Team to make AAO's aware of any significant issues, for example if there are any applications for the same year group at the same school.

**At any stage in the process advice can be sought from Alan Clifton, head teacher, ELAC Virtual School. [alan.clifton@northyorks.gov.uk](mailto:alan.clifton@northyorks.gov.uk)  
01609 532169**

DfE No. 815-	School	Aided, Academy, Trust, Foundation and Free Schools	Published Admission Number 2016/ 2017	Proposed Published Admission Number 2017 / 18
3000	Ainderby Steeple Church of England Primary School		15	15
3001	Aiskew, Leeming Bar Church of England Primary School		14	14
2150	Alanbrooke School		15	15
3616	All Saints Roman Catholic Primary School, Thirsk	Aided	14	14
3361	All Saints, Church of England School, Kirkby Overblow	Aided	15	15
2245	Alne Primary School		21	21
2242	Alverton Community Primary School		30	30
2246	Amotherby Community Primary School		25	29
2080	Applegarth Primary School		40	40
2301	Appleton Roebuck Primary School		15	15
2247	Appleton Wiske Community Primary School		14	14
3006	Arkengarthdale Church of England Primary School		8	8
3289	Askrigg Voluntary Controlled Primary School		7	7
2302	Askwith Community Primary School	Academy	13	15
3350	Austwick Church of England (V.A.) Primary School	Aided	10	8
3008	Bainbridge Church of England Primary and Nursery School		8	8
3009	Baldersby St. James Church of England Voluntary Controlled Primary School		8	8
3369	Barkston Ash Catholic Primary School	Aided	20	20
2400	Barlby Bridge Community Primary School		22	22
2401	Barlby Community Primary School		45	45
3223	Barlow Church of England Voluntary Controlled Primary School		12	12
2108	Barrowcliff Primary School		60	60
3133	Barton Church of England Primary School		11	11
2348	Beckwithshaw Community Primary School		14	14
3010	Bedale Church of England Primary School		47	47
3012	Bilsdale Midcable Chop Gate Church of England Voluntary Controlled Primary School		6	6
3226	Birstwith Church of England Primary School		12	12
3227	Bishop Monkton Church of England Primary School		15	15
3228	Bishop Thornton Church of England Primary School		8	8
3301	Bolton-on-Swale St Mary's Church of England Primary School	Aided	14	14
2309	Boroughbridge Primary School		40	40
2310	Bradleys Both Community Primary School		19	19
3231	Brayton Church of England Voluntary Controlled Primary School		60	60
2250	Brompton & Sawdon Community Primary School		10	10
2249	Brompton Community Primary School		22	22
3015	Brompton-on-Swale Church of England Primary School		30	30
2225	Broomfield School		35	37
2001	Brotherton & Byram Community Academy	Academy	30	30
3337	Burneston Church of England (Voluntary Aided) Primary School	Aided	19	19
3352	Burnsall Voluntary Aided Primary School	Aided	12	12
3356	Burnt Yates Church of England Primary School	Aided	8	8
3232	Burton Leonard Church of England Primary School		10	10
2312	Burton Salmon Community Primary School		7	7
2387	Camblesforth Community Primary School		17	17
3354	Carleton Endowed School	Aided	21	20
3306	Carlton and Faceby Church of England Voluntary Aided Primary School	Aided	8	8
2252	Carlton Miniott Community Primary School		28	28
2314	Carlton-in-Snaith Community Primary School		28	28
2256	Castleton Community Primary School		8	8
2212	Catterick Garrison, Carnagill Community Primary School		30	30
2173	Catterick Garrison, Le Cateau Community Primary School		60	60
2189	Catterick Garrison, Wavell Community Infant School		72	72
2188	Catterick Garrison, Wavell Community Junior School		60	60
3355	Cawood Church of England Voluntary Aided Primary School	Aided	21	21
2224	Cayton Community Primary School		30	30
3233	Chapel Haddlesey Church of England Voluntary Controlled Primary School		7	7
3273	Christ Church Church of England Voluntary (Controlled) Primary School		20	20
3234	Clapham Church of England Voluntary Controlled Primary School		8	8
3150	Cliffe Voluntary Controlled Primary School		16	15
2167	Colburn Community Primary School		30	30
2316	Cononley Community Primary School		21	21
2317	Cowling Community Primary School		19	19
3235	Cracoe and Rylstone Voluntary Controlled Church of England Primary School		7	7
3020	Crakehall Church of England Primary School		14	14
3021	Crayke Church of England Voluntary Controlled Primary School		13	13
3022	Croft Church of England Primary School		15	15
3357	Dacre Braithwaite Church of England Primary School	Aided	10	10



DfE No. 815-	School	Aided, Academy, Trust, Foundation and Free Schools	Published Admission Number 2016/ 2017	Proposed Admission Number 2017 / 18
3025	Danby Church of England Voluntary Controlled School		10	10
2347	Darley Community Primary School		14	14
2165	Dishforth Airfield Community Primary School		15	15
3027	Dishforth Church of England Voluntary Controlled Primary School		12	13
2318	Drax Community Primary School		10	10
2164	Easingwold Community Primary School		45	45
2257	East Ayton Community Primary School		30	30
3030	East Cowton Church of England Primary School		8	8
3308	Egton Church of England Voluntary Aided Primary School	Aided	8	10
3236	Embsay Church of England Voluntary Controlled Primary School		29	29
3034	Eppleby Forcett Church of England Primary School		7	7
3153	Escrick Church of England Voluntary Controlled Primary School		17	20
2320	Fairburn Community Primary School		8	8
3154	Filey Church of England Voluntary Controlled Infant and Nursery School		76	76
2413	Filey Junior School		80	80
3237	Follifoot Church of England Primary School		9	9
3288	Forest of Galtres Anglican/Methodist Primary School		27	27
3039	Foston Church of England Voluntary Controlled Primary School		4	4
3266	Fountains Church of England Primary School		15	15
3238	Fountains Earth, Lofthouse Church of England Endowed Primary School		6	6
3139	Fylingdales Church of England Voluntary Controlled Primary School		16	16
3285	Gargrave Church of England Voluntary Controlled Primary School		18	18
2324	Giggleswick Primary School		13	13
3040	Gillamoor Church of England Voluntary Controlled Primary School		8	8
2117	Gladstone Road Primary School		120	120
2041	Glaisdale Primary School		8	8
2338	Glasshouses Community Primary School		10	10
2393	Glusburn Community Primary School		45	45
2043	Goathland Primary School		7	7
3240	Goldsborough Church of England Primary School		12	12
3241	Grassington Church of England (Voluntary Controlled) Primary School		12	12
2426	Roseberry Community Primary School	Academy	30/21	30/21
2327	Great Ouseburn Community Primary School		14	14
2047	Great Smeaton Academy Primary School	Academy	10	10
3242	Green Hammerton Church of England Primary School		17	17
3243	Grewelthorpe Church of England Primary School		10	10
3207	Gunnerside Methodist Primary School		7	7
3045	Hackforth and Hornby Church of England Primary School		6	6
3046	Hackness Church of England Voluntary Controlled Primary School		10	10
3244	Hambleton Church of England Voluntary Controlled Primary School		25	25
3245	Hampsthwaite Church of England Primary School		16	15
2328	Harrogate, Bilton Grange Community Primary School	Academy	48	48
2383	Harrogate, Coppice Valley Community Primary School**		30	30
2329	Harrogate, Grove Road Community Primary School		40	40
2368	Harrogate, Hookstone Chase Community Primary School		45	45
2330	Harrogate, New Park Community Primary School		40	40
2376	Oatlands Community Junior School	Academy	75	75
2372	Harrogate, Pannal Community Primary School		60	60
2424	Harrogate, Saltergate Community Junior School		59	60
3247	Harrogate, St. Peter's Church of England Primary School		41	41
2332	Harrogate, Starbeck Community Primary School		50	50
2056	Hawes Community Primary School		15	15
3050	Hawsker cum Stainsacre Church of England Voluntary Controlled Primary School		12	12
2336	Hellifield Community Primary School		15	15
2236	Helmsley Community Primary School		24	24
2402	Hemingbrough Community Primary School		30	30
2337	Hensall Community Primary School		18	21
3155	Hertford Vale Church of England Voluntary Controlled Primary School, Staxton		18	18
2305	Bentham Community Primary School		25	21
3053	Hipswell Church of England Primary School		24	24
3284	Holy Trinity Church of England Infant School		65	65
3263	Holy Trinity Church of England Junior School		67	65
3358	Horton-in-Ribblesdale Church of England Voluntary Aided Primary School	Aided	8	8
3054	Hovingham Church of England Voluntary Controlled Primary School		8	8
3055	Huby Church of England Voluntary Controlled Primary School		16	16
2403	Hunmanby Primary School		30	30
2063	Hunton and Arrathorne Community Primary School		10	10
3057	Husthwaite Church of England Voluntary Controlled Primary School		15	15

DfE No. 815-	School	Aided, Academy, Trust, Foundation and Free Schools	Published Admission Number 2016/ 2017	Proposed Admission Number 2017 / 18
2228	Hutton Rudby Primary School		30	30
3336	Ingleby Arncliffe Church of England Voluntary Aided Primary School	Aided	11	11
3060	Ingleby Greenhow Church of England Voluntary Controlled Primary School		10	10
2391	Ingleton Primary School		26	26
3076	Kell Bank Church of England Primary School		5	5
2422	Kellington Primary School		19	19
2321	Kettlesing Felliscliffe Community Primary School		8	8
2343	Kettlewell Primary School		7	7
3287	Kildwick Church of England (Voluntary Controlled) Primary School		17	17
3248	Killinghall Church of England Primary School		15	15
3062	Kirby Hill Church of England Primary School		17	20
3251	Kirk Fenton Parochial Church of England Voluntary Controlled Primary School		35	35
3252	Kirk Hammerton Church of England Primary School		12	12
3253	Kirk Smeaton Church of England (Voluntary Controlled) Primary School		15	15
3315	Kirkby & Great Broughton Church of England Voluntary Aided Primary School	Aided	18	18
3065	Kirkby Fleetham Church of England Primary School		9	7
3360	Kirkby in Malhamdale United Voluntary Aided Primary School	Aided	12	12
3249	Kirkby Malzeard Church of England Primary School		15	15
2064	Kirkbymoorside Community Primary School		35	35
2377	Knaresborough, Aspin Park Community Primary School		60	60
2389	Knaresborough, Meadowside Community Primary School		30	30
3068	Knayton Church of England Voluntary Controlled Primary School		12	20
2404	Langton Primary School		15	15
2042	Lealholm Primary School		8	8
2405	Leavening Community Primary School		10	10
2040	Leeming and Londonderry Community Primary School		8	8
2166	Leeming RAF Community Primary School		40	40
2065	Leyburn Community Primary School		30	30
2233	Lindhead School		30	30
2171	Linton-on-Ouse Primary School		15	15
3255	Long Marston Church of England Voluntary Controlled Primary School		8	8
3362	Long Preston Endowed Voluntary Aided Primary School	Aided	12	12
2346	Lothersdale Community Primary School	Academy	15	15
2406	Luttons Community Primary School		8	8
3069	Lythe Church of England Voluntary Controlled Primary School		15	15
2074	Malton Community Primary School		42	42
3256	Markington Church of England Primary School		12	12
3363	Marion-cum-Grafton Church of England Voluntary Aided Primary School	Aided	15	15
3042	Marwood Church of England Voluntary Controlled Infant School, Great Ayton		21	21
3319	Masham Church of England VA Primary School	Aided	20	20
3208	Melsonby Methodist Primary School		10	10
3307	Michael Syddall Church of England (Aided) Primary School	Aided	36	36
3320	Middleham Church of England Aided School	Aided	15	15
3079	Middleton Tyas Church of England Primary School		22	22
3257	Monk Fryston Church of England Voluntary Controlled Primary School		30	30
2366	Moorside Infant School		45	36
2367	Moorside Junior School		36	36
2075	Nawton Community Primary School		15	15
2076	Newby and Scalby Primary School		60	60
2081	North & South Cowton Community Primary School		7	7
2407	North Duffield Community Primary School		25	25
3260	North Rigton Church of England (C) Primary School		15	15
3258	North Stainley Church of England Primary School		8	8
2163	Northallerton, Mill Hill Community Primary School		30	30
2408	Norton Community Primary School		75	90
5200	Nun Monkton Primary School	Foundation	4	4
2060	Oakridge Community Primary School		8	8
2331	Oatlands Infant School		75	90
2083	Osmotherley Primary School		10	10
2235	Pickering Community Infant School		75	75
2222	Pickering Community Junior School		75	75
3088	Pickhill Church of England Primary School		9	9
3365	Rathmell Church of England (Voluntary Aided) Primary School	Aided	9	9
3090	Ravensworth Church of England Primary School		12	12
2096	Reeth Community Primary School		8	8
2410	Riccall Community Primary School		30	30
3368	Richard Taylor Church of England Primary School	Academy	39	39
3092	Richmond Church of England Primary School		45	45

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3210	Richmond Methodist Primary School		45	45
2411	Rillington Community Primary School		20	20
3261	Ripley Endowed (Church of England) School.		13	13
3262	Ripon Cathedral Church of England Primary School	Aided	30	30
2388	Ripon, Greystone Community Primary School		28	28
3264	Roecliffe Church of England Primary School		13	13
2097	Romanby Primary School		40	40
2098	Rosedale Abbey Community Primary School		7	7
2382	Rossett Acre Primary School		60	60
3126	Ruswarp Church of England Voluntary Controlled Primary School		15	15
3902	Sacred Heart RC Primary, Northallerton	Aided	15	15
2425	Saltergate Infant School		60	60
3099	Sand Hutton Church of England Voluntary Controlled Primary School		11	11
3267	Saxton Church of England Voluntary Controlled Primary School		8	8
2112	Scarborough, Braeburn Primary & Nursery School		70	70
2114	Scarborough, Friarage Community Primary School		45	45
2120	Scarborough, Northstead Community Primary School		90	90
2170	Scarborough, Overdale Community Primary School		30	30
2350	Scotton Lingerfield Community Primary School		12	12
2223	Seamer & Irton Community Primary School		60	60
3268	Selby Abbey Church of England Voluntary Controlled Primary School		51	56
2351	Selby Community Primary School		48	56
2390	Selby, Barwic Parade Community Primary School		37	37
2418	Selby, Longman's Hill Community Primary School		30	30
3101	Sessay Church of England Voluntary Controlled Primary School		15	15
3270	Settle Church of England Voluntary Controlled Primary School		30	30
3160	Settrington All Saints' Church of England Voluntary Controlled Primary School		9	9
3271	Sharow Church of England Primary School		9	9
3161	Sherburn Church of England Voluntary Controlled Primary School		8	8
2421	Sherburn in Elmet, Athelstan Community Primary School		45	60
2380	Sherburn in Elmet, Hungate Community Primary School		30	30
2186	Sheriff Hutton Primary School		15	15
2354	Sicklinghall Community Primary School		9	9
2221	Sinnington Community Primary School		12	12
3272	Skelton Newby Hall Church of England Primary School		7	7
3274	Skipton Parish Church Church of England Voluntary Controlled Primary School		50	50
2365	Skipton, Greatwood Community Primary School		30	30
2355	Skipton, Ings Community Primary and Nursery School		12	12
2356	Skipton, Water Street Community Primary School		30	30
3035	Sleights Church of England Voluntary Controlled Primary School		15	15
2132	Slingsby Community Primary School		7	7
3108	Snainton Church of England Voluntary Controlled Primary School		10	10
2133	Snape Community Primary School		7	7
3109	South Kilvington Church of England Voluntary Controlled Primary School		12	12
2357	South Milford Community Primary School		30	30
3291	South Otterington Church of England Voluntary Controlled Primary School		20	20
2183	Sowerby Community Primary School		45	45
3110	Spennithorne Church of England Primary School		12	12
3275	Spofforth Church of England (Controlled) Primary School		15	15
3903	St John's CE Primary School, Knaresborough		50	50
3600	St. Benedict's Roman Catholic Primary School, Ampleforth	Aided	15	15
3225	St. Cuthbert's Church of England Primary School, Pateley Bridge		17	17
3631	St. George's Roman Catholic Primary School, Scarborough	Aided	15	15
3602	St. Hedda's Roman Catholic Primary School	Aided	7	7
3005	St. Hilda's Ampleforth Church of England Voluntary Controlled Primary School		7	7
3620	St. Hilda's Roman Catholic Primary School	Aided	15	15
3370	St. Joseph's Catholic Primary School, Bishop Thornton	Aided	8	8
3378	St. Joseph's Catholic Primary School, Harrogate A Voluntary Academy	Academy	30	30
3376	St. Joseph's Catholic Primary School, Tadcaster	Aided	10	10
3610	St. Joseph's Roman Catholic Primary School, Pickering	Aided	15	15
3326	St. Martin's Church of England Voluntary Aided Primary School, Scarborough	Aided	40	40
3371	St. Mary's Primary School, Knaresborough A Voluntary Catholic Academy	Academy	30	30
3373	St. Mary's Catholic Primary School, Selby	Aided	30	30
3609	St. Mary's Roman Catholic Primary School, Malton	Aided	15	20
3614	St. Mary's Roman Catholic Primary School, Richmond	Aided	30	30
3124	St. Nicholas Church of England Primary School, West Tanfield		10	10
3304	St. Peter's Brafferton Church of England Voluntary Aided Primary School	Aided	13	13
3615	St. Peter's Roman Catholic Primary School	Aided	30	30

DfE No. 815-	School	Aided, Academy, Trust, Foundation and Free Schools	Published Admission Number 2016/ 2017	Proposed Admission Number 2017 / 18
3377	St. Robert's Catholic Primary School, Harrogate	Aided	40	40
3375	St. Stephen's Catholic Primary & Nursery School, A Voluntary Academy	Academy	28	28
3372	St. Wilfrid's Catholic Primary School, Ripon	Aided	20	20
2061	Staithe's, Seton Community Primary School		15	15
2358	Staveley Community Primary School		10	10
2002	Staynor Hall Community Primary Academy *	Academy	30	30
2138	Stillington Primary School		12	12
2139	Stokesley Community Primary School		65	58
2335	Summerbridge Community Primary School		12	12
3276	Sutton in Craven Church of England Voluntary Controlled Primary School		15	15
2359	Sutton in Craven Community Primary School		30	30
3113	Sutton on the Forest Church of England Voluntary Controlled Primary School		13	13
3335	Swainby and Potto Church of England Voluntary Aided Primary School	Aided	12	12
2392	Tadcaster East Community Primary School		28	28
2427	Tadcaster, Riverside Community Primary School		56	58
3331	Terrington Church of England Voluntary Aided Primary School	Aided	9	9
3351	The Boyle & Petyt Primary School	Aided	8	8
2237	Thirsk Community Primary School		42	42
2000	Thomas Hinderwell Academy Primary School	Academy	37	37
3117	Thornton Dale Church of England Voluntary Controlled Primary School		26	26
2360	Thornton in Craven Community Primary School		11	11
3119	Thornton Watlass Church of England Primary School		7	7
2381	Thorpe Willoughby Community Primary School		40	40
3277	Threshfield School		17	17
3278	Tockwith Church of England Voluntary Controlled Primary School		30	30
3120	Topcliffe Church of England Voluntary Controlled Primary School		16	16
3122	Warhill Church of England Voluntary Controlled Primary School		6	6
3163	Weaverthorpe Church of England Voluntary Controlled Primary School		7	7
2151	Welburn Community Primary School		10	10
3016	West Burton Church of England Primary School		7	7
2197	West Cliff Primary School		30	30
3165	West Heslerton Church of England Voluntary Controlled Primary School		10	10
2333	Western Primary School	Academy	60	60
2206	Wheatcroft Community Primary School		30	30
2190	Whitby, Airy Hill Community Primary School		30	30
2154	Whitby, East Whitby Community Primary School		45	45
2217	Whitby, Stakesby Community Primary School		34	34
2363	Whitley & Eggborough Community Primary School		38	40
2364	Willow Tree Community Primary School, Harrogate		75	75
3282	Wistow Parochial Church of England Voluntary Controlled Primary School		20	20
2430	Woodfield Primary School		30	30
3130	Wykeham Church of England Voluntary Controlled Primary School		8	8

\* These are new schools admitting pupils for the first time from September 2016.

\*\*The County Council published statutory notices on 5 June 2015 to permanently expand Harrogate Coppice Valley Community Primary School through a building programme to create six classrooms. The statutory notice proposed an Admission Number of 60 effective from 1 September 2016. This proposal was approved by the Executive Member for Schools on 18 August 2015.

The procurement exercise to appoint the principal contractors for the building work was unsuccessful and consequently the County Council is looking at options for re-programming the building work for summer 2017. It is therefore proposed that the Planned Admission Number will remain at 30 for 2016/17 and 2017/18.

DfE No. 815-	School	Aided, Academy, Trust, Foundation and Free Schools	Published Admission Number 2016 / 2017	Published Admission Number 2016 / 2017 6th form where applicable	Proposed Published Admission Number 2017 / 18	Published Admission Number 2017 / 2018 6th form where applicable
4000	The Skipton Academy	Academy	167		167	
4074	Northallerton School & 6th Form		294	65	300	
4232	Barlby High School		151		151	
4052	Bedale High School		187		187	
4221	Boroughbridge High School		128	15	128	15
4224	Brayton High School		241		241	
4039	Caedmon College, Whitby		184/111	20	184	
4005	Easingwold School*		210	75	210	
4608	Ermysted's Grammar School	Aided	112	20	112	
4041	Eskdale School*		146		125	
4001	Ebor Academy Filey	Academy	168		164	
4069	George Pindar School	Trust	192		187	
4070	Graham School Science College		320		320	
4200	Harrogate Grammar School	Academy	260	80	260	
4219	Harrogate High School	Academy	125	15	125	15
4610	Holy Family RC High School	Aided	90		90	
4202	King James's School		256	35	256	35
4054	Lady Lumley's School		184	30	184	30
4077	Malton School		112	80	140	80
4223	Nidderdale High School & Community College		94		94	
4152	Norton College	Academy	160	120	160	
4076	Richmond School		252	80	252	
4215	Ripon Grammar School		117 inc 14 boarders	30	117 inc 14 boarders	30
4203	Ripon Outwood Academy	Academy	131	15	131	
4004	Risedale Sports and Community College		182		185	
4217	Rossett School	Academy	235	15	235	
4022	Ryedale School		118		118	
4073	Scalby School		192		192	
4225	Selby High School		237		237	
4205	Settle College		164	5	164	20
4216	Sherburn High School Specialist Science College		197	0	197	
4518	Skipton Girls' High School	Academy	112	20	112	
4210	South Craven School	Academy	270	42	270	42
4611	St Aidans Church of England High School	Academy	226	100	226	
4604	St Augustines Catholic School	Aided	96		96	
4605	St Francis Xavier School	Aided	90		90	
4609	St John Fisher Catholic High School	Aided	196	30	196	
4047	Stokesley School	Academy	218	20	218	
4211	Tadcaster Grammar School Business and Enterprise College		262	10	262	
4075	The Wensleydale School		88	20	88	
4035	Thirsk School & Sixth Form College		180	10	180	10
4206	Upper Wharfedale School - A Specialist Sports College		58		58	
	Scarborough UTC *	Free				

\* New establishment admitting pupils for the first time from September 2016.

1) Please could you add summerborns starting at CSA to the policy as opposed to just delays.

*The policy for admission of summer born children has been included within the proposed admissions policy.*

2) My children both attend Saxton Primary School, which is located in Tadcaster, however it is not considered as one of the schools that feeds to the Grammar School. Whilst I appreciate that school allocations are given based on geographical distance I think it is unfair that children living in Leeds' villages, and attending Leeds' Primary Schools are given priority over children living in Tadcaster. Saxton is a North Yorkshire Primary School - why is this not regarded to be of any importance? We have far more limited options for Secondary schools than in villages such as Thorp Arch and Boston Spa, who can choose Tadcaster as well as several Leeds schools. I would like the catchment boundaries to be reconsidered.

Currently, there are a large number of houses being built in Sherburn and Church Fenton. How are the Council going to address the issue of school numbers? Sherburn High School is too small to accommodate all the children requiring places.

*We do not operate a system of feeder primary schools. All children living in North Yorkshire have priority for a place at the primary and secondary school which is designated as the normal/catchment school to serve their home address. Tadcaster Grammar School is the designated secondary school for children living Tadcaster and the surrounding area. For children living in Saxton the designated secondary school is Sherburn High School. All families may express a preference for any school, regardless of where they live. It would be unlawful to discriminate against families who live outside of North Yorkshire. Where a school is oversubscribed places must be allocated according to the published oversubscription criteria, Distance between home and school is an important factor (but not the overriding factor) in the allocation of school places as it is used as a tie-break within each of the oversubscription priority groups.*

*The purpose of a catchment area is to designate the school which will serve a specific geographical area and afford priority for school places for children living within that area. The majority of catchment areas have been in existence for many years and generally they continue to serve their local areas well. Catchments are reviewed on an annual basis as part of the preparation for consultation on proposed admission arrangements. In order to consider a change of catchment area we would need to have a compelling argument. This is because any change to one catchment area is likely to have an impact upon others and it is likely that what may be perceived as a benefit to some parents could potentially be a disadvantage to others. Any proposed change to a catchment area requires extensive consultation with other schools and parents in the local area. Currently there is nothing to indicate that the catchment area of Tadcaster Grammar School is failing to meet the needs of local families.*

*The Council is responsible for school place planning across the county and as part of this process continually reviews the levels of demand for school places. Currently there are sufficient school places at Sherburn High School to meet the level of demand for places. The Council is aware of housing development across the area and will continue to monitor progress to ensure that sufficient places are available.*

3) I have a few questions regarding the school admissions for 2017/18. (Not sure if this may apply to my daughter but i thought i could ask).

My daughter was born on 5th september 2014 and i have researched that i may have a choice as to what year she can start school. If she starts nursery in 2017 she will be just under 3 but some say it would be best if she started in 2018 so she is just under 4.

As her being a september baby it is a difficult decision to make.

Any guidance in this area would be greatly appreciated.

The admissions policy contains relevant information about options for deferred entry or admission out of normal age group.

*Officers will contact this respondent to discuss her child's individual needs.*

4) My friend sent me a link to your consultation page, I am a new parent so never applied for a primary school place yet, however my daughter will need a place in 2017, we hope for her to go to Sessay Primary school, my husband went here and has his business here and I have also just set up a business here. We know it is an up and coming developed area with 10 new family houses been passed by planning this year alone and a new million pound sports complex due to be built, I am worried that due to us living in Sowerby not Sessay at the time she starts school in sept 2017 that 15 places may not be enough for us to get a place, I've heard it does have a spare classroom yet not the funding for an extra teacher so it has the space to grow, do you think the places will grow with the expanding village?

The Council is responsible for school place planning across the county and as part of this process continually reviews the levels of demand for school places. The Council is aware of housing development across the area and continually monitors progress to ensure that sufficient school places are available.

*Officers will contact this respondent to discuss her child's individual needs.*

5) Hello I am responding to the proposed school admissions arrangements with regards to the entrance criteria for Nursery. I personally don't agree with the fourth priority being down to age if in the normal school area, why can't it be down to distance to the school using their postcode? I also think there should be a priority for children with older siblings further up the school.

*The reason that age is used is to enable all children to have some experience in a nursery class before they have to make the transition into school.*

*Nursery admissions are separate to the school admissions process and having a place at a school nursery does not guarantee a place in the reception class at that school. Sibling priority for places within a school nursery class can make it more difficult to gain a place where a child is the first or only child in a family.*

6) I am a mum of 3 as well as a health visitor. Whilst I don't have anything negative to say of my experiences so far, I would of liked the opportunity to feed into your consultation. I do feel that it is biased by emailing views directly to yourself and would have thought that a questionnaire would have been a much more simplistic way to collecting views and less time consuming for the respondents . I will take a look at the consultation ion when I have time and let you know if I have any comments

*In the past we have used questionnaires but these have generated very little in the way of additional comments/feedback and some consultees have suggested that the use of specific questions can lead to bias and limit opportunities for a frank expression of opinion on proposals.*

7) My contribution to the consultation is as follows:

- please could the admissions arrangements 2017-18 include guidance on admissions outside of normal age group, in accordance with the Revised School Admissions Code (Sec. 2.17)
- please could the arrangements also include information on deferring school attendance within a school year and the option of part-time attendance up to compulsory school age (as per Sec 2.16 of the Revised School Admissions Code 2014)

*This information has been included in the proposed admission policy as well as being available within the guide for parents/information for parents available on the NYCC website.*

8) I wanted to provide feedback on the above consultation. I think that the sibling priority should be retained in priority groups 3 and 4; if this is removed siblings will often end up being placed in different schools and this will make it very difficult for parents at drop-off and pick-up times which would be especially difficult within a rural area like North Yorkshire.

I don't understand what the rationale is for removing sibling priority; and think such a significant proposed change should be much more widely consulted on with parents, ideally via schools, because I don't think many people will be aware of this consultation.

*The sibling priority has not been removed. The tie- break in the proposed admission policy states:*

*'If there are not enough places for all the children in one of these priority groups, we will give priority first to those with a sibling at the school in September 2017.....'*



**North Yorkshire County Council**

**Executive**

**2 February 2016**

**Amendments to the Constitution**

**Report of the Assistant Chief Executive (Legal and Democratic Services)**

**1.0 Purpose of the Report**

- 1.1 To present to Members, for their consideration for reporting to full Council, proposed changes to the Constitution arising out of the Monitoring Officer's periodic review of the Constitution, following a meeting of the Members' Constitution Working Group on 20 January 2016.

**2.0 Background**

- 2.1 The Monitoring Officer conducts a routine 'light touch' review of the Constitution periodically and an 'in depth' review at least every 4 years. It is also reviewed on an ongoing ad hoc basis. This review was considered by the Members' Constitution Working Group on 20 January 2016. The issues set out in this report reflect Members' majority views.

**3.0 Proposed Amendments to the Constitution**

- 3.1 **Appendices A, B, C, D and E** to this report set out the detail of proposed changes to the Constitution. The proposed changes are summarised below:-

Policy Framework

- 3.1.1 The updating of policies in the **Council's Policy Framework**. This arises out of reviews of the Policy Framework by Directorates and the rationalisation and standardisation of strategies, policies and procedures. Full details are set out in the amendments chart attached at **Appendix A** to this report. In particular it is proposed that:

- (a) the Carers' Strategy be removed from the Policy Framework as it is not an overarching policy document;
- (b) the Food Law Enforcement Service Plan be removed from the Policy Framework. The Trading Standards Service has recently reviewed the status of the Food Law Enforcement Plan and the outcome is to make a recommendation that this policy document is now removed from the Policy Framework. The background to this Plan is that the Food Standards Agency (FSA) requires local authorities to produce an Enforcement Plan on an annual basis. This requirement is via a statutory code of practice. Previous versions of the Code of Practice have specified that the Enforcement Plan must be approved at specified levels within a local authority. This Authority has previously set this approval at the Tier 1 level. The revised 2015 FSA Food Law Code of Practice has now removed those specific approval levels. This relaxation and the reduction in programmed annual food inspections brought about by budgetary

cuts combined with a change in approach towards more intelligence led reactive enforcement has lessened the priority level of this Enforcement Plan. For these reasons it is recommended that this Plan is removed from the Policy Framework. The Service is now proposing that the approval review is set at the Tier 5 level (Corporate Director / Assistant Chief Executive (may be delegated to an Assistant Director)).

### Responsibilities

- 3.1.2 Amendment to the Appeals Committee (Home to School Transport) Terms of Reference and consequential amendment to the Officers' Delegation Scheme, as agreed by the Committee, by deleting Term of Reference 2 (Appointment of Lay and Independent Members to appeal Panels) from the Committee's Terms of Reference and delegating this power to, and recording it in the Officers' Delegation Scheme for, the Assistant Chief Executive (Legal and Democratic Services). Full details are set out in the amendments chart attached at **Appendix A** to this report.
- 3.1.3 The specific referencing of certain powers of the Corporate Director Business and Environmental Services (regarding district/borough councils' proposals re off street parking orders) and the Corporate Director Health and Adult Services (to authorise the deprivation of liberty of a person body under the Mental Capacity Act 2005) in the Officers' Delegation Scheme rather than relying on general powers. Full details are set out in the amendments chart attached at **Appendix A** to this report.

### Contract Procedure Rules

- 3.1.4 Amendments to the Council's Contract Procedure Rules. The changes proposed to the Contract Procedure Rules were considered by the Audit Committee at its meeting on 3 December 2015. The full report is attached at **Appendix B** to this report, which annexes, at Appendix 1 to it, an amendments chart in respect of proposed amendments to the Rules and, at Appendix 2 to it, a copy of the proposed revised Rules.
- 3.1.5 It should be noted that:
- (a) OJEU limits have been amended in the report as these will have changed with effect from 1 January 2016.
  - (b) Appendix 1 – Rule 13.2 has been re-worded since it went to Audit Committee. As above OJEU values have been amended.
  - (c) Appendix 2 – OJEU values have been amended. There were duplications in the table so these have been removed.
- 3.1.6 Members of the Constitution Working Group were supportive of the proposed amendments and welcomed the proposals which should streamline procurement processes to make it easier and more flexible for small and medium enterprises to bid for Council work.

### The Openness of Local Government Bodies Regulations 2014

- 3.1.7 Amendments to the Council's Access to Information Procedure Rules arising out of the Openness of Local Government Bodies Regulations 2014, which came into force on 6 August 2014. The Regulations allow reporting at meetings which are open to the public and, accordingly, in 2014, the County Council adopted a Protocol on Audio/Visual Recording and Photography at Meetings.

3.1.8 The Regulations also specify additional types of officer decisions in respect of which a written decision record, together with background papers, must be produced and published. Under the Regulations, the decision-making officer must now produce a written record of any decision if it would otherwise have been taken by North Yorkshire County Council, or a committee, sub-committee of the County Council (or a joint committee in which the County Council participates), but it has been delegated to an officer of the County Council either-

(i) under a specific express authorisation; or

(ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to-

- grant a permission or licence;
- affect the rights of an individual; or
- award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.

3.1.9 In addition, background papers must be made available to the public as soon as reasonably practicable after such a decision is made, at all reasonable hours at the Council's offices, on the website, and by such other means the Council considers appropriate. The Regulations also contain obligations to provide copies, subject to the payment, postage, copying or other necessary charges for transmission. If a request is appropriately made, a copy of the written record and any background papers must be provided. Written records must be retained and available for inspection for six years with background papers being retained for four years. The provisions relating to the provision of decisions does not affect confidential or exempt information. Anyone who has custody of a document which is required to be produced, and without reasonable excuse, intentionally obstructs or refuses access, commits an offence.

3.1.10 Legal and Democratic Services currently oversee the process of publishing, on the website, all Member and officer decision records which require publication, together with background papers, in accordance with the Access to Information Procedure Rules. This additional category of officer decisions, introduced by the 2014 Regulations, has been included within existing arrangements. To reflect the changes within the County Council's Constitution, it is recommended that:

- (a) the amendments to the Constitution, shown as tracked changes in **Appendix C**, be approved. Since the meeting of the Members' Constitution Working Group, a further proposed amendment has been made to the decision grid in the Appendix to the Rules, to clarify that a decision record is required for an executive (non-key) decision by an Officer; and further amendments are recommended to the Decision Record proforma to clarify the nature of the decision taken and also that non-key executive decisions and non-executive decisions by Officers are not open to call in.
- (b) the following be approved for inclusion in the list of Proper Officer Functions set out in Article 12 of Part 2 of the Constitution:-

Openness of Local Government Bodies Regulations 2014

- Regulation 8 – To form an opinion as to whether the documents relating to an officer delegated decision under Regulation 7(2) are background papers for the purpose of this Regulation – Assistant Chief Executive (Legal and Democratic Services).

- Regulation 9 – To determine whether a document contains or is likely to contain either exempt or confidential information - Assistant Chief Executive (Legal and Democratic Services).

Summary document re Area Committees

3.1.11 **Appendix D** contains an extract from the “Summary and Explanation” document in Part 1 of the Constitution, namely text currently on page 13 of the Constitution regarding Area Committees. This amendment is recommended to ensure that the description on page 13 more closely reflects what Area Committees now do.

Area Committees’ Terms of Reference

3.1.12 **Appendix E** contains proposed amendments to Area Committees’ Terms of Reference which are currently on pages 117 and 118 of the Constitution. These amendments are recommended because:-

- (a) There is now one county-wide Community Safety Partnership, rather than seven district-wide Community Safety Partnerships.
- (b) The budgets, to which the existing text refers, have ceased to exist eg the County Community Fund; budgets for the Area Committees’ deployment of a Highways General Maintenance Unit; and Area Committee Budgets.

Council Procedure Rules

3.1.13 Some proposed changes to the Council Procedure Rules in the Constitution are set out below.

3.1.14 Regarding County Council meeting dates, the Constitution currently provides that:

**“1. ANNUAL MEETING OF THE COUNCIL**

**1.1 Timing**

The annual meeting of the Council shall be held on the third Wednesday in May each year or, in an election year, on such other day as the Council shall determine.

.....

**2. ORDINARY MEETINGS**

**2.1 Timing of Meetings**

Meetings of the Council shall be held in every year on the third Wednesday in February, the penultimate Wednesday in July, the second Wednesday in October and the third Wednesday in December or on such other dates as the Council shall determine. The fourth Wednesday in February shall be reserved in the diary, each year, for a further meeting, if necessary, to deal with business left outstanding from the meeting held the previous week.”

3.1.15 Council Procedure Rule 2.1 above requires updating to reflect the move, several years ago, to a November Council meeting in place of the October and December meetings. It is therefore recommended that this Rule be amended as follows:

## “2. ORDINARY MEETINGS

### 2.1 Timing of Meetings

Meetings of the Council shall be held in every year on the third Wednesday in February, the penultimate Wednesday in July, the second Wednesday in ~~October~~ and the third Wednesday in December November or on such other dates as the Council shall determine. The fourth Wednesday in February shall be reserved in the diary, each year, for a further meeting, if necessary, to deal with business left outstanding from the meeting held the previous week.”

3.1.15.1 Members may also wish to take the opportunity to consider whether further flexibility could usefully be afforded in the setting of the specific dates of ordinary Council meetings in the agreed months of February, July and November. Perhaps a delegation to the Monitoring Officer in Consultation with the Chief Executive Officer and the Chairman of Council, to set specific dates to accommodate business needs, for example, to enable timely action in relation to financial settlement.

3.1.16 Regarding **supplemental questions by members of the public**, Council Procedure Rule 9.8 permits a member of the public to ask a supplemental question at ordinary meetings of the Council, the Executive and committees. Rule 9.8 currently states:-

“A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. In these circumstances the speaking time will be limited to one minute. The Chairman may reject a supplementary question on any of the grounds in Rule 9.5 above.”

3.1.17 It might be argued that Rule 9.8 permits a member of the public to ask two questions about one subject matter, although notice need be given of only one of those questions. It has been noted that sometimes the supplemental question, of which notice has not been given, relates to very complex information or seeks an opinion. As notice has not been given, the person responding might be placed at a disadvantage, which is not in keeping with the spirit of permitting questions and statements at meetings by the public. The recommendation set out below suggests an amendment whereby a supplemental question is permitted solely for the purpose of clarifying the information provided in response to the original question and further clarifies, at the suggestion of the Constitution Working Group, that the Member has unlimited time to respond to any supplemental question put to them.

3.1.18 It is proposed that Council Procedure Rule 9.8 be amended by inserting the words shown as tracked changes in the following:-

“A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply and is permitted solely for the purpose of clarifying the information provided in response to the original question. In these circumstances the speaking time for the questioner asking a supplemental question will be limited to one minute. The Member responding to the supplemental question has unlimited time to respond. The Chairman may reject a supplementary question on any of the grounds in Rule 9.5 above.”

The Constitution Working Group acknowledged that this places a big responsibility on the Chairman of the meeting.

Standing Item on public meeting agenda re declaration of interests

- 3.1.19 To promote transparency and accountability, further the Council's statutory duty to promote and maintain high standards of conduct and to accord with best practice across other Councils throughout England, it is proposed to implement a standing item on all agenda for all formal Council, Executive, committee and sub-committee meetings attended by Members of North Yorkshire County Council, and those formal Member meetings where the Council acts as the host authority, to act as an aide memoire to allow for the declaration of interests where required by the Council's ethical framework.
- 3.1.20 Under the Localism Act 2011 and the Council's existing Standards Arrangements, if a Member or voting co-opted Member is present at a meeting of the authority or any of its committee, sub-committee, joint committee or joint sub-committee, and is aware that they have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting which is not already registered in the Register of Members' Interests, then the Member must disclose that interest to the meeting (or, in the case of sensitive interests, the fact that a disclosable pecuniary interests is held, not the details of the interest) and subsequently notify the Monitoring Officer of the interest within 28 days. Subject to any dispensation having previously been granted by the Standards Committee, the Member must not then participate in the discussion and vote on the matter.
- 3.1.21 In practice, some Members feel more comfortable declaring an interest at a meeting even where the interest is already registered in the Register of Members' Interests and they are not required to do so. The Working Group considered whether a standing item should be added to all formal meeting agenda requiring Members to disclose any disclosable pecuniary interest in any matter irrespective of whether or not it has already been registered in the Register of Members' Interests. The Group agreed that a standard item on all agenda for formal meetings reminding Members of the need to declare disclosable pecuniary interests where required by the Members' Code of Conduct would be helpful, but that it should not place any additional requirements on Members and should not require Members to declare any interests not required under the Code.
- 3.1.22 It is therefore recommended that Members agree that a standing item be included on all formal meeting agenda and those formal Member meetings where the Council acts as the host authority, reminding Members of the need to declare interests where required by the Members' Code of Conduct.

**4.0 Other Issues - For Information**

- 4.1 The Constitution Working Group was also advised of the work which is being undertaken regarding the introduction of e-Democracy for Members and the review of IT equipment for Members to help achieve this. The Constitution Working Group noted during their discussion that any rule the Council has restricting the removal of NYCC equipment out of the county is now outdated given modern methods of working and should be reviewed.

**5.0 Policy Implications**

5.1 There are limited policy implications arising from this report in terms of the adoption of the changes listed. As mentioned above, certain Council IT policies may need reviewing in the context of the implementation of e-Democracy for Members.

## **6.0 Financial Implications**

6.1 There are no significant financial considerations arising from this report in terms of the adoption of the changes listed.

## **7.0 Legal Implications**

7.1 The Monitoring Officer is required to review the Constitution periodically. Any proposals which are based on legislative changes are set out in the text in the relevant sections.

## **8.0 Consultation Undertaken and Responses**

8.1 The Constitution Working Group met on 20 January 2016 to consider these changes and the proposals reflected in this report and its appendices have Members' support.

## **9.0 Human Resources Implications**

9.1 The changes proposed will ensure that designations and delegations are correct.

## **10.0 Equalities Implications**

10.1 There are no significant equalities implications arising from this report in terms of the adoption of the changes listed.

## **11.0 Reasons for Recommendations**

11.1 A regular review and update of the Constitution is good practice to ensure that it reflects the business needs of the County Council and complies with any changes in legislation and guidance.

## **12.0 Recommendations**

12.1 That the Executive recommend to the Council:-

- (a) That the amendments to the Constitution, as set out at **Appendix A** to this report, be approved.
- (b) That the amendments to the Contract Procedure Rules as set out in **Appendix B** be approved.
- (c) That the amendments to the Access to Information Procedure Rules as set out in **Appendix C** be approved.
- (d) That the following be approved for inclusion in the list of Proper Officer Functions set out in Article 12 of Part 2 of the Constitution:-

Openness of Local Government Bodies Regulations 2014

- Regulation 8 – To form an opinion as to whether the documents

relating to an officer delegated decision under Regulation 7(2) are background papers for the purpose of this Regulation – Assistant Chief Executive (Legal and Democratic Services).

- Regulation 9 – To determine whether a document contains or is likely to contain either exempt or confidential information - Assistant Chief Executive (Legal and Democratic Services).
- (e) That the proposed amendments to the Constitution regarding Area Committees as set out in **Appendices D** and **E** be approved.
- (f) That the proposed amendments to Council Procedure Rule 2.1 as set out in paragraph 3.1.15 of this report be approved.
- (g) That the proposed amendments to Council Procedure Rule 9.8 as set out in paragraph 3.1.18 of this report be approved.
- (h) That a standing item be included on all formal meeting agenda and those formal Member meetings where the Council acts as the host authority, reminding Members of the need to declare interests where required by the Members' Code of Conduct.

BARRY KHAN

Assistant Chief Executive (Legal and Democratic Services)

County Hall  
Northallerton

25 January 2014

Authors of Report: Josie O'Dowd (Manager – Democratic Services) and Moira Beighton (Lawyer (Professional Support))

Background Documents: (1) The Constitution. (2) Reports considered by the Members' Working Group on the Constitution. A copy of these documents may be inspected in room 11, Brierley Building, County Hall, Northallerton.

Appendices:

Appendix A – Table of proposed amendments to the Constitution

Appendix B – Proposed amendments to the Contract Procedure Rules

Appendix C - Proposed amendments to the Access to Information Procedure Rules

Appendix D - Proposed amendments to the Area Committees' section of the "Summary and Explanation" document in Part 1 of the Constitution

Appendix E - Proposed amendments to Area Committees' Terms of Reference



**Proposed Amendments to Constitution – January 2016**

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

<b><u>PART A: ITEMS FOR DECISION</u></b>			
<b>Provision in Constitution</b>	<b>Current Wording</b>	<b>Proposed Amendment</b>	<b>Reason(s)</b>
Part 2 Articles of the Constitution Article 4 The Full Council The Policy Framework	<p><b>(a) Policy Framework:</b> The policy framework means the following plans and strategies:-</p> <ul style="list-style-type: none"> <li>◆ Local Transport Plan</li> <li>◆ Plans and strategies which together comprise the Development Plan</li> <li>◆ North Yorkshire Community Plan</li> <li>◆ Youth Justice Plan (Youth Offending Team Plan)</li> <li>◆ Council’s Corporate Plan (aka the Council Plan)</li> <li>◆ Food Law Enforcement Service Plan</li> <li>◆ Admissions Policy for Community and Voluntary Schools</li> <li>◆ Children and Young People’s Plan</li> <li>◆ Compact with the Third Sector</li> <li>◆ Education Capital Local Policy Statement</li> <li>◆ Equality and Diversity Policy</li> <li>◆ Household Waste Recycling Centre Policies</li> <li>◆ “lets talk less rubbish” (Revised Joint Municipal Waste Strategy)</li> </ul>	<p><b>(a) Policy Framework:</b> The policy framework means the following plans and strategies:-</p> <ul style="list-style-type: none"> <li>◆ Local Transport Plan</li> <li>◆ Plans and strategies which together comprise the Development Plan</li> <li>◆ North Yorkshire Community Plan</li> <li>◆ Youth Justice Plan (Youth Offending Team Plan)</li> <li>◆ Council’s Corporate Plan (aka the Council Plan)</li> <li>◆ <del>Food Law Enforcement Service Plan</del></li> <li>◆ Admissions Policy for Community and Voluntary Schools</li> <li>◆ Children and Young People’s Plan</li> <li>◆ Compact with the Third Sector</li> <li>◆ Education Capital Local Policy Statement</li> <li>◆ Equality and Diversity Policy</li> <li>◆ Household Waste Recycling Centre Policies</li> <li>◆ “lets talk less rubbish” (Revised Joint Municipal Waste Strategy)</li> </ul>	<p>The proposed amendments to the Policy Framework arise out of reviews of the Policy Framework by Directorates and the rationalisation and standardisation of strategies, policies and procedures.</p> <p>It is recommended that the Food Law Enforcement Service Plan be removed from the Policy Framework as the relaxation of the statutory prescription around the approval process and the reduction in programmed annual food inspections brought about by budgetary cuts combined with a change in approach towards more intelligence led reactive enforcement has lessened the priority level of this Enforcement Plan.</p> <p>It is recommended that the Carers’ Strategy be removed from the Policy Framework as it is not an overarching policy document.</p>

	<ul style="list-style-type: none"> <li>◆ LMS Formula</li> <li>◆ Improvement and Integration: North Yorkshire's Strategy for Special Educational Needs and Disability</li> <li>◆ Treasury Management Policy and Strategy</li> <li>◆ New Look, No Shush! – Library and Information Services Strategy 2008-2023</li> <li>◆ Home to School/College Transport Policy</li> <li>◆ Joint Health and Wellbeing Strategy</li> <li>◆ Carers' Strategy</li> <li>◆ Looked After Children Strategy 2013-2015</li> <li>◆ Corporate Risk Management Policy</li> <li>◆ Highway Maintenance Plan</li> <li>◆ NYCC Flood Risk Management Strategy</li> </ul>	<ul style="list-style-type: none"> <li>◆ LMS Formula</li> <li>◆ Improvement and Integration: North Yorkshire's Strategy for Special Educational Needs and Disability</li> <li>◆ Treasury Management Policy and Strategy</li> <li>◆ New Look, No Shush! – Library and Information Services Strategy 2008-2023</li> <li>◆ Home to School/College Transport Policy</li> <li>◆ Joint Health and Wellbeing Strategy</li> <li>◆ <del>Carers' Strategy</del></li> <li>◆ Looked After Children Strategy 2013-2015</li> <li>◆ Corporate Risk Management Policy</li> <li>◆ Highway Maintenance Plan</li> <li>◆ NYCC Flood Risk Management Strategy</li> </ul>	
<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 1 – Council Committees, their membership and their powers</p> <p>5. Appeals Committee (Home to School Transport)</p> <p>Terms of Reference</p>	<p>2. Appointment of Lay and Independent Members to Panels from members from which they will be drawn, by the Assistant Chief Executive (Legal and Democratic Services), to consider appeals against decisions relating to admission of pupils to schools, selection for admission to schools (where relevant), permanent exclusion from a school and reinstatement to a school.</p>	<p><del>2. Appointment of Lay and Independent Members to Panels from members from which they will be drawn, by the Assistant Chief Executive (Legal and Democratic Services), to consider appeals against decisions relating to admission of pupils to schools, selection for admission to schools (where relevant), permanent exclusion from a school and reinstatement to a school.</del> <u>[Not used]</u></p>	<p>It is proposed to delete Term of Reference 2 from the Committee's Terms of Reference and that this power be recorded in the Officers' Delegation Scheme for the Assistant Chief Executive (Legal and Democratic Services) – see later in this Appendix.</p> <p>It is proposed to insert the words “[Not used]” in Term of Reference 2 to maintain current numbering.</p>
<p>Part 3</p> <p>Responsibility for</p>		<p><i>In section 4.3 (specific delegations to the Corporate Director – Health and Adult Services) insert a new sub-paragraph (e) as follows:</i></p>	<p>To specifically reference the power of the Corporate Director – Health and Adult Services to authorise deprivation</p>

<p>Functions</p> <p>Schedule 4 – Officers’ Delegation Scheme</p> <p>4.3 To the Corporate Director – Health and Adult Services</p>		<p>(e) To authorise deprivation of liberty of a person in any case in which the Council is the supervisory body under the Mental Capacity Act 2005 or any successor legislation.</p>	<p>of liberty of a person in any case in which NYCC is the supervisory body under the Mental Capacity Act 2005 (rather than relying, as currently, on the general delegation to all Chief Officers in para 3.1 of the Officers’ Delegation Scheme).</p>
<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 4 – Officers’ Delegation Scheme</p> <p>4.4 To the Corporate Director – Business and Environmental Services</p>		<p><i>In section 4.4 (specific delegations to the Corporate Director – Business and Environmental Services) insert a new sub-paragraph (e) (iii) as follows:</i></p> <p>(iii) This includes the power to exercise the Council’s powers to consent to, refuse consent to, or require modifications to district/borough councils’ proposals re off street parking orders; and to exercise the County Council’s powers under section 39(6) Road Traffic Regulation Act 1984 to vary or revoke off-street parking orders made by district/borough councils.</p>	<p>To specifically reference these powers of the Corporate Director - Business Environmental Services in the Constitution for the sake of clarity.</p>
<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 4 – Officers’ Delegation Scheme</p> <p>4.6 To the Chief Executive (Legal and Democratic Services)</p>		<p><i>In section 4.6 (specific delegations to the Chief Executive (Legal and Democratic Services)) insert a new sub-paragraph (k) as follows:</i></p> <p>(k) Following consultation with the Chairman of the Appeals Committee (or another Member of that Committee nominated by the Chairman), to appoint lay and independent members to the panels of Members (from which they will be drawn by the Assistant Chief Executive (Legal and Democratic Services)) to consider appeals against decisions relating to admission of</p>	<p>It is proposed to delete Term of Reference 2 from the Appeals Committee (Home to School Transport)’s Terms of Reference and that this power be recorded in the Officers’ Delegation Scheme for the Assistant Chief Executive (Legal and Democratic Services) – see earlier in this Appendix.</p>

		pupils to schools, selection for admission to schools (where relevant), permanent exclusion from a school and reinstatement to a school.	
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## ITEM 7 - APPENDIX B

### NORTH YORKSHIRE COUNTY COUNCIL

#### AUDIT COMMITTEE

3<sup>rd</sup> DECEMBER 2015

#### REVIEW OF THE CONTRACT PROCEDURE RULES

#### Report of the Corporate Director – Strategic Resources

#### 1.0 PURPOSE OF REPORT

- 1.1. To inform Members on the latest thinking relating to potential changes to the Contract Procedure Rules (the Rules).

#### 2.0 BACKGROUND

- 2.1. According to the Audit Committee Terms of Reference the Audit Committee is to review and recommend to the Executive, changes to the Contract Procedure Rules.
- 2.2. A comprehensive review of the Rules takes place following County Council elections every four years; however it is recognised that in the interim there is a need to ensure the Rules are kept up to date for organisational and legal reasons.
- 2.3. This report identifies specific changes to the Rules, set out in **Appendix 1**, for subsequent referral to the Executive. The complete proposed Contract Procedure Rules are set out in **Appendix 2**.
- 2.4. This report seeks to give members of the Audit Committee an overview of the thinking behind the proposed changes which will take effect from 1<sup>st</sup> April 2016.

#### 3.0 PROPOSED FUTURE CHANGES

- 3.1. The Contract Procedure Rules govern how we procure goods, services and works and have over recent years been reviewed annually without significant change. Most changes arise in relation to OJEU procurement processes in response to changes in The Public Contract Regulations. The latest significant amendments were implementation of The Public Contract Regulations 2015, earlier this year.
- 3.2. The revised Public Contract Regulations 2015 aim to:

- Simplify the procurement process
- Speed up procurement process
- Provide a more cost effective procurement processes
- Promote sustainable procurement
- Drive supplier engagement and innovation
- Provide increased flexibility in relation to certain social and other specific service contracts covered by the light touch regime (LTR)
- Open competition to SMEs through removal of the Pre-Qualification Questionnaire for below threshold procurement exercises.

3.3. The Corporate Procurement Strategy sets the vision “to be outcome focused ensuring that all Commissioning, Procurement and Contract Management activity delivers Value for Money and efficiencies for the Council”. The recent changes to The Public Contract Regulations 2015 support the Council in delivering this vision and need to be embraced within the Rules to ensure the flexibilities apply to non-OJEU procurements.

## **4.0 KEY CHANGES**

### **4.1. Financial thresholds and associated procurement process**

4.1.1. Section 2.11 of the revised Rules (**Appendix 2**) sets out the main changes related to the financial thresholds. They are summarised below:-

#### **Goods and Services**

4.1.2. Currently for spend up to £5,000 there is no mandatory process, however Officers must ensure value for money. Under the proposed changes there will be no mandatory process for spend up to £25,000. However if Officers choose to apply this rule they must capture the rationale for not seeking quotations, including how they know the direct award will deliver value for money. This will be captured in a Best Value form. Audit will undertake regular dip sampling related to the application of this Rule to ensure compliance.

4.1.3. It is proposed that for spend between the values of £25,000 up to the OJEU level (£164,176); bids must be sought using the e-tendering system. These will be open for any qualified supplier to bid on, and will allow greater chances for local suppliers and SMEs to bid for our contracts at this level.

#### **Works**

4.1.4. Specifically in relation to Works procurement it is proposed that for spend between the values of £25,000 up to £4,104,394 bids must be sought using the e-tendering system. These will be open for any qualified supplier and also support SMEs and the local economy. .

- 4.1.5. Previously any works procurement above £100,000 would result in a tender. Feedback from local Contractors has informed us the tendering process is seen as overly bureaucratic; time consuming and involves too much paperwork. Contractors want to see a simplified, streamlined process. The revised approach supports this ethos.
- 4.1.6. Members should note that due to the category sourcing strategy in relation to Works procurements the Council has a well-established route to market for this area of spend. The majority of Works expenditure is delivered through a combination of Framework Agreements covering a range of services from small works, larger complex works through to routine maintenance. As such it would only be in exceptional circumstances where we would envisage a bid process taking place outside of a further competition through the Framework Agreements.
- 4.1.7. The way in which the Contractor Framework Agreements are set-up ensures that the most economically advantageous Contractors are awarded places on the initial Framework. The Council then ensures value for money on a case by case basis by running a further competition where appropriate to do so. In other instances the Framework Agreement may be single supplier, however continuous market engagement and contract management ensures value for money is constantly reviewed.

### **Light Touch Regime**

- 4.1.8. The new Light Touch regime (LTR) is a specific set of rules for certain service contracts that tend to be of lower interest to cross-border competition e.g. some social, health and educational services.
- 4.1.9. It is proposed that in relation to procurements with a value of £25,000 - £589,148 which fall into the new LTR bids must be sought using the e-tendering system. These will be open for any qualified supplier to bid on, and will allow greater chances for local suppliers and SMEs to bid for our contracts at this level.
- 4.1.10. Previously any Part B service<sup>1</sup> procurements above £100,000 would be subject to a tendering process. Generally, due to the nature of the services which are governed by this category, such as social care, the tendering process does not necessarily deliver the flexibilities required, in terms of timescales in particular.
- 4.1.11. Due to the nature of the services there will be very few scenarios where the aggregate contract spend in an area such as social care falls below

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<sup>1</sup> Part B services have been removed under the Public Contract Regulations 2015. The Light Touch Regime replaces what was "Part B Services" under the Public Contract Regulations 2006 although the number of services that are covered by LTR is reduced when compared to the previous Part B. This is to ensure that contracts which are of cross boarder interest are exposed to EU competition.

£589,148 and therefore the procurement will be subject to The Public Contract Regulations 2015, Social and Other Specific Services.

- 4.1.12. The LTR empowers public sector organisations to take radical new approaches to the commissioning of areas such as social care. Due to the category sourcing strategy for social care, both Health and Adult Services (HAS) and Children and Young People's Service (CYPS) have established routes to market mainly via Approved Lists and Framework Agreements. The operational model in place to commission work via these mechanisms ensures that value for money is delivered on a case by case basis taking account of the client needs. It should be noted that an added complexity to the category of social care is individual choice which the new LTR enables Councils to take account of. It would only be in exceptional circumstances where procurement would take place on an ad hoc basis.

### **Grants**

- 4.1.13. Both the Contract Procedure Rules and Finance Procedure Rules are currently largely silent around grants, and in particular the decision making process carried out by officers around whether a Grant would be a preferable means to achieving the Councils objectives, rather than following a competitive Bid process.
- 4.1.14. This is now addressed under section 21 of the Contract Procedure Rules, and will be accompanied by additional guidance for Officers in the Procurement Manual.
- 4.1.15. Where the value of a Grant exceeds £25,000, there is discretion to conduct a competitive application process for the award of that Grant if doing so demonstrates best value for the Council. If there is no competitive application process then the Best Value Form must be completed to capture the rationale for the decision.
- 4.1.16. Where the value of a Grant exceeds the relevant EU Threshold, the Gateway Process must be followed. This will provide additional scrutiny and assurance that value for money is attained and the required outcomes are delivered.

### **4.2. Transparency**

- 4.2.1. We will continue to ensure transparency of forthcoming expenditure for contracts using the Forward Procurement Plan (FPP) which is published to all potential suppliers to raise awareness of opportunities to work with the council. Previously the FPP detailed all contracts above £10,000. It is proposed that all expenditure is now included in the FPP.
- 4.2.2. With the introduction of the national Contracts Finder system, where appropriate, the Council will publish all contracting opportunities on this system.



4.2.3. Where the procurement is subject to the OJEU threshold the opportunity will be published in the official journal. As such all of the above will ensure openness and transparency.

### **4.3. Financial thresholds and internal Gateway approval**

4.3.1. Under the proposed changes Officers will only be required to complete the Gateway process for procurement in line with the relevant OJEU threshold e.g.

- Goods and Services £164,176
- Social and Other Specific Services £589,148
- Works £1,000,000

4.3.2. Under the previous Rules all procurements over £100,000 were subject to the Gateway process. This aligns the Gateway process to the Public Contract Regulations 2015 financial thresholds<sup>2</sup>, the point at which the OJEU tendering process applies.

4.3.3. As outlined in section 4.1 above, due to the aggregated contract value on Social and Other Specific Services and Works procurements the overarching route to market will be subject to the Gateway process.

### **4.4. Small and Medium Enterprise (SMEs)**

4.4.1. Through our procurement initiatives, including the Corporate Procurement Strategy and some of the key changes outlined within this report, we are ensuring that SMEs have access to NYCC contract opportunities, making it easier for them to do business with us and therefore aiming to increase spend either directly or in supply chains, which goes to SMEs and the local economy.

4.4.2. Section 4.2 of the report outlines how we will ensure transparency of the opportunities. We will continue to publish the FPP quarterly, detailing the procurement pipeline, giving businesses the confidence and time to invest in skills and capabilities to deliver the contracts. This will also enable SMEs to identify opportunities for collaborative working to deliver contracts.

4.4.3. Further to this, through the commissioning and procurement cycle we are engaging SMEs and voluntary and community sector organisations through early market engagement. This helps develop the overarching strategy and ensures that we work together to take innovative approaches to delivering services which meet future customer and business needs.

4.4.4. Simplifying the process and operating to more flexible EU procurement rules where applicable will also support SMEs as the process is less bureaucratic; time/resource intensive and less costly.

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<sup>2</sup>With the exception of Works procurements where the Gateway process will take effect for spend of £1m+.

## **5.0 RECOMMENDATIONS**

- 5.1. Members of the Audit Committee are requested to note the contents of the report and to offer any observations in advance of a formal request for changes to the Rules.

Gary Fielding  
Corporate Director, Strategic Resources

Author of Report –

Gary Fielding  
Corporate Director, Strategic Resources

and

Kevin Draisey  
Head of Procurement and Contract Management  
17 November 2015

Report and supporting appendices amended 16<sup>th</sup> December 2015.

CONTRACT PROCEDURE RULES

SUGGESTED AMENDMENTS

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		Not currently included	<b>Best Value Form</b> means the form to be completed to capture the rationale for not seeking bids in accordance with <b>Rule 8.1</b>	To provide clarity.
		<b>Contract Register</b> means the register of Contracts maintained by the Council as set out in <b>Rule 17.8</b>	<b>Contract Register</b> means the register of Contracts maintained by the Council as set out in <b>Rule 16.8</b>	To provide clarity. Amendment of Rule reference.
		Not currently included	<b>Directors Recommendation</b> means a written record of the decision and justification to apply one of the exceptions set out in <b>Rule 15.1</b> to be signed and kept by the relevant Director.	To provide clarity.
		Not currently included	<b>Electronic Signature</b> means an advanced electronic signature which is:  (i) uniquely linked to the signatory; and  (ii) capable of identifying the signatory; and  (iii) created using means that the signatory can maintain under	To ensure there is the ability to accept electronic signatures where appropriate.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
			<p>his/her sole control; and</p> <p>(iv) linked to the data to which it relates in such a manner that any subsequent change of the data is detectable.</p>	
		<b>FPP</b> means the Forward Procurement Plan maintained as described in Rule 17.5.	<b>FPP</b> means the Forward Procurement Plan which outlines all future procurement requirements of the Council	To provide clarity.
		Not currently included	<b>ITB</b> means an Invitation to Bid.	To provide clarity.
		Not currently included	<b>Key Decision</b> means a decision made in connection with the discharge of a function which is the responsibility of the Executive as set out in Article 13.03(b) of the Constitution <a href="#">[insert hyperlink]</a>	To provide clarity.
		Not currently included	<b>OJEU Tender</b> means the procurement process to be followed where the estimated whole life value of a Contract exceeds the relevant EU Threshold	To provide clarity.
		Not currently included	<b>Waiver Request Form</b> means the prescribed form to be completed when requesting a waiver in accordance with <b>Rule 15.4</b>	To provide clarity.
2.5	2.5	The CD-SR and the ACE(LDS) have produced a Procurement Manual which provides detailed	The CD-SR and the ACE(LDS) have produced a Procurement Manual which sets out important	To remove repetition. The glossary provides a definition

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		guidance on procurement techniques and the effect of the Rule. The Procurement Manual also sets out important issues to be considered in the procurement context. These Rules should be read in conjunction with the Procurement Manual.	issues to be considered in the procurement context. These Rules should be read in conjunction with the Procurement Manual.	of the Procurement Manual.
2.9	2.10	Wherever possible and appropriate procurement shall be undertaken using the standard precedent documents contained in the Procurement Manual applying to PQQ's, ITT's or to submit quotations. Wherever alternative documents are to be used they must be approved by ACE(LDS) in consultation with CPG(or the DPC) as appropriate.	Wherever appropriate procurement shall be undertaken using the standard precedent documents contained in the Procurement Manual applying to PQQ's, ITT's or ITBs. Wherever alternative documents are to be used they must be approved by the Director and where appropriate the ACE(LDS).	To provide clarity. To comply with the Gateway process. All documentation is approved by the DPC.
N/A	2.11	Not currently included	Where the total Contract value for procurement is within the values in the first column of Tables 1-3, below, the award procedure in the second column must be followed.	
N/A	Table 1 -3	Not currently included	Added a table which outlines minimum requires related to financial thresholds.	To provide clarity. To provide improved flexibilities for Procurement staff.
4.2	4.2	Directors shall ensure that a written record of the decision to procure a Contract is made and, where such a decision comprises a Key Decision under the Constitution, Directors shall ensure that it is entered on to the Forward Plan and treated as a Key Decision in all respects.	Directors shall ensure that a written record of the decision to procure a Contract is made in line with the Gateway process where <b>Rule 17</b> applies. Where such a decision comprises a Key Decision under the Constitution, Directors shall ensure that it is entered on to the Forward Plan and treated as a Key Decision in all respects.	To provide clarity.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
5.1	5.1	Every contract exceeding £100 shall be evidenced in writing (by the use of a purchase order form exchange of correspondence or other written medium).	Every contract shall be evidenced in writing (by the use of a purchase order exchange of correspondence or other written medium).	To make it explicate that all purchases should be covered by a form of contract.
5.2	5.2	Every contract exceeding £25,000 in value shall be documented by a written form of agreement. Wherever appropriate and possible, such written agreements shall be made on the basis of terms and conditions agreed by the ACE(LDS). Such terms and conditions may be incorporated into standard order conditions. The Council may accept different terms and conditions proposed by a Contractor provided that the advice of the ACE(LDS) as to their effect has been sought and considered.	Wherever appropriate, and for all Contracts exceeding £25,000 in value, such written agreements shall be made on the basis of terms and conditions agreed by the ACE(LDS). Such terms and conditions may be incorporated into standard order conditions. The Council may accept different terms and conditions proposed by a Contractor provided that the advice of the ACE(LDS) as to their effect has been sought and considered.	To provide clarity.
5.3	5.3	<p>The written form of agreement for all contracts exceeding £25,000 in value must clearly specify the obligations of the Council and the Contractor and shall include:-</p> <p>(a) the work to be done or the Supplies, Services or Social and Other Specific Services to be provided</p> <p>(b) the standards which will apply to what is provided</p>	<p>The written form of agreement must clearly specify the obligations of the Council and the Contractor and shall include:-</p> <p>(a) the work to be done or the Supplies, Services or Social and Other Specific Services to be provided</p> <p>(b) the standards which will apply to what is provided</p>	To provide clarity.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		<p>(c) the price or other consideration payable</p> <p>(d) the time in which the Contract is to be carried out</p> <p>(e) the remedies which will apply to any breach of Contract.</p>	<p>(c) the price or other consideration payable</p> <p>(d) the time in which the Contract is to be carried out</p> <p>(e) the remedies which will apply to any breach of Contract.</p>	
5.4	N/A	Where considered appropriate by the CD-SR, term contracts and framework contracts may include a financial limit above which value, work to be done or Supplies, Services or Social and Other Specific Services to be supplied shall be subject to a separate procurement exercise in accordance with these Rules.	Delete	This relates to practicalities of procurement and does not require a specific rule.
5.5	5.4	<p>The written form of agreement for all contracts exceeding £25,000 in value must include the following or equivalent wording:-</p> <p>(a) "If the Contractor:-</p> <p>(i) Has offered any gift or consideration of any kind as an inducement or disincentive for doing anything in respect of this Contract or any other Contract with the Council, or</p> <p>(ii) Has committed any offence under the Prevention of Corruption Acts 1889 to 1916 or the</p>	<p>The written form of agreement for all Contracts exceeding £25,000 in value must include the following or equivalent wording:-</p> <p>(a) "If the Contractor:-</p> <p>(i) Has offered any gift or consideration of any kind as an inducement or disincentive for doing anything in respect of this Contract or any other Contract with the Council, or</p> <p>(ii) Has committed any offence under the Bribery Act 2010, or</p>	To provide clarity.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		<p>Bribery Act 2010, or</p> <p>(iii) Has committed an offence under Section 117 (2) of the Local Government Act 1972</p> <p>the Council may terminate the Contract immediately and will be entitled to recover all losses resulting from such termination”.</p>	<p>(iii) Has committed an offence under Section 117 (2) of the Local Government Act 1972</p> <p>the Council may terminate the Contract immediately and will be entitled to recover all losses resulting from such termination”.</p>	
6.1	6.1	<p>Every written Contract must be either signed or sealed in accordance with this Rule and where Contracts have a value exceeding £50,000 they <u>must</u> be either sealed, or signed by two Officers as described below.</p>	<p>Every written Contract must be either signed or sealed in accordance with this Rule.</p>	<p>To provide clarity. Further amendments under Rule 6 provide further clarity on which Officers can sign contracts.</p>
6.2.1	6.3	<p>The ACE(LDS) also authorises such Contracts to be signed by Directors (or by an Officer authorised by a Director to sign on the Director’s behalf) up to and including £500,000 provided that:-</p> <p>(a) appropriate authority exists for the Council to enter into the Contract, and</p> <p>(b) the Contract is either:-</p> <p>(i) in a nationally recognised form, or</p> <p>(ii) a standard form prepared or approved by the ACE(LDS), or</p> <p>(iii) is otherwise in a form approved by the ACE(LDS); and</p> <p>(c) any variations to approved forms of Contract must themselves be approved by the ACE(LDS), whether or not they are effected by amending the</p>	<p>The ACE(LDS) also authorises such Contracts to be signed as outlined in <b>Rule 2.11</b>, Table 1-3 provided that:-</p> <p>(a) appropriate authority exists for the Council to enter into the Contract, and</p> <p>(b) the Contract is either:-</p> <p>(i) in a nationally recognised form, or</p> <p>(ii) a standard form prepared or approved by the ACE(LDS), or</p> <p>(iii) is otherwise in a form approved by the ACE(LDS); and</p>	<p>To provide clarity on which Officers are authorised to sign contracts.</p>



Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		Contract itself or by correspondence	(c) any variations to approved forms of Contract must themselves be approved by the ACE(LDS), whether or not they are effected by amending the Contract itself or by correspondence	
6.2.2	N/A	Contracts that exceed £500,000 shall be signed by:  (a) the ACE(LDS) (or a Legal and Democratic Services' Officer authorised by him); and (b) an authorised signatory in the relevant Directorate (or another Legal and Democratic Services' Officer authorised by the ACE(LDS)).	Delete	Further amendments to Rule 6 and the additional information added at Rule 2.11 provides clarity on signing of contracts.
6.2.3	6.4	Only the ACE(LDS) (or a Legal and Democratic Services' Officer authorised by the ACE(LDS)) may seal a Contract on behalf of the Council, in each case being satisfied that there is appropriate authority to do so.	Only the ACE(LDS) (or a Legal and Democratic Services' Officer (LDSO) authorised by the ACE(LDS)) may seal a Contract on behalf of the Council, in each case being satisfied that there is appropriate authority to do so.	Re-numbering.
N/A	6.5	Not currently included.	Signatures may be affixed to a Contract either using physical, handwritten means or an Electronic Signature, as appropriate and in accordance with both UK and European law.	To provide clarity.  To ensure there is the ability to accept electronic signatures where appropriate.
N/A	6.6	Not currently included.	Electronic Signatures may only be affixed using the Council's chosen electronic signature system or an approved alternative.	To provide clarity.  To ensure there is the ability to accept electronic signatures where appropriate.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
				appropriate.
N/A	6.7	Not currently included.	<p>The use of Electronic Signatures is not permitted in circumstances where:</p> <ul style="list-style-type: none"> <li>(a) the Contract is to be sealed;</li> <li>(b) a physical, handwritten signature needs to be filed;</li> <li>(c) there is a proviso in the Contract which prevents the use of an Electronic Signature;</li> <li>(d) the Contract may need to be enforced in a jurisdiction where Electronic Signatures are not accepted;</li> <li>(e) the Contract needs to be notarised.</li> </ul>	<p>To provide clarity.</p> <p>To ensure there is the ability to accept electronic signatures where appropriate.</p>
7.1	7.1	Directors (in consultation with the CD-SR) shall consider whether to include provision for the payment of liquidated damages by a Contractor for breach of Contract in all contracts which exceed £100,000 in value. Such consideration shall be recorded in the Gateway Processes.	Where appropriate Directors (in consultation with the CD-SR) shall consider whether to include provision for the payment of liquidated damages by a Contractor for breach of Contract. Such consideration shall be recorded in the Gateway Process (Stage 1).	To provide clarity.
8.1	8.1	Where the estimated value of a contract is £5,000 or less the invitation of quotations is not mandatory, but written quotations should be invited where	Where the estimated value of a Contract is £25,000 or less the invitation of Bids is not mandatory, but written Bids should be invited	To increase the threshold for Officers being able to demonstrate best value

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		appropriate and best value should always be sought.	where appropriate and best value should always be sought. If an Officer is not seeking three Bids then the Best Value Form must be completed to capture the rationale for this decision.	without the need to complete a bid process as outline in Rule 8.2.  To ensure that where Officers are not seeking bids a rational for this is captured.  To provide flexibility.
8.2	8.2	If the estimated value of a contract exceeds £5,000 but is less than £100,000 at least three written quotations must be invited from suitable potential Contractors. The estimated value of the Contract shall be recorded in writing prior to quotations being sought. Quotations with a value exceeding £5,000 should be invited using the E-Sourcing System and quotations above £25,000 <b>must</b> be invited using the E-Sourcing system.	If the estimated value of a Contract exceeds £25,000 but is less than the appropriate EU Threshold, Bids must be invited from all potential Contractors in accordance with <b>Rule 2.11, Tables 1-3</b> . A notice advertising the opportunity shall be published through the E-Sourcing System and on Contracts Finder and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the value, location and subject matter of the Contract. The notice shall specify brief details of the Contract, how the ITB documents may be obtained and the closing date for receipt of Bids by the Council.	To provide flexibility and clarity.  Contract value is recorded on the evaluation model and on the FPP this relates to BAU process.
8.3	N/A	If a Director, in consultation with the DPC, considers it to be appropriate that any ITQ shall be available to all potential Participants then a notice advertising the opportunity shall be published through the E-Sourcing System and on Contracts Finder and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the	Delete	This detail is more appropriate for the Procurement Manual and will be reflected in this practical guidance document.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		value, location and subject matter of the Contract. The notice shall specify brief details of the Contract, how the ITQ documents may be obtained and the closing date for receipt of quotations by the Council.		
8.4	8.3	All potential Contractors invited to submit quotations shall be provided in all instances with identical information and instructions. Where considered appropriate, Directors may permit potential Contractors who have been selected to submit quotations under <b>Rule 8.2</b> to also submit variant quotations (i.e. quotations which do not comply with some or all of the requirements of the primary quotation). The same opportunity to submit variant quotations must be given to all potential Contractors	All potential Contractors invited to submit Bids shall be provided in all instances with identical information and instructions. Where considered appropriate, Directors may permit potential Contractors who have been invited to submit Bids under <b>Rule 8.2</b> to also submit variant Bids (i.e. Bids which do not comply with some or all of the requirements of the primary Bid). The same opportunity to submit variant Bids must be given to all potential Contractors.	Amended reference from quotation to bid and re-numbering only.
8.5	8.4	<p>A written quotation may only be considered if:-</p> <p>(a) it has been received electronically through the E-Sourcing System, or</p> <p>(b) it has been received in a sealed envelope marked "Quotation" and indicating the subject matter of the quotation and</p> <p>(c) it has been opened after the expiry of the deadline for submissions and at the same time as other quotations for the same subject</p>	<p>A written Bid may only be considered if:-</p> <p>(a) it has been received electronically through the E-Sourcing System, or</p> <p>(b) (where permitted in exceptional circumstances) it has been received in a sealed envelope marked "Bid" and indicating the subject matter of the Bid and</p> <p>(c) it has been opened after the expiry of the deadline for submissions and at the same time as other Bids for the same subject matter in the presence of at least two Officers authorised to open Bids..</p>	<p>To provide clarity.</p> <p>Amended reference from quotation to bid.</p> <p>Re-numbering.</p>

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
8.6	8.5	Before quotations of a value in excess of £25,000 are requested it must be recorded in writing whether the lowest price or the most economically advantageous quotation should be accepted. Where both price and quality are to be factors (i.e. where the most economically advantageous quotation applies) the quality criteria must be identified and the weighting between price and quality established and recorded before quotations are requested. The criteria should be stated in the request for quotation sent to suppliers.	Before Bids with a value in excess of £25,000 are requested the evaluation criteria must be recorded in writing in the ITB evaluation model. The evaluation criteria must be identified and the weighting between price and quality established and stated in the request for Bids sent to Participants.	To provide clarity. Amended reference from quotation to bid. Re-numbering.
8.7	N/A	Price/quality quotation evaluation models shall be lodged with Internal Audit before any quotations are opened. The Director shall evaluate quotations using the evaluation model lodged with Internal Audit.	Delete.	Evaluation models are held on YORtender and auditable. Rule 8.5. ensures evaluation models are prepared prior to submission of bids.
8.8	8.6	If a quotation other than the lowest or the most economically advantageous quotation (as the case may be) is to be accepted, the written approval of the Director (in consultation with the CD-SR or if the relevant Director is the CD-SR, in consultation with the Chief Executive) shall be sought and obtained before the quotation is accepted.	If a Bid other than the most economically advantageous Bid is to be accepted, the written approval of the Director (in consultation with the CD-SR or if the relevant Director is the CD-SR, in consultation with the Chief Executive) shall be sought and obtained before the Bid is accepted.	To provide clarity. Most economically advantageous bid covers price only as well as price and quality. Re-numbering.
8.9	8.7	A quotation for a price in excess of £100,000 may be accepted if (and only if):-  (a) the original documented estimated price was less than £100,000 and (b) the price quoted does not exceed that	A Bid cannot be accepted where the value exceeds the relevant EU Threshold. If the value of the Bid exceeds the relevant EU Threshold a Director must seek tenders in accordance with <b>Rules 10 and 11.</b>	To provide clarity. Re-numbering.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		<p>original documented estimated price by more than 10% and</p> <p>(c) the written approval of the Director (in consultation with the CD SR) has been obtained.</p> <p>If the conditions at (a), (b) and (c) are not met, Directors must seek tenders in accordance with the Rule 9 and 10.</p>		
8.10	N/A	Where a quotation involves payment to the Council, the provisions of <b>Rules 8.5 and 8.7</b> shall apply except that the word “lowest” shall be replaced by the word “highest” in these paragraphs.	Delete	To provide clarity. Amendments to Rule 8. Means Rule 8.10 is no longer applicable.
8.11	8.9	Quotations may be altered only in accordance with <b>Rules 13.1 and 13.2.</b>	Bids may be altered only in accordance with <b>Rule 9.</b>	To provide clarity – change of Rule reference.
8.12	8.8	Before a Contract is awarded after a quotation exercise such steps shall be taken, in conjunction with the CD-SR, as are reasonably necessary (having regard to the subject matter, value, duration of the Contract and other relevant factors) to complete a risk assessment of the potential Contractor’s financial stability.	Before a Contract is awarded after a Bid exercise such steps shall be taken by the Responsible Officer, in conjunction with the CD-SR, as are reasonably necessary (having regard to the subject matter, value, duration of the Contract and other relevant factors) to complete a risk assessment of the potential Contractor’s financial stability.	Amended reference from quotation to bid. Re-numbering.
13.0	9.0	<p><b>POST TENDER NEGOTIATION AND CLARIFICATION</b></p> <p>13.1 Post tender negotiations may not be undertaken where the value of the Contract</p>	<p><b>POST BID NEGOTIATION AND CLARIFICATION</b></p> <p>9.1 Post Bid negotiations may not be undertaken where the value of the Contract</p>	To provide clarity. Due to changes in thresholds negotiations can only be

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		<p>exceeds the relevant EU Threshold.</p> <p>13.2 Post tender negotiations with selected tenderers shall only be carried out where:-</p> <p>13.2.1 post tender negotiations are permitted by law; and</p> <p>13.2.2 the Director in consultation with the CPG considers that added value may be obtained; and</p> <p>13.2.3 that post tender negotiations are to be conducted by a team of suitably experienced officers approved by the Director and who have been trained in post tender negotiations; and</p> <p>13.2.4 a comprehensive, written record of the negotiations is kept by the Council; and</p> <p>13.2.5 a clear record of the added value to be obtained as a result of the post tender negotiations is incorporated into the Contract with the successful Participant.</p> <p>13.3 <b>Rules 13.1 and 13.2</b> shall not operate to prevent clarification of all or part of any tender to the extent permitted by law and where such clarifications are sought the provisions of <b>Rules 13.2.3 and 13.2.4</b> shall apply, except that the word "clarification" shall be substituted for the word "negotiation" in these Rules.</p>	<p>exceeds the relevant EU Threshold. If the value of a Bid exceeds the relevant EU Threshold, the Director must invite tenders in accordance with <b>Rules 10 and 11</b>.</p> <p>9.2 Post Bid negotiations with selected Participants shall only be carried out where:-</p> <p>(a) post Bid negotiations are permitted by law; and</p> <p>(b) the Director in consultation with the DPC considers that added value may be obtained; and</p> <p>(c) post Bid negotiations are conducted by a team of suitably experienced Officers approved by the Director who have been trained in post Bid negotiations; and</p> <p>(d) a comprehensive, written record of the post Bid negotiations is kept by the Director; and</p> <p>(e) a clear record of the added value to be obtained as a result of the post Bid negotiations is incorporated into the Contract with the successful Participant.</p> <p>9.3 <b>Rules 9.1 and 9.2</b> shall not operate to prevent clarification of all or part of any Bid to the extent permitted by law and where such clarifications are sought the provisions of <b>Rules 9.2 (c) and 9.2 (d)</b> shall apply, except that the</p>	<p>undertaken in relation to bids.</p>

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
			word "clarification" shall be substituted for the word "negotiation" in these Rules.	
9.1	N/A	If the estimated value of the contract is £100,000 or more electronic tenders shall be invited in accordance with the provision of this Rule.	Delete	To provide clarity and take account of amended thresholds.
9.2	10.1	If the estimated value of the Contract exceeds the relevant EU Threshold the additional requirements for OJEU Procurements, set out in <b>Rule 10.3</b> , shall be followed.	Tenders for Contracts which exceed the EU Threshold shall be invited and awarded in accordance with the PCRs and as prescribed in <b>Rule 10 and 11</b> .	To provide clarity in light of changes to thresholds.  Re-numbering.
9.3	N/A	Before Directors invite tenders it shall be recorded in writing for all Contracts whether the Contract will be awarded on the basis of price or the Most Economically Advantageous Tender (MEAT), a combination of price and quality.	Delete. Covered by amended wording to the revised Rule 10.2 below.	To provide clarity.
9.4	10.2	If a Contract is to be awarded on the basis of the MEAT, the criteria to be used in the assessment of the quality elements of the tenders and the weighting between price and quality shall be established and recorded in writing before tenders are invited. For all Contracts, the tender assessment criteria, sub-criteria and weightings shall be stated in the ITT.	Before an OJEU Tender is requested the evaluation criteria to be applied to the OJEU Tender must be recorded in writing in the ITT evaluation model. The evaluation criteria must be identified and the weighting between price and quality established and stated in the ITT sent to Participants.	To provide clarity.
N/A	10.3	Not currently included.	Irrespective of the procurement process being undertaken an OJEU notice must be published through the E-Sourcing system.	To provide clarity.



Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
9.5	N/A	If a Contract is to be awarded on a price only basis it shall be recorded whether the award will be made on the basis of the lowest price or any other tendered price. Where a tender involves payment to the Council, the provisions of this Rule shall apply except that the word “lowest” shall be replaced by the word “highest”.	Delete	To provide clarity in light of changes within the new Rule 10.
9.6	10.4	All Participants invited to submit tenders shall be provided with identical instructions and information.	All Participants invited to submit OJEU Tenders shall be provided in all instances with identical instructions and information.	To provide clarity.
9.7	10.5	Where considered appropriate, a Director may, in consultation with the DPC, permit Participants to submit variant tenders (i.e. tenders which do not comply with some or all of the requirements of the primary tender). The same opportunity to submit variant tenders shall be given to all Participants. Variant tenders shall only be considered if the Participant also submits a compliant primary tender.	Where considered appropriate, a Director may, in consultation with the DPC, permit Participants to submit variant OJEU Tenders (i.e. tenders which do not comply with some or all of the requirements of the primary tender). The same opportunity to submit variant OJEU Tenders shall be given to all Participants. Variant OJEU Tenders shall only be considered if the Participant also submits a compliant primary tender.	To provide clarity and re-numbering.
9.8	N/A	Evaluation models for PQQ’s and ITT’s shall be lodged with Internal Audit before any submission documents are opened. The evaluation model shall not be divulged to Participants.	Delete	Evaluation models are held on YORtender and auditable. The new Rule 10.2. Ensure evaluation models are prepared prior to submission of bids.
9.9	N/A	Directors shall invite tenders on the basis of one of the options identified in <b>Rule 10</b> .	Delete – revised Rule 11 outlines options for OJEU tenders.	To provide clarity. Re-numbering.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
N/A	10.6	Not currently included.	The evaluation of the OJEU Tender submissions shall be carried out by Officers who are considered appropriate having regard for the subject matter and value of the Contract.	To provide clarity. Re-numbering.
10.1	N/A	<p><b>10.1 Open Tenders</b></p> <p>10.1.1 If a Contract (including a Contract for Social or Other Specific Services or a contract for Works) has a value in excess of £100,000 but below £172,514 then the following procedures shall apply:-</p> <p>(i) A notice advertising the opportunity shall be published through the E-Sourcing System and Contracts Finder and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the value, location and subject matter of the Contract. The notice shall specify brief details of the Contract, how the ITT documents may be obtained and the closing date for receipt of tenders by the Council.</p> <p>(ii) The deadline date for the return of tenders shall be at least 28 days after the publication of the first advertisement of the ITT and, where relevant, at least 14 days after the last ITT advertisement is published.</p> <p>(iii) The criteria which are to be applied in the evaluation of the tenders shall be recorded in writing before ITT's are issued and shall be included in the documents provided to all Participants.</p> <p>(iv) The evaluation of the tenders shall be carried out by Officers, nominated by the Director in consultation with the DPC, who are considered appropriate having regards for the subject matter</p>	Delete	<p>To provide clarity – due to changes in the thresholds all procurements under EU thresholds will be bids, therefore open procedure does not apply.</p> <p>OJEU tender options covered in Rule 11.</p>

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		<p>and value of the Contract.</p> <p>(v) The evaluation model shall be lodged with Internal Audit before any submission documents are opened, The evaluation model shall not be divulged to Participants.</p>		
10.2		<p><b>10.2 Restricted Tenders</b></p> <p>10.2.1 Only in the case of Social or Other Specific Service contracts or Works contracts in excess of £172,514 if a Director, in consultation with the DPC, considers it appropriate that any ITT shall be restricted to selected Participants by issuing a PQQ to all potential Participants followed by an ITT to those Participants selected at the PQQ stage then the following procedures shall apply:</p> <p>(i) A notice advertising the opportunity and inviting expressions of interest shall be published through the E-Sourcing System and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the value, location and subject matter of the Contract. The notice shall specify brief details of the Contract and invite potential Participants to complete and submit a PQQ to the Council in order to be considered to be invited to tender. The notice shall include details as to how PQQ's are to be submitted and the closing date for their receipt by the Council.</p> <p>(ii) The deadline date for return of PQQ's shall be at least 28 days after the publication of the first advertisement of the opportunity and, where relevant, at least 14 days after the last</p>	Delete	<p>To provide clarity – detailed guidance on completing a Restricted OJEU process will be in the Procurement Manual and the Public Contract Regulations 2015.</p> <p>OJEU tender options covered in Rule 11.</p>

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		<p>advertisement is published.</p> <p>(iii) The selection criteria which are to be applied in the evaluation of the PQQ's shall be recorded in writing before the PQQ's are invited and shall be included in the documents provided to all Participants.</p> <p>(iv) The evaluation of the PQQ's shall be carried out by Officers, nominated by the Director in consultation with the DPC, who are considered appropriate having regards for the subject matter and value of the Contract.</p> <p>(v) After evaluation of the PQQ's, ITT's shall be published to at least five Participants or, if less than five potential Participants applied or are considered suitable, such Participants as have been selected by the Director.</p> <p>(vi) The deadline date for the receipt of tenders shall be at least 28 days after the date of dispatch of the ITT's.</p> <p>(vii) The criteria which are to be applied in the evaluation of the tenders shall be recorded in writing before ITT's are published and shall be included in the documents provided to all Participants.</p> <p>(viii) The evaluation of tenders shall be carried out by Officers, nominated by the Director in consultation with the DPC, who are considered appropriate having regards for the subject matter and value of the Contract.</p> <p>(ix) The evaluation model shall be lodged with Internal Audit before any submission documents are opened. The evaluation model shall not be divulged to potential Contractors.</p>		

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
10.3	N/A	Tenders for Contracts which exceed the EU Threshold shall be invited and awarded as prescribed in <b>Rule 10.1.1(i) to (v)</b> or <b>Rule 10.2.1(i) to (ix)</b> but taking into account the following amendments:	Delete.	To provide clarity.
10.3.1	N/A	<b>Open Tenders:</b> the deadline date for the return of tenders shall be a minimum of 35 days after the publication of the first advertisement of the ITT. The actual deadline date shall be determined having taken into consideration the complexity of the Contract and the time required for the completion of the tender documents by Participants. The requirement for 35 days may be reduced to 30 days when using the E-Sourcing System. Where a Prior Information Notice (PIN) has been published the minimum time limit may be reduced to 15 days.	Delete.	Detailed process guidance on timescales will be in the Procurement Manual and the Public Contract Regulations 2015
10.3.2	N/A	<b>Restricted Tenders:</b> the deadline date for the return of PQQ's shall be at least 30 days after the publication of the first advertisement of the opportunity. The deadline date for the receipt of tenders shall be at least 30 days after the date of publication of the ITT. The requirement for 30 days may be reduced to 25 days after the publication of the first advertisement of the opportunity for the return of the PQQ and reduced to 25 days for the return of the ITT after the date of its publication when using the E-Sourcing System. Where a PIN has been published the minimum period may be	Delete	Detailed process guidance on timescales will be in the Procurement Manual and the Public Contract Regulations 2015

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		reduced to 10 days for return of ITT.		
10.4.1	N/A	If a Director considers it appropriate to establish a Framework Agreement then the Framework Agreement shall be established using the procedures set out in either <b>Rule 10.1.1(i) to (v) or 10.2.1(iv) to (ix)</b> .	Delete	To provide clarity. The route to market is approved via the Gateway Process.
10.4.2	N/A	Where the value of the proposed Framework Agreement exceeds the EU Threshold, the procedure prescribed by the PCR's shall apply to all aspects of the procurement and to the subsequent operation of the Framework Agreement including, but not limited to:- (i) the procurement methodology; (ii) the placement of orders under the Framework Agreement; (iii) further competition between Contractors appointed to the Framework Agreement.	Delete	Options for OJEU tenders are outlined in Rule 11. Procedural application is covered in the Procurement Manual.
10.4.3	N/A	The duration of a Framework Agreement shall be limited, as prescribed by the PCR's, to a maximum of four years including any extension periods.	Delete	Options for OJEU tenders are outlined in Rule 11. Procedural application is covered in the Procurement Manual.
10.5.1	N/A	If a Director considers it appropriate to maintain a list of suitable Contractors for particular types of Work and/or Supplies and/or Services and/or Social and Other Specific Services, where the estimated value of the Work and/or Supplies and/or Services and/or Social and Other Specific Services is below the relevant EU Threshold, the list of suitable Contractors shall be established using the	Delete	Options for OJEU tenders are outlined in Rule 11. Procedural application is covered in the Procurement Manual.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		<p>procedures set out below:-</p> <p>(i) A notice inviting expressions of interest shall be published through the E-Sourcing System and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the value, location and subject matter of the Contract. The notice shall specify brief details of the Contract and invite potential Participants to apply to the Council to be considered for inclusion on the approved list by the Council. The notice shall include details as to how expressions of interest are to be submitted and the closing date for their receipt by the Council.</p> <p>(ii) The deadline date for the return of expressions of interest shall be at least 28 days after the publication of the first advertisement of the expressions of interest and, where relevant, at least 14 days after the last advertisement is published.</p> <p>(iii) The selection criteria which are to be applied in the evaluation of the expressions of interest shall be recorded in writing before expressions of interest are invited and shall be included in the documents provided to all Participants.</p> <p>(iv) The evaluation of expressions of interest shall be carried out by Officers, nominated by the Director in consultation with the DPC, who are considered appropriate having regards for the subject matter and value of the Contract. The Director shall then maintain a list of such approved Contractors categorised by Works/Supplies/Services/Social and Other Specific</p>		

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		<p>Services type and value as may be applicable.</p> <p>(v) The Director shall review the performance of all Contractors on the approved list at regular intervals, not exceeding 12 months from the date of appointment of the Contractor to the approved list.</p> <p>(vi) The Director may remove Contractors from an approved list where the Director and CD-SR agree that such removal is appropriate, having regards for the conduct, performance and/or status of the Contractor in relation to those standards identified in the original expressions of interest.</p> <p>(vii) The Director may, after consultation with the CD-SR approve an application from a potential Contractor to be added to an existing approved list.</p> <p>(viii) ITT's or Invitations to Quote shall be invited in accordance with <b>Rule 10</b> or <b>Rule 8</b>.</p> <p>(ix) The Director shall maintain records of the tenders or quotations invited from an approved list such that the names of the Contractors invited to tender, the selection process and Contracts awarded to each Contractor are available for inspection.</p> <p>(x) Approved Lists may remain in force for a maximum of five years. Before the expiration of the Approved List a replacement shall be established, if appropriate, in accordance with <b>Rule 10.5</b>.</p>		
10.6	N/A	<p><b>Dynamic Purchasing Systems, Competitive Dialogue Procedure, Competitive Procedure with Negotiation and Innovation Partnership Procedure</b></p> <p>Where a Director, in consultation with the CD-SR, agrees that it is appropriate, a Dynamic Purchasing</p>	Delete	<p>Options for OJEU tenders are outlined in Rule 11.</p> <p>Procedural application is covered in the Procurement Manual.</p>



Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		System, the Competitive Dialogue Procedure, the Competitive Procedure with Negotiation or the Innovation Partnership Procedure may be used for the invitation of tenders in accordance with the requirements of the PCR's.		
N/A	11	Not currently included.	<p>The Gateway Process shall identify which of the following OJEU Tender processes shall be used to invite tenders for Contracts with a value in excess of the relevant EU Threshold:</p> <ul style="list-style-type: none"> <li>(i) the Open Procedure (as prescribed by Regulation 27)</li> <li>(ii) the Restricted Procedure (as prescribed by Regulation 28)</li> <li>(iii) the Competitive Procedure with Negotiation (as prescribed by Regulation 29)</li> <li>(iv) the Competitive Dialogue Procedure (as prescribed by Regulation 30)</li> <li>(v) the Innovation Partnership Procedure (as prescribed by Regulation 31)</li> <li>(vi) Negotiated Procedure without prior publication (as prescribed by Regulation 32)</li> <li>(vii) Framework Agreement (as prescribed by Regulation 33)</li> <li>(viii) Dynamic Purchasing System (as prescribed by Regulation 34)</li> <li>(ix) Electronic auctions (as prescribed by Regulation 35)</li> <li>(x) Electronic catalogues (as prescribed by Regulation 36)</li> <li>(xi) Light Touch Regime (as prescribed by Regulations 74-76)</li> </ul>	<p>To provide clarity. Procedural application is covered in the Procurement Manual.</p>

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
			and such identified process shall be used for the invitation of OJEU Tenders in accordance with the requirements of the PCR's.	
11.1	12.1	A written tender may only be considered if:- (a) it has been received electronically through the E-Sourcing System, or (b) (where permitted) it has been received in hard copy in a sealed envelope marked "Tender" and indicating the subject matter of the tender, and the identity of the Participant cannot be ascertained from the tender envelope, (c) and subject to <b>Rule 11.4</b> , it has been returned electronically through the E-Sourcing System or to the ACE(LDS) (or a person designated by him) in accordance with the instructions contained in the ITT before the tender closing date.	A written OJEU Tender may only be considered if:- (a) it has been received electronically through the E-Sourcing System; or  (b) (where permitted under Regulation 84 (h)) it has been received in hard copy in a sealed envelope marked "OJEU Tender" and indicating the subject matter of the OJEU Tender, and the identity of the Participant cannot be ascertained from the tender envelope; and  (c) (subject to <b>Rule 12.4</b> ) it has been received by the OJEU Tender closing date and time	New Rule 12 amended to provide clarity on receipt of tenders in light of an electronic auditable system and the PCRs 2015.
11.2	12.2	The ACE(LDS) (or a person designated by him) shall be responsible for the reception and safe custody of tenders until they are opened.	Re-numbering only.	

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
11.3	12.3	Tenders, whether electronic or hard copy must be opened at the same time and in the presence of the ACE(LDS) (or a person designated by him) or, where Legal and Democratic Services is undertaking the procurement, the CD-SR (or an Officer designated by him). Whoever opens the tenders shall maintain a record of the tenders received. Such a record shall include the date and time of tender opening, the identity of the Officer(s) present, the identities of Participants and the tendered sums (where readily ascertainable). A copy of such a record shall be provided as soon as practicable to the Director inviting the tenders and to Internal Audit.	OJEU Tenders, whether electronic or hard copy must be opened at the same time and in the presence of the ACE(LDS) (or a person designated by him) or, where Legal and Democratic Services is undertaking the procurement, the CD-SR (or an Officer designated by him). The E-Sourcing System records the date and time of the OJEU Tender opening, the identity of the Officer(s) present, the identities of the Participants and the tendered sums. Where permitted under Regulation 84 (h) and OJEU Tenders are returned in hard copy format a written record shall be maintained of the OJEU Tenders received. Such a record shall include the date and time of OJEU Tender opening, the identity of the Officer(s) present, the identities of Participants and the tendered sums (where readily ascertainable). A copy of such a record shall be provided as soon as practicable to the Director inviting the OJEU Tenders for audit purposes.	To provide clarity. The electronic auditable system will be used. Where electronic copies are not possible (in exceptional circumstance) clarity on Officers authorised to open tenders. Re-numbering.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
11.4	12.4	If a Tender is received after the specified tender closing date it may not be considered unless the ACE(LDS) is satisfied that the Tender was submitted electronically or posted or otherwise dispatched in sufficient time to be delivered before the specified time but that delivery was prevented by an event beyond the control of the Participant and that other tenders have not been opened.	If an OJEU Tender is received after the specified closing date and time it may not be considered unless the ACE(LDS) is satisfied that the OJEU Tender was submitted electronically or posted or otherwise dispatched in sufficient time to be delivered before the specified time but that delivery was prevented by an event beyond the control of the Participant.	To provide clarity. Re-numbering.
12.1	13.1	The Director shall evaluate tenders using the evaluation model lodged with Internal Audit in accordance with <b>Rules 9.8, 10.1.1(v) and 10.2.1(ix)</b> .	The Director shall evaluate OJEU Tenders using the evaluation model published in accordance with <b>Rule 10.2</b> .	To provide clarity. Re-numbering.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
12.2	13.2	If a tender other than the MEAT or the lowest price is to be accepted the written approval of the Director, after consultation with the CD-SR, shall be obtained and a signed and dated record kept of the reasons for the action taken shall be made however, no such approval can be given where the Contract is subject to PCR's other than in exceptional circumstances agreed by the ACE(LDS).	Only in circumstances where an OJEU Tender is agreed by the CD-SR in consultation with the ACE(LDS) to be an abnormally low tender in accordance with the PCR's can an OJEU Tender other than the MEAT be accepted. In these circumstances a signed and dated record of the reasons for the action taken shall be made within the Gateway Process (Stage 3).	To provide clarity. Due to changes in the thresholds all tenders are subject to the PCRs. Re-numbering.
12.3	N/A	Each Director shall maintain an electronic or written record of all successful Participants in a form approved by the CD-SR in accordance with the Council's Document Retention Policy.	Delete	This is business as usual and recorded in the evaluation model and Gateway (Stage 3).
12.4	13.3	If, as a result of the tender evaluation process the Director is satisfied that an arithmetical error has been made inadvertently by a Participant such an error may, after consultation with the Participant, be corrected. The Director shall record any such correction in writing.	If, as a result of the OJEU Tender evaluation process the Director is satisfied that an arithmetical error has been made inadvertently by a Participant such an error may, after clarification with the Participant, be corrected. The Director shall record any such clarification in writing.	To provide clarity. All tenders are subject to the PCRs and as such any discrepancy should be dealt with via clarification. Re-numbering.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
12.5	13.4	Before a Contract is awarded the Director shall, in consultation with the CD-SR, complete a risk assessment to ascertain the financial stability of the successful Participant. The risk assessment shall take into account the subject matter, complexity, duration, value and any other such factors as may be deemed to be relevant. This shall be undertaken in accordance with the Gateway Process (Gateway 3).	Before a Contract is awarded the Director shall, in consultation with the CD-SR, complete a risk assessment to ascertain the financial stability of the successful Participant. The risk assessment shall take into account the subject matter, complexity, duration, value and any other such factors as may be deemed to be relevant. This shall be undertaken in accordance with the Gateway Process (Stage 3).	To provide clarity.  Re-numbering.
12.6	13.5	On completion of the evaluation of the tenders received and once all internal approvals have been obtained, the Director shall write to all Participants informing them of the outcome of the tender evaluation and providing feedback on the content of their tender. Where appropriate such feedback shall be given in accordance with the PCR's.	On completion of the evaluation of the OJEU Tenders received and once all internal approvals have been obtained through the Gateway Process (Stage 3), the Director shall write to all Participants informing them of the outcome of the OJEU Tender evaluation and providing feedback on the content of their submission, in accordance with Regulation 55 of the PCRs.	To provide clarity.  Due to changes in the thresholds all tenders are subject to the PCRs.  Re-numbering.
12.7	13.6	For OJEU tenders the Director shall wait a minimum of ten days from the date of issue of the letters notifying the Participants of the result of the evaluation before completing the Contract with the successful Participant.	The Director shall wait a minimum of ten days (15 days if not sent electronically) from the date of issue of the letters notifying the Participants of the result of the evaluation before completing the Contract with the successful Participant.	To provide clarity.  Due to changes in the thresholds all tenders are subject to the PCRs.  Re-numbering.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
12.8	13.7	For OJEU tenders the Director shall send for publication a Contract Award Notice stating the outcome of the procurement procedure no more than 30 days after the award of the contract.	The Director shall send for publication a Contract Award Notice stating the outcome of the procurement procedure no more than 30 days after the award of the Contract.	To provide clarity. Due to changes in the thresholds all tenders are subject to the PCRs.
12.9	N/A	Where the tender involves payment to the Council <b>Rule 12.2</b> shall apply except that the word “highest” shall be substituted for “lowest” in that Rule.	Delete	Amendments to new Rule 13.2 mean Rule 12.9 (under the current CPRs) is no longer applicable.
14.0	N/A	14.1 Where purchasing cards are issued by the Council the following provisions shall apply:- (a) their use shall be subject to the procedures laid down by the CD-SR (b) cards shall only be issued to, and used by, Officers nominated by a Director (in consultation with the CD-SR) (c) for the purpose of <b>Rule 5.1</b>	Delete	This is part of the Finance Procedure Rules.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
15.0	14.1	The Local Government (Contracts) Act 1997 clarified the power of local authorities to enter into certain contracts, including Private Finance Initiative Contracts. Where Contracts need to be certified under the 1997 Act, only the following Officers are authorised to do so: the Corporate Director Children and Young People's Service, the Corporate Director Business and Environmental Services, the Corporate Director Health and Adult Services and the CD-SR.	Re-numbering only.	
16.1	15.1	A Director does not need to invite quotations or tenders in accordance with <b>Rules 8, 9 and 10</b> in the following circumstances:-	A Director does not need to invite bids in accordance with <b>Rule 8</b> , in the following circumstances:-	Re-numbering and to provide clarity that the exceptions can only apply to the bid process.
N/A	15.1(C)	Not currently included	where a grant or other external funding is received by the Council, either in its own right or as an accountable body, and the terms of such grant or other external funding state that such grant or other external funding must be applied in accordance with the terms of such grant or other external funding; or	To provide clarity and include guidance on grants.
16.1 (c)	15.1 (f)	the purchase of Supplies, Works, Services or Social and Other Specific Services which are of such a specialised nature as to be obtainable from one Contractor only, except where the value of the Contract exceeds the relevant EU Threshold;	repairs to or the supply of parts for existing proprietary machinery or plant where to obtain such supplies from an alternative supplier would invalidate the warranty or contractual provisions with the existing supplier;	To provide clarity on situations in which this exception applies.



Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
16.1 f	15.1 (g)	<p>Social or Other Specific Services Contracts with a value below the EU Threshold where:-</p> <p>(i) the service is currently supplied by a Contractor to the satisfaction of the relevant Corporate Director, is considered to be offering value for money and where the foreseeable disruption to service users cannot justify the invitation of further quotations or tenders, or</p> <p>(ii) the service is of a specialist or personal nature and where service users must be involved in the selection of the Contractor and where the Corporate Director Health and Adult Services and the Corporate Director Children and Young People's Service considers it inappropriate for quotations or tenders to be invited, or</p> <p>(iii) where the relevant Corporate Director is satisfied that the urgency of the need for the service prevents the invitation of quotations or tenders in which case consideration shall be given to the duration of that service.</p>	<p>Social or Other Specific Services Contracts where:-</p> <p>(i) the service is currently supplied by a Contractor to the satisfaction of the relevant Corporate Director, is considered to be offering value for money and where the foreseeable disruption to service users cannot justify the invitation of further bids, or</p> <p>(ii) the service is of a specialist or personal nature and where service users must be involved in the selection of the Contractor and where the Corporate Director Health and Adult Services and the Corporate Director Children and Young People's Service considers it inappropriate for bids to be invited, or</p> <p>(iii) where the relevant Corporate Director is satisfied that the urgency of the need for the service prevents the invitation of bids in which case consideration shall be given to the duration of that service;</p>	<p>Re-numbering and to provide clarity that the exception can only apply to the bid process.</p>
16.1 g	N/A	<p>Contracts which are classifiable as 'Social and Other Specific Services Contracts' under the PCR's, with a value in excess of the EU Threshold for Social and Other Specific Contracts, in which case the appropriate process in accordance with the provisions of Regulations 75 and 76 of the PCRs shall be followed.</p>	<p>Delete</p>	<p>No longer applicable due to changes in the bid / OJEU tender process and associated Rules.</p>

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
16.1 (h)	15.1 (h)	Contracts where the Director with the agreement of the ACE(LDS) and the CD-SR agree that for reasons of extreme urgency brought about by unforeseeable events unattributable to the Council, the timescales for obtaining quotations or tenders cannot be met. A written record shall be signed and dated by the Director, whenever this rule applies.	Contracts where the Director with the agreement of the CD-SR agree that for reasons of extreme urgency brought about by unforeseeable events unattributable to the Council, the timescales for obtaining bids cannot be met. A written record shall be signed and dated by the Director, whenever this Rule applies.	Re-numbering and to amend quotation to bid.
16.2	15.2	Where any of the exceptions set out in (a) to (h) above are applied a written record of the decision and justification shall be signed and kept as part of the Gateway Process.	Where any of the exceptions set out in <b>(d) to (h)</b> above are applied a Directors Recommendation, in consultation with the relevant DPC, shall be signed, dated and kept. The Director shall maintain a register of all recommendations made under this Rule.	To provide clarity.
N/A	15.3	Not currently included.	<p>A Director does not need to invite OJEU tenders in accordance with <b>Rule 10 and 11</b>, in the following circumstances:-</p> <p>(a) purchases via Framework Agreements which have been established either by the Council or by other public sector bodies or consortia (including, but not limited to YPO) and where such Framework Agreements are lawfully accessible to the Council. Contracts awarded from such Framework Agreements shall be awarded in accordance with the provisions of that Framework Agreement. Where appropriate Officers should apply a minimum 10 day standstill period for all call-off Contracts awarded under an existing Framework Agreement. This is not mandatory but is deemed best practice; or</p> <p>(b) where:</p>	To provide clarity.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
			<p>(i) Regulations 12 or 72 of the PCRs apply; or  (ii) any other specific exclusions as set out in the PCRs apply;</p> <p>and the ACE(LDS), the relevant Director and CD-SR are in agreement. A written record shall be signed and dated whenever this Rule applies and the Director shall maintain a register of such written records.</p>	
16.3.1	15.4	Specific exceptions to Rules <b>8, 9 and 10</b> are permitted in such other circumstances as the CD-SR and the ACE(LDS) may agree.	Specific exceptions to <b>Rule 8</b> are permitted in such other circumstances as the CD-SR and the ACE(LDS) may agree.	To provide clarity in light of the changes to the thresholds.
16.3.2	15.5	Requests for waivers shall be made using a form prescribed by the ACE(LDS) and the CD-SR which shall specify the reasons for the request and include a completed risk assessment of the proposal.	Requests for waivers shall be made using the Waiver Request Form prescribed by the ACE(LDS) and the CD-SR which shall specify the reasons for the request.	To provide clarity.
16.3.3	15.6	The ACE(LDS) shall maintain a register of all requests made under this Rule and the responses given to them.	Re-numbering only.	

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
N/A	15.7	Not currently included.	Specific exemptions to <b>Rule 10 and 11</b> may be permitted in exceptional circumstances as the ACE(LDS) and CD-SR may agree in accordance with the PCRs. The ACE(LDS) shall maintain a register of all requests made under this Rule and the responses given to them.	To provide clarity.
17.1	16.1	Every officer shall comply with these Rules and any unauthorised failure to do so may lead to disciplinary action.	Re-numbering only.	
17.2	16.4	Each Director, CPG and/or the DPC's shall take all such steps as are reasonably necessary to ensure that Officers within their Directorate are aware of and comply with these Rules, the <i>Procurement Manual</i> and the <i>Finance Manual</i> referred to in <b>Rule 2.5</b> .	Re-numbering only.	
17.3	16.3	The CD-SR shall be responsible for monitoring adherence to these Rules.	Re-numbering only.	
17.4	16.2	Each Director shall nominate a representative to act as a key contact point in relation to procurement matters for the Directorate; such representatives shall be termed " <b>Directorate Procurement Champions</b> " in this Rule.	Re-numbering only.	

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
17.5	16.5	<b>DPC's</b> are responsible for the production of a FPP which will be completed in such format as CPG shall require.	Re-numbering only.	
17.6	16.6	The DPC's shall each present an updated FPP to their respective directorate management teams quarterly for approval throughout the year.	Re-numbering only.	
17.7	16.7	An annual report on procurement matters, such report to include an annual procurement plan and actions arising from the annual procurement plan, will be presented to a meeting of the Corporate and Partnership Overview and Scrutiny Committee.	Re-numbering only.	
17.8	16.8	The Council maintains a Contract Register the purpose of which is to: (a) record key details of all contracts with an aggregate value of £25,000 or more; and  (b) identify a contract reference number.	The Council maintains a Contract Register the purpose of which is to record key details of all Contracts with an aggregate value of £25,000 or more.	Re-numbering and to provide clarity.
17.9	16.9	DPC's shall ensure that:- (a) all relevant contracts (including those Contracts to which <b>Rule 16</b> applies) are entered onto the Contract Register and the appropriate Contract number recorded  (b) the Contract Register is maintained by entering new Contracts onto it and removing expired contracts from it in line with the Council's Records	DPCs shall ensure that:-  (a) all relevant Contracts (including those Contracts to which <b>Rule 15</b> applies) are entered onto the Contract Register  (b) the Contract Register is maintained by entering new Contracts onto it and removing expired Contracts from it in line with the Council's	Re-numbering and to provide clarity.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
		Retention and Destruction Schedule.	Records Retention and Destruction Schedule.	
17.10	16.10	When a Contract in excess of £25,000 is awarded the Director shall ensure that such information as is prescribed in the PCRs is published on Contracts Finder.	When a Contract in excess of £25,000 is awarded the Director shall ensure that such information as is prescribed in the PCRs is published on Contracts Finder via the E-Sourcing system.	Re-numbering and to provide clarity.
18.1	17.1	When a procurement is being considered which is expected to exceed the financial value thresholds specified in <b>Rule 18.2</b> then the Responsible Officer must complete the necessary Gateway Process report for consideration by the relevant Directorate Management Team or the relevant Director, the Assistant Director with responsibility for finance within that Directorate, and the DPC. No procurement should commence before the Gateway Process report is approved. The report shall include the estimated “whole life” financial value of the contract, the procurement methodology and any other relevant factors including, but without limitations, any TUPE implications. The Assistant Director with responsibility for finance will enter details on a register of procurements approved under this Rule which will be available to the CD-SR and the ACE(LDS).	When a procurement is being considered which is expected to exceed the financial value thresholds specified in <b>Rule 17.2</b> then the Responsible Officer must complete the Gateway Process report for consideration by the relevant Directorate Management Team and the ACE(LDS) or the relevant Director, the Assistant Director with responsibility for finance within that Directorate, the ACE(LDS) and the DPC. No procurement should commence before the Gateway Process report is approved. The report shall include the estimated “whole life” financial value of the Contract, the procurement methodology and any other relevant factors including, but without limitations, any TUPE implications. The Assistant Director with responsibility for finance will enter details on a register of procurements approved under this Rule which will be available to the CD-SR and the ACE(LDS).	To provide clarity.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
18.2	17.2	The whole contract financial value thresholds for the purposes of <b>Rule 18.1</b> are: (a) Works contracts - £100,000  (b) Social and Other Specific Services Contracts and Supplies and Services contracts £100,000.	The whole Contract financial value thresholds for the purposes of <b>Rule 17.1</b> are:  (a) Works Contracts - £1m  (b) Social and Other Specific Services Contracts - £589,148.  (c) Supplies and Services Contracts - £164,176	To align the Gateway values to the OJEU thresholds (with the exception of Works which is £1m).  To provide clarity.
18.3	N/A	When a procurement is being considered which is expected to exceed the financial value thresholds specified in <b>Rule 18.4</b> then the Responsible Officer must ensure the necessary Gateway Process report prepared in accordance with <b>Rule 18.1</b> is also considered by the ACE(LDS) or by a LDSO authorised by him. No procurement should commence before the Gateway Process report is approved.	Delete	Changes in new Rule 17.1 and 17.2 mean this is no longer required.
18.4	N/A	The whole Contract financial value thresholds for the purpose of <b>Rule 18.3</b> are: (a) Works Contracts - £1m (b) Supplies and Service Contracts and Social and Other Specific Services Contracts - £172,514	Delete.	Changes in new Rule 17.1 and 17.2 mean this is no longer required.
18.5	17.3	No action leading towards procurement, including any steps to undertake a further competition under an existing framework arrangement, shall be undertaken until confirmation of the process has been given under the terms set out in <b>Rule 18.1 and 18.3</b> .	No action leading towards procurement, including any steps to undertake a further competition under an existing framework arrangement, shall be undertaken until confirmation of the process has been given under the terms set out in <b>Rule 17.1</b> .	Re-numbering and to provide clarity.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
19.1	18.1	The Responsible Officer shall take all such steps as are appropriate to monitor and review the performance of the Contract, having regard to its value, nature, duration and subject matter. As part of the monitoring and review process the Responsible Officer shall maintain adequate records of Contract performance and details of review meetings with the Contractor. Such records and details shall be made available to Internal Audit whenever required and shall be recorded in any relevant Gateway Process report (Gateway 4). Such records shall also be used on the basis for any permitted extension to the Contract.	The Responsible Officer shall take all such steps as are appropriate to monitor and review the performance of the Contract, having regard to its value, nature, duration and subject matter. As part of the monitoring and review process the Responsible Officer shall maintain adequate records of Contract performance and details of review meetings with the Contractor. Such records and details shall be made available to Internal Audit whenever required and shall be recorded in any relevant Gateway Process report (Stage 4). Such records shall also be used on the basis for any permitted extension to the Contract.	Re-numbering and to provide clarity.
19.2	N/A	Contracts may be varied in accordance with the terms of that Contract. Any proposed variations which have the effect of materially changing the Contract must be approved by the ACE(LDS), whether or not they are effected by amending the Contract itself or by correspondence.	Delete	Inclusion of new Rule 18.2 and 18.3 mean this is no longer required.
N/A	18.2	Not currently included.	OJEU Contracts may be varied in accordance with the terms of that Contract or as outlined in Regulation 72 of the PCRs. Any proposed variations which have the effect of materially changing the Contract must be approved by the ACE(LDS), whether or not they are effected by amending the Contract itself or by correspondence.	Re-numbering and to provide clarity.
N/A	18.3	Not currently included.	Contracts with a value in excess of the relevant EU Threshold may be varied in accordance with the terms of that Contract or as outlined in Regulation 72 of the PCRs. Any proposed variations which have the effect of materially changing the Contract	Re-numbering and to provide clarity.



Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
			must be approved by the ACE(LDS), whether or not they are effected by amending the Contract itself or by correspondence.	
N/A	18.4	Not currently included	If an Officer requires a Contract which exceeds the financial values stated in <b>Rule 17.2</b> to be terminated then this must be done in accordance with the terms of the Contract. Approval must be sought in accordance <b>Rule 17.1</b> (Gateway Process Stage 4b).	Re-numbering and to provide clarity.
20.1	19.1	Any officer involved in procurement activities shall have received a level of formal training commensurate with the nature of the procurement activity being undertaken.	Where appropriate any Officer involved in procurement activities shall have received a level of formal training commensurate with the nature of the procurement activity being undertaken.	Re-numbering and to provide clarity.
21.1	20.1	If it comes to the knowledge of a Member, Responsible Officer or other Officer that a Contract in which he has an interest (determined in accordance with the Members' and/or Officers' Code of Conduct as appropriate) has been or is proposed to be entered into by the Council, he shall immediately give written notice to the ACE(LDS).	Re-numbering only.	
N/A	21.1	Not currently included	A Director shall consider when procuring the provision of the Services, Supplies Works or Social & Other Specific Services, whether a Grant would be a preferable means to achieving its objectives rather than following a competitive Bid process.	To provide clarity and include guidance on grants.

Old Rule No.	New Rule No.	Current Wording	Proposed Amendment	Reason
N/A	21.2	Not currently included	Where the value of a Grant exceeds £25,000, the Director shall have the discretion to conduct a competitive application process for the award of that Grant if doing so demonstrates best value for the Council. If a Director is not conducting a competitive application process then the Best Value Form must be completed to capture the rationale for the decision.	To provide clarity and include guidance on grants.
N/A	21.3	Not currently included	Where the value of a Grant exceeds the relevant EU Threshold, the Director shall complete the Gateway Process in accordance with Rule 17.	To provide clarity and include guidance on grants.

# Contract Procedure Rules

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*These Rules constitute the Council's Standing Orders in relation to contracts under Section 135 of the Local Government Act 1972 and apply to all contracts (excluding those stated in Rule 2.2), including those made in the course of the discharge of functions which are the responsibility of the Executive.*

## 1. INTRODUCTION

1.1 These terms will have the following meanings in the Contract Procedure Rules:-

<b>ACE(LDS)</b>	means Assistant Chief Executive (Legal and Democratic Services)
<b>Best Value Form</b>	means the form to be completed to capture the rationale for not seeking bids in accordance with <b>Rule 8.1</b>
<b>CD-SR</b>	means the Corporate Director - Strategic Resources
<b>Constitution</b>	means the Council's Constitution of which these Rules form part.
<b>Contract</b>	means any agreement made between the Council and any other person which is intended to be legally enforceable and involves the acceptance of an offer made by one party to commit itself to an action or series of actions and subject to the exceptions in <b>Rule 2.2</b>
<b>Contracts Finder</b>	means the web-based portal as described in the PCRs
<b>Contract Register</b>	means the register of Contracts maintained by the Council as set out in <b>Rule 16.8</b>
<b>Contractor</b>	means a person or entity with whom the Council has a Contract
<b>Council</b>	means North Yorkshire County Council
<b>CPG</b>	means the Corporate Procurement Group
<b>Director</b>	means the Chief Executive Officer; Corporate Director Business and Environmental Services; Corporate Director Health and Adult Services; Corporate Director Children and Young People's Service; Corporate Director - Strategic Resources as the context requires
<b>Directors Recommendation</b>	means a written record of the decision and justification to apply one of the exceptions set out in <b>Rule 15.1</b> to be signed and kept by the relevant Director
<b>DPC</b>	means a Directorate Procurement Champion
<b>Electronic Signature</b>	means an advanced electronic signature which is: <ul style="list-style-type: none"> <li>(i) uniquely linked to the signatory; and</li> <li>(ii) capable of identifying the signatory; and</li> </ul>

	(iii) created using means that the signatory can maintain under his/her sole control; and
	(iv) linked to the data to which it relates in such a manner that any subsequent change of the data is detectable.
<b>E-Sourcing system</b>	means the Council's chosen E-sourcing system (currently YORtender) or an approved alternative
<b>EU</b>	means the European Union
<b>EU Threshold</b>	means the current threshold above which the PCR's apply, currently £164,176 for services and supplies £589,148 for social and other specific services and £4,104,394 for works
<b>FPP</b>	means the Forward Procurement Plan which outlines all future procurement requirements of the Council
<b>Framework Agreement</b>	means an agreement with one or more contracting authorities and one or more economic operator which establishes an arrangement for: <ul style="list-style-type: none"> <li>(i) multiple orders to be placed with one Contractor (a single supplier framework), or</li> <li>(ii) a framework of multiple Contractors to engage in further competitions (a multiple supplier framework)</li> </ul>
<b>Gateway Process</b>	means the Council's value based gateway procurement process that combines assessment and understanding of various aspects of value with appropriate review and scrutiny at defined points in the procurement cycle
<b>Internal Audit</b>	means the Council's appointed internal auditors (currently Veritau)
<b>ITB</b>	means an Invitation to Bid
<b>ITT</b>	means an Invitation to Tender
<b>Key Decision</b>	means a decision made in connection with the discharge of a function which is the responsibility of the Executive as set out in Article 13.03(b) of the Constitution <a href="#">[insert hyperlink]</a>
<b>Leasing Agreement</b>	means a Contract for the provision of finance to enable goods or services to be obtained and where ownership in those goods does not automatically pass to the Council at the end of the Contract period
<b>LDSO</b>	means a Legal and Democratic Services Officer
<b>MEAT</b>	means the Most Economically Advantageous Tender

<b>Member</b>	means a member of the Council or co-opted member on a Council committee
<b>Officer</b>	means a Council employee or other authorised agent
<b>OJEU</b>	means the Official Journal of the European Union
<b>OJEU Tender</b>	means the procurement process to be followed where the estimated whole life value of a Contract exceeds the relevant EU Threshold
<b>Participant</b>	means a person or entity participating in a procurement process, who has expressed an interest in tendering for a Contract or who has tendered for a Contract
<b>PCR</b>	means the Public Contracts Regulations 2015
<b>Person</b>	means any individual, partnership, company, trust, other local authority, Government department or agency
<b>PQQ</b>	means the Pre-Qualification Questionnaire
<b>Procurement Manual</b>	means the manual to accompany these Rules which provides detailed guidance on procurement techniques and the effect of the Rules
<b>Procurement Strategy</b>	means the Council's Procurement Strategy as agreed from time to time.
<b>Property Contract</b>	means a Contract which creates an estate or interest in land or buildings
<b>Responsible Officer</b>	means the Officer who is responsible for the procurement and/or management of a Contract
<b>Rules</b>	means these Contract Procedure Rules
<b>Services or Supplies</b>	means as defined in Regulation 2 of the PCRs
<b>Social and Other Specific Services</b>	means those services defined as such in Schedule 3 of the PCRs
<b>Waiver Request Form</b>	means the prescribed form to be completed when requesting a waiver in accordance with <b>Rule 15.4</b>
<b>Works</b>	means as defined in Regulation 2 of the PCRs
<b>YPO</b>	means the Yorkshire Purchasing Organisation

1.2 References in these Rules to:-

- (a) any legislation (e.g. Act, Statutory Instrument, EU Directive) include a reference to any amendment or re-enactment of such legislation;

- (b) the value of any Contract are to the total estimated aggregate gross value payable over the full period of the Contract including any options or extensions to the Contract without any deduction for income due to the Contractor or the Council;
- (c) the singular include the plural and vice versa;
- (d) the masculine include the feminine and vice versa;
- (e) Directors, the CD-SR and the ACE(LDS) shall be taken to include such Officers as are designated by those officers to undertake the duties and responsibilities set out in these Rules, except in the case of the following Rules:-
  - (i) Director - **Rules 8.6, 15.1(d), (g) and (h), 15.3(b) and 17.1**
  - (ii) CD-SR - **Rules 2.1, 2.4, 2.5, 8.6, 15.1(h), 15.3(b), 15.4, 15.5, 15.7, 16.2 and 17.1**
  - (iii) ACE(LDS) - **Rules 2.1, 2.4, 2.5, 8.6, 15.3(b), 15.4, 15.5, 15.7, and 17.1**

where delegation is not permitted. A record of all duties and responsibilities as delegated under these Rules is to be maintained by each Director, the CD-SR and the ACE(LDS).

## **2 GENERAL**

- 2.1 These Rules are made by the Council on the advice of the CD-SR (in consultation with the ACE(LDS)) under Article 14.02 of the Constitution.
- 2.2 These Rules apply to all Contracts for Works, Supplies, Services or Social and Other Specific Services but do not apply to:-
  - (a) contracts of employment;
  - (b) property contracts (which are covered by the Property Procedure Rules); and
  - (c) financial instruments (including, but without limitation, shares, bonds, bills of exchange, future or options contracts) (which are covered by the Financial Procedure Rules).
- 2.3 The Council has made Financial Procedure Rules under Article 14.01 of the Constitution which shall be applied in conjunction with these Rules.
- 2.4 The CD-SR (in consultation with the ACE(LDS)) shall review the application and effect of these Rules and make an annual report or as required but no less than once per year to the Audit Committee recommending such amendments to the Rules as are considered appropriate.
- 2.5 The CD-SR and the ACE(LDS) have produced a Procurement Manual which sets out important issues to be considered in the procurement context. These Rules should be read in conjunction with the Procurement Manual.
- 2.6 The CD-SR has also produced a Finance Manual which gives advice on financial procedures.

- 2.7 Where a Contract for the acquisition or hire of goods or services involves any form of Leasing Agreement to finance the transaction then the CD-SR shall undertake the negotiation of terms and authorise the arrangement in accordance with Rule 9.3 of the Financial Procedure Rules.
- 2.8 Directors shall ensure that all documentation relating to Contracts and procurement processes (including bids) is retained in accordance with the Council's Records Retention and Destruction Schedule
- 2.9 Where the Council has awarded a Contract to any person to supervise or otherwise manage a Contract on its behalf such a person shall be required to comply with these Rules as if he were an Officer of the Council.
- 2.10 Wherever appropriate procurement shall be undertaken using the standard precedent documents contained in the Procurement Manual applying to PQQ's, ITT's or ITBs. Wherever alternative documents are to be used they must be approved by the Director and where appropriate the ACE(LDS).
- 2.11 Where the total Contract value for procurement is within the values in the first column of Tables 1-3, below, the award procedure in the second column must be followed.

**Table 1: Goods and Services (excluding Social & Other Specific Services)**

Total Contract Value	Award Procedure	Signature/Sealing Contract
Up to £25,000	Bids not mandatory. Best Value Form to be completed where Bids are not invited.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
£25,000 up to EU Threshold (currently £164,176)	Bids must be invited in accordance with <b>Rule 8</b> . These must be advertised using the E-Sourcing system and published to Contracts Finder.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
Above EU Threshold (currently £164,176)	Follow the appropriate EU Procedure as set out in <b>Rules 10 and 11</b> . The Director must be informed of the procurement and approval sought through the Gateway process.	Two signatures: The Director (or by an Officer authorised by the Director to sign on the Directors behalf). <b>AND</b> The ACE(LDS) (or by an Officer authorised by the ACE (LDS) to sign on his behalf).  Sealing (where appropriate) ACE(LDS) (or by an Officer authorised by the ACE (LDS) to sign on his behalf) in accordance with <b>Rule 6</b> .

**Table 2: Works**

Total Contract Value	Award Procedure	Signature/Sealing Contract
Up to £25,000	Bids not mandatory. Best Value Form to be	One signature The Director within the relevant



Total Contract Value	Award Procedure	Signature/Sealing Contract
	completed where Bids are not invited.	Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
£25,001 up to EU Threshold (currently £4,104,394 for Works)	Bids must be invited in accordance with <b>Rule 8</b> . These must be advertised using the E-Sourcing system and published to Contracts Finder.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).  Contracts with a value in excess of £1m must be sealed by ACE(LDS) (or by an Officer authorised by the ACE (LDS) to sign on his behalf) in accordance with <b>Rule 6</b> .
Above EU Threshold (currently £4,104,394 for Works)	Follow the appropriate EU Procedure as set out in <b>Rules 10 and 11</b> . The Director must be informed of the procurement and approval sought through the Gateway process	Contracts must be sealed by ACE(LDS) (or by an Officer authorised by the ACE (LDS) to sign on his behalf) in accordance with <b>Rule 6</b> .

**Table 3: Social & Other Specific Services**

Total Contract Value	Award Procedure	Signature/Sealing Contract
Up to £25,000	Bids not mandatory. Best Value Form to be completed where Bids are not invited.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
£25,001 up to EU Threshold (currently £589,148)	Bids must be invited in accordance with <b>Rule 8</b> . These must be advertised using the E-Sourcing system and published to Contracts Finder.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
Above EU Threshold (currently £589,148)	Follow the appropriate EU Procedure as set out in <b>Rules 10 and 11</b> . The Director must be informed of the procurement and approval sought through the Gateway process	Two signatures The Director (or by an Officer authorised by the Director to sign on the Directors behalf). <b>AND</b> The ACE(LDS) (or by an Officer authorised by the ACE (LDS) to sign on his behalf).  Sealing (where appropriate) ACE(LDS) (or by an Officer authorised by the ACE (LDS) to sign on his behalf) in accordance with <b>Rule 6</b> .

### 3. COMPLIANCE WITH LEGISLATION AND STANDARDS

- 3.1 Every Contract shall comply with all relevant applicable legislation and government guidance including:-
- (a) EU Law
  - (b) Acts of Parliament
  - (c) Statutory Instruments including, but without limitation, the Public Contracts Regulations 2015.
- 3.2 Where relevant, every Contract shall specify that materials used, goods provided, services supplied or works undertaken (as the case may be) shall comply with applicable standards. Such standards are, in order of priority:-
- (a) EU Standards
  - (b) British Standards implementing international standards
  - (c) British Standards

#### **4. POWERS AND KEY DECISIONS**

- 4.1 In consultation with the ACE(LDS) Directors shall ensure that the Council has the legal power to enter into any Contract and that in respect of all Contracts, regardless of whether they involve the procurement or provision by the Council of Works, Supplies, Services or Social and Other Specific Services Directors shall ensure that no Contract shall be entered into which is ultra vires.
- 4.2 Directors shall ensure that a written record of the decision to procure a Contract is made in accordance with the Gateway process where **Rule 17** applies. Where such a decision comprises a Key Decision under the Constitution, Directors shall ensure that it is entered on to the Forward Plan and treated as a Key Decision in all respects.

#### **5. FORM OF CONTRACT**

- 5.1 Every Contract shall be evidenced in writing (by the use of a purchase order exchange of correspondence or other written medium).
- 5.2 Wherever appropriate, and for all Contracts exceeding £25,000 in value, such written agreements shall be made on the basis of terms and conditions agreed by the ACE(LDS). Such terms and conditions may be incorporated into standard order conditions. The Council may accept different terms and conditions proposed by a Contractor provided that the advice of the ACE(LDS) as to their effect has been sought and considered.
- 5.3 The written form of agreement must clearly specify the obligations of the Council and the Contractor and shall include:-
- (a) the work to be done or the Supplies, Services or Social and Other Specific Services to be provided
  - (b) the standards which will apply to what is provided
  - (c) the price or other consideration payable
  - (d) the time in which the Contract is to be carried out

(e) the remedies which will apply to any breach of Contract.

5.4 The written form of agreement for all Contracts exceeding £25,000 in value must include the following or equivalent wording:-

(a) "If the Contractor:-

(i) Has offered any gift or consideration of any kind as an inducement or disincentive for doing anything in respect of this Contract or any other Contract with the Council, or

(ii) Has committed any offence under the Bribery Act 2010, or

(iii) Has committed an offence under Section 117 (2) of the Local Government Act 1972

the Council may terminate the Contract immediately and will be entitled to recover all losses resulting from such termination".

(b) "If the Contractor is in persistent and/or material breach of Contract the Council may terminate the Contract and purchase the Supplies, Works, Services or Social and Other Specific Services from a third party and the Council may recover the cost of doing so from the Contractor."

5.5 The standard clauses contained in the Procurement Manual relating to the Freedom of Information Act 2000 and the Data Protection Act 1998 shall, wherever possible, be included in all Contracts exceeding £25,000 in value.

5.6 Other standard clauses are contained in the Procurement Manual relating to, for example, equalities, the Public Services (Social Value) Act 2012, sustainability and best value; these are not mandatory for each such written agreement referred to in **Rule 5.4** above, but should be included where appropriate.

## **6. SIGNATURE/SEALING OF CONTRACTS**

6.1 Every written Contract must be either signed or sealed in accordance with this Rule.

6.2 The ACE(LDS) and such of his staff as he may designate are authorised to sign any such Contract.

6.3 The ACE(LDS) also authorises such Contracts to be signed as prescribed in **Rule 2.11, Tables 1-3** provided that:-

(a) appropriate authority exists for the Council to enter into the Contract, and

(b) the Contract is either:-

(i) in a nationally recognised form, or

(ii) a standard form prepared or approved by the ACE(LDS), or

(iii) is otherwise in a form approved by the ACE(LDS); and

- (c) any variations to approved forms of Contract must themselves be approved by the ACE(LDS), whether or not they are effected by amending the Contract itself or by correspondence
- 6.4 Only the ACE(LDS) (or a Legal and Democratic Services' Officer (LDSO) authorised by the ACE(LDS)) may seal a Contract on behalf of the Council, in each case being satisfied that there is appropriate authority to do so.
- 6.5 Signatures may be affixed to a Contract either using physical, handwritten means or an Electronic Signature, as appropriate and in accordance with both UK and European law.
- 6.6 Electronic Signatures may only be affixed using the Council's chosen electronic signature system or an approved alternative.
- 6.7 The use of Electronic Signatures is not permitted in circumstances where:
  - (a) the Contract is to be sealed;
  - (b) a physical, handwritten signature needs to be filed;
  - (c) there is a proviso in the Contract which prevents the use of an Electronic Signature;
  - (d) the Contract may need to be enforced in a jurisdiction where Electronic Signatures are not accepted;
  - (e) the Contract needs to be notarised.

## **7. BONDS AND LIQUIDATED DAMAGES**

- 7.1 Where appropriate Directors (in consultation with the CD-SR) shall consider whether to include provision for the payment of liquidated damages by a Contractor for breach of Contract. Such consideration shall be recorded in the Gateway Process (Stage 1).
- 7.2 Where considered appropriate by a Director (in consultation with the CD-SR), the Contractor will be required to provide a performance bond to secure the performance of the Contract. Such performance bonds should provide for a sum of not less than 10% of the total value of the Contract or such other sum as the CD-SR considers appropriate.
- 7.3 Agreements made under Section 38 (adoption of new highways) or Section 278 (development of existing highways) of the Highways Act 1980 shall always include provision for a bond in respect of such sum as the Corporate Director Business and Environmental Services shall consider appropriate except where:-
  - (a) the identity of the developer renders the need for a bond unnecessary, or
  - (b) adequate alternative security is provided, or
  - (c) the Corporate Director Business and Environmental Services (in consultation with the CD-SR) agrees that it is inappropriate for a bond to be required.

## **8. BIDS**

- 8.1 Where the estimated value of a Contract is £25,000 or less the invitation of Bids is not mandatory, but written Bids should be invited where appropriate and best value should always be sought. If an Officer is not seeking three Bids then the Best Value Form must be completed to capture the rationale for this decision.
- 8.2 If the estimated value of a Contract exceeds £25,000 but is less than the appropriate EU Threshold, Bids must be invited from all potential Contractors in accordance with **Rule 2.11, Tables 1-3**. A notice advertising the opportunity shall be published through the E-Sourcing System and on Contracts Finder and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the value, location and subject matter of the Contract. The notice shall specify brief details of the Contract, how the ITB documents may be obtained and the closing date for receipt of Bids by the Council.
- 8.3 All potential Contractors invited to submit Bids shall be provided in all instances with identical information and instructions. Where considered appropriate, Directors may permit potential Contractors who have been invited to submit Bids under **Rule 8.2** to also submit variant Bids (i.e. Bids which do not comply with some or all of the requirements of the primary Bid). The same opportunity to submit variant Bids must be given to all potential Contractors.
- 8.4 A written Bid may only be considered if:-
- (a) it has been received electronically through the E-Sourcing System, or
  - (b) (where permitted in exceptional circumstances) it has been received in a sealed envelope marked "Bid" and indicating the subject matter of the Bid and
  - (c) it has been opened after the expiry of the deadline for submissions and at the same time as other Bids for the same subject matter in the presence of at least two Officers authorised to open Bids..
- 8.5 Before Bids with a value in excess of £25,000 are requested the evaluation criteria must be recorded in writing in the ITB evaluation model. The evaluation criteria must be identified and the weighting between price and quality established and stated in the request for Bids sent to Participants.
- 8.6 If a Bid other than the most economically advantageous Bid is to be accepted, the written approval of the Director (in consultation with the CD-SR or if the relevant Director is the CD-SR, in consultation with the Chief Executive) shall be sought and obtained before the Bid is accepted.
- 8.7 A Bid cannot be accepted where the value exceeds the relevant EU Threshold. If the value of the Bid exceeds the relevant EU Threshold a Director must seek tenders in accordance with **Rules 10 and 11**.
- 8.8 Before a Contract is awarded after a Bid exercise such steps shall be taken by the Responsible Officer, in conjunction with the CD-SR, as are reasonably necessary (having regard to the subject matter, value, duration of the Contract and other relevant factors) to complete a risk assessment of the potential Contractor's financial stability.
- 8.9 Bids may be altered only in accordance with **Rule 9**.
- 9. POST BID NEGOTIATION AND CLARIFICATION**

- 9.1 Post Bid negotiations may not be undertaken where the value of the Contract exceeds the relevant EU Threshold. If the value of a Bid exceeds the relevant EU Threshold, the Director must invite tenders in accordance with **Rules 10 and 11**.
- 9.2 Post Bid negotiations with selected Participants shall only be carried out where:-
- (a) post Bid negotiations are permitted by law; and
  - (b) the Director in consultation with the DPC considers that added value may be obtained; and
  - (c) post Bid negotiations are conducted by a team of suitably experienced Officers approved by the Director who have been trained in post Bid negotiations; and
  - (d) a comprehensive, written record of the post Bid negotiations is kept by the Director; and
  - (e) a clear record of the added value to be obtained as a result of the post Bid negotiations is incorporated into the Contract with the successful Participant.
- 9.3 **Rules 9.1 and 9.2** shall not operate to prevent clarification of all or part of any Bid to the extent permitted by law and where such clarifications are sought the provisions of **Rules 9.2 (c) and 9.2 (d)** shall apply, except that the word "clarification" shall be substituted for the word "negotiation" in these Rules.

## **10. OJEU TENDERS**

- 10.1 Tenders for Contracts which exceed the EU Threshold shall be invited and awarded in accordance with the PCRs and as prescribed in **Rule 10 and 11**.

### **General Requirements**

- 10.2 Before an OJEU Tender is requested the evaluation criteria to be applied to the OJEU Tender must be recorded in writing in the ITT evaluation model. The evaluation criteria must be identified and the weighting between price and quality established and stated in the ITT sent to Participants.
- 10.3 Irrespective of the procurement process being undertaken an OJEU notice must be published through the E-Sourcing system.
- 10.4 All Participants invited to submit OJEU Tenders shall be provided in all instances with identical instructions and information.
- 10.5 Where considered appropriate, a Director may, in consultation with the DPC, permit Participants to submit variant OJEU Tenders (i.e. tenders which do not comply with some or all of the requirements of the primary tender). The same opportunity to submit variant OJEU Tenders shall be given to all Participants. Variant OJEU Tenders shall only be considered if the Participant also submits a compliant primary tender.
- 10.6 The evaluation of the OJEU Tender submissions shall be carried out by Officers who are considered appropriate having regard for the subject matter and value of the Contract.

## 11. OPTIONS FOR OJEU TENDER

11.1 The Gateway Process shall identify which of the following OJEU Tender processes shall be used to invite tenders for Contracts with a value in excess of the relevant EU Threshold:

- (i) the Open Procedure (as prescribed by Regulation 27)
- (ii) the Restricted Procedure (as prescribed by Regulation 28)
- (iii) the Competitive Procedure with Negotiation (as prescribed by Regulation 29)
- (iv) the Competitive Dialogue Procedure (as prescribed by Regulation 30)
- (v) the Innovation Partnership Procedure (as prescribed by Regulation 31)
- (vi) Negotiated Procedure without prior publication (as prescribed by Regulation 32)
- (vii) Framework Agreement (as prescribed by Regulation 33)
- (viii) Dynamic Purchasing System (as prescribed by Regulation 34)
- (ix) Electronic auctions (as prescribed by Regulation 35)
- (x) Electronic catalogues (as prescribed by Regulation 36)
- (xi) Light Touch Regime (as prescribed by Regulations 74-76)

and such identified process shall be used for the invitation of OJEU Tenders in accordance with the requirements of the PCR's.

## 12. RECEIPT AND OPENING OF OJEU TENDERS

12.1 A written OJEU Tender may only be considered if:-

- (a) it has been received electronically through the E-Sourcing System; or
- (b) (where permitted under Regulation 84 (h)) it has been received in hard copy in a sealed envelope marked "OJEU Tender" and indicating the subject matter of the OJEU Tender, and the identity of the Participant cannot be ascertained from the tender envelope; and
- (c) (subject to **Rule 12.4**) it has been received by the OJEU Tender closing date and time

12.2 The ACE(LDS) (or a person designated by him) shall be responsible for the reception and safe custody of OJEU Tenders until they are opened.

12.3 OJEU Tenders, whether electronic or hard copy must be opened at the same time and in the presence of the ACE(LDS) (or a person designated by him) or, where Legal and Democratic Services is undertaking the procurement, the CD-SR (or an Officer designated by him). The E-Sourcing System records the date and time of the OJEU Tender opening, the identity of the Officer(s) present, the identities of the Participants and the tendered sums. Where permitted under Regulation 84 (h) and OJEU Tenders are returned in hard copy format a written record shall be maintained of the OJEU Tenders received. Such a record shall include the date and time of OJEU Tender opening, the identity of the Officer(s) present, the identities of Participants and the tendered sums (where readily ascertainable). A copy of such a record shall be provided as soon as practicable to the Director inviting the OJEU Tenders for audit purposes.

12.4 If an OJEU Tender is received after the specified closing date and time it may not be considered unless the ACE(LDS) is satisfied that the OJEU Tender was submitted electronically or posted or otherwise dispatched in sufficient time to be delivered

before the specified time but that delivery was prevented by an event beyond the control of the Participant.

### **13. OJEU TENDER EVALUATION AND ACCEPTANCE**

- 13.1 The Director shall evaluate OJEU Tenders using the evaluation model published in accordance with **Rule 10.2**.
- 13.2 Only in circumstances where an OJEU Tender is agreed by the CD-SR in consultation with the ACE(LDS) to be an abnormally low tender in accordance with the PCR's can an OJEU Tender other than the MEAT be accepted. In these circumstances a signed and dated record of the reasons for the action taken shall be made within the Gateway Process (Stage 3).
- 13.3 If, as a result of the OJEU Tender evaluation process the Director is satisfied that an arithmetical error has been made inadvertently by a Participant such an error may, after clarification with the Participant, be corrected. The Director shall record any such clarification in writing.
- 13.4 Before a Contract is awarded the Director shall, in consultation with the CD-SR, complete a risk assessment to ascertain the financial stability of the successful Participant. The risk assessment shall take into account the subject matter, complexity, duration, value and any other such factors as may be deemed to be relevant. This shall be undertaken in accordance with the Gateway Process (Stage 3).
- 13.5 On completion of the evaluation of the OJEU Tenders received and once all internal approvals have been obtained through the Gateway Process (Stage 3), the Director shall write to all Participants informing them of the outcome of the OJEU Tender evaluation and providing feedback on the content of their submission, in accordance with Regulation 55 of the PCRs.
- 13.6 The Director shall wait a minimum of ten days (15 days if not sent electronically) from the date of issue of the letters notifying the Participants of the result of the evaluation before completing the Contract with the successful Participant.
- 13.7 The Director shall send for publication a Contract Award Notice stating the outcome of the procurement procedure no more than 30 days after the award of the Contract.

### **14. CERTIFICATION OF CONTRACTS**

- 14.1 The Local Government (Contracts) Act 1997 clarified the power of local authorities to enter into certain Contracts, including Private Finance Initiative Contracts. Where Contracts need to be certified under the 1997 Act, only the following Officers are authorised to do so: the Corporate Director Children and Young People's Service, the Corporate Director Business and Environmental Services, the Corporate Director Health and Adult Services, the Director of Public Health, the ACE(LDS) and the CD-SR.

### **15. EXCEPTIONS TO CONTRACT PROCEDURE RULES**

- 15.1 A Director does not need to invite bids in accordance with **Rule 8**, in the following circumstances:-
  - (a) purchases via Framework Agreements which have been established either by the Council or by other public sector bodies or consortia (including, but not



limited to YPO) and where such framework agreements are lawfully accessible to the Council. Contracts awarded from such Framework Agreements shall be awarded in accordance with the provisions of that Framework Agreement; or

- (b) the instruction of Counsel by the ACE(LDS); or
- (c) where a grant or other external funding is received by the Council, either in its own right or as an accountable body, and the terms of such grant or other external funding state that such grant or other external funding must be applied in accordance with the terms of such grant or other external funding; or
- (d) purchases at public auctions (including internet auction sites, e.g. Ebay) where the Director is satisfied that value for money will be achieved; or
- (e) the purchase of Supplies, Works, Services or Social and Other Specific Services which are of such a specialised nature as to be obtainable from one Contractor only; or
- (f) repairs to or the supply of parts for existing proprietary machinery or plant where to obtain such supplies from an alternative supplier would invalidate the warranty or contractual provisions with the existing supplier; or
- (g) Social or Other Specific Services Contracts where:-
  - (i) the service is currently supplied by a Contractor to the satisfaction of the relevant Corporate Director, is considered to be offering value for money and where the foreseeable disruption to service users cannot justify the invitation of further bids, or
  - (ii) the service is of a specialist or personal nature and where service users must be involved in the selection of the Contractor and where the Corporate Director Health and Adult Services and the Corporate Director Children and Young People's Service considers it inappropriate for bids to be invited, or
  - (iii) where the relevant Corporate Director is satisfied that the urgency of the need for the service prevents the invitation of bids in which case consideration shall be given to the duration of that service; or
- (h) Contracts where the Director with the agreement of the CD-SR agree that for reasons of extreme urgency brought about by unforeseeable events un-attributable to the Council, the timescales for obtaining bids cannot be met. A written record shall be signed and dated by the Director, whenever this Rule applies.

15.2 Where any of the exceptions set out in **(d) to (h)** above are applied a Directors Recommendation, in consultation with the relevant DPC, shall be signed, dated and kept. The Director shall maintain a register of all recommendations made under this Rule.

15.3 A Director does not need to invite OJEU tenders in accordance with **Rule 10 and 11**, in the following circumstances:-

(a) purchases via Framework Agreements which have been established either by the Council or by other public sector bodies or consortia (including, but not limited to YPO) and where such Framework Agreements are lawfully accessible to the Council. Contracts awarded from such Framework Agreements shall be awarded in accordance with the provisions of that Framework Agreement. Where appropriate Officers should apply a minimum 10 day standstill period for all call-off Contracts awarded under an existing Framework Agreement. This is not mandatory but is deemed best practice; or

(b) where:

- (i) Regulations 12 or 72 of the PCRs apply; or
- (ii) any other specific exclusions as set out in the PCRs apply;

and the ACE(LDS), the relevant Director and CD-SR are in agreement. A written record shall be signed and dated whenever this Rule applies and the Director shall maintain a register of such written records.

### **Waivers**

15.4 Specific exceptions to **Rule 8** are permitted in such other circumstances as the CD-SR and the ACE(LDS) may agree.

15.5 Requests for waivers shall be made using the Waiver Request Form prescribed by the ACE(LDS) and the CD-SR which shall specify the reasons for the request.

15.6 The ACE(LDS) shall maintain a register of all requests made under this Rule and the responses given to them.

15.7 Specific exemptions to **Rule 10 and 11** may be permitted in exceptional circumstances as the ACE(LDS) and CD-SR may agree in accordance with the PCRs. The ACE(LDS) shall maintain a register of all requests made under this Rule and the responses given to them.

### **16. COMPLIANCE, CONTRACT REGISTER AND FORWARD PROCUREMENT PLANS**

16.1 Every Officer shall comply with these Rules and any unauthorised failure to do so may lead to disciplinary action.

16.2 The CD-SR shall be responsible for monitoring adherence to these Rules.

16.3 Each Director shall nominate a representative to act as a key contact point in relation to procurement matters for the Directorate; such representatives shall be termed DPCs.

16.4 Each Director, CPG and/or the DPCs shall take all such steps as are reasonably necessary to ensure that Officers within their Directorate are aware of and comply with these Rules, the Procurement Manual and the Finance Manual referred to in **Rule 2.5**.

16.5 DPCs are responsible for the production of a FPP which will be completed in such format as CPG shall require.

16.6 The DPCs shall each present an updated FPP to their respective directorate management teams quarterly for approval throughout the year.

- 16.7 An annual report on procurement matters, such report to include an annual procurement plan and actions arising from the annual procurement plan, will be presented to a meeting of the Corporate and Partnership Overview and Scrutiny Committee.
- 16.8 The Council maintains a Contract Register the purpose of which is to record key details of all Contracts with an aggregate value of £25,000 or more.
- 16.9 DPCs shall ensure that:-
- (a) all relevant Contracts (including those Contracts to which **Rule 15** applies) are entered onto the Contract Register
  - (b) the Contract Register is maintained by entering new Contracts onto it and removing expired Contracts from it in line with the Council's Records Retention and Destruction Schedule.

### **Contracts Finder**

- 16.10 When a Contract in excess of £25,000 is awarded the Director shall ensure that such information as is prescribed in the PCRs is published on Contracts Finder via the E-Sourcing system.

## **17. GATEWAY PROCESS REPORTS INCLUDING NOTIFICATION OF SECTION 151 OFFICER AND MONITORING OFFICER**

- 17.1 When a procurement is being considered which is expected to exceed the financial value thresholds specified in **Rule 17.2** then the Responsible Officer must complete the Gateway Process report for consideration by the relevant Directorate Management Team and the ACE(LDS) or the relevant Director, the Assistant Director with responsibility for finance within that Directorate, the ACE(LDS) and the DPC. No procurement should commence before the Gateway Process report is approved. The report shall include the estimated "whole life" financial value of the Contract, the procurement methodology and any other relevant factors including, but without limitations, any TUPE implications. The Assistant Director with responsibility for finance will enter details on a register of procurements approved under this Rule which will be available to the CD-SR and the ACE(LDS).

- 17.2 The whole Contract financial value thresholds for the purposes of **Rule 17.1** are:

- (a) Works Contracts - £1m
- (b) Social and Other Specific Services Contracts - £589,148.
- (c) Supplies and Services Contracts - £164,176

- 17.3 No action leading towards procurement, including any steps to undertake a further competition under an existing framework arrangement, shall be undertaken until confirmation of the process has been given under the terms set out in **Rule 17.1**.

## **18. CONTRACT MONITORING**

- 18.1 The Responsible Officer shall take all such steps as are appropriate to monitor and review the performance of the Contract, having regard to its value, nature, duration and subject matter. As part of the monitoring and review process the Responsible

Officer shall maintain adequate records of Contract performance and details of review meetings with the Contractor. Such records and details shall be made available to Internal Audit whenever required and shall be recorded in any relevant Gateway Process report (Stage 4). Such records shall also be used on the basis for any permitted extension to the Contract.

### **Contract Variation**

- 18.2 Contracts with a value below the relevant EU Threshold may be varied in accordance with the terms of that Contract. Any proposed variations which have the effect of materially changing the Contract must be approved by the ACE(LDS), whether or not they are effected by amending the Contract itself or by correspondence.
- 18.3 Contracts with a value in excess of the relevant EU Threshold may be varied in accordance with the terms of that Contract or as outlined in Regulation 72 of the PCRs. Any proposed variations which have the effect of materially changing the Contract must be approved by the ACE(LDS), whether or not they are effected by amending the Contract itself or by correspondence.

### **Contract Termination**

- 18.4 If an Officer requires a Contract which exceeds the financial values stated in **Rule 17.2** to be terminated then this must be done in accordance with the terms of the Contract. Approval must be sought in accordance **Rule 17.1** (Gateway Process Stage 4b).

## **19. TRAINING FOR PROCUREMENT**

- 19.1 Where appropriate any Officer involved in procurement activities shall have received a level of formal training commensurate with the nature of the procurement activity being undertaken.

## **20. DECLARATION OF INTERESTS**

- 20.1 If it comes to the knowledge of a Member, Responsible Officer or other Officer that a Contract in which he has an interest (determined in accordance with the Members' and/or Officers' Code of Conduct as appropriate) has been or is proposed to be entered into by the Council, he shall immediately give written notice to the ACE(LDS).

## **21. GRANTS**

- 21.1 A Director shall consider when procuring the provision of the Services, Supplies Works or Social & Other Specific Services, whether a Grant would be a preferable means to achieving its objectives rather than following a competitive Bid process.
- 21.2 Where the value of a Grant exceeds £25,000, the Director shall have the discretion to conduct a competitive application process for the award of that Grant if doing so demonstrates best value for the Council. If a Director is not conducting a competitive application process then the Best Value Form must be completed to capture the rationale for the decision.
- 21.3 Where the value of a Grant exceeds the relevant EU Threshold, the Director shall complete the Gateway Process in accordance with **Rule 17**.

## Extracts from the County Council's Access to Information Procedure Rules (Part 4 of the Constitution) with Proposed Amendments shown as Tracked Changes

### Access to Information Procedure Rules

*North Yorkshire County Council believes in public access to information in order to ensure that citizens can exercise their rights to have a say about decisions, and can understand what decisions have been taken and why. Although some information has to remain private, for example to respect personal privacy, commercial confidentiality or for legal reasons, the County Council has adopted a presumption of openness that information will be available unless there is a substantial lawful reason why not. This is consistent with access to information legislation.*

*These Access to Information Procedure Rules are based on current access to information legislation: should any provision conflict with the legislation, the latter will prevail.*

...

#### **3. RIGHTS TO ATTEND MEETINGS**

3.1 Members of the public may attend all meetings subject only to the exceptions in these rules.

3.2 While a meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as practicable, to be afforded ~~reasonable~~ facilities for taking their report. in accordance with the provisions set out in the County Council's Protocol on Audio/Visual Recording and Photography at Meetings.

...

#### **18. RECORD OF DECISIONS**

##### **18.1 Executive Decisions Made Collectively at Meetings**

As soon as reasonably practicable after any meeting of the Executive or any of its committees, or any meeting of any other decision making body at which an executive decision has been made, whether held in public or private, the Assistant Chief Executive (Legal and Democratic Services) or, where no Officer was present, the person presiding at the meeting, will produce a record of every executive decision taken at that meeting usually within two days of the meeting (usually in the form of minutes of the meeting). The record will include a statement of the reasons for each decision and any alternative options considered and rejected at that meeting, along with details of any conflict of interest declared by any member of the decision making body and any dispensations granted by the Standards Committee or Monitoring Officer in respect of such conflict.

18.2 Copies of those Minutes/Decision Records will then be circulated, by e-mail, to:

- ◆ All Members of the Council
- ◆ All Management Board
- ◆ All Management Board Secretaries
- ◆ All Senior Managers
- ◆ All Democratic Services Officers
- ◆ All Corporate Development Officers
- ◆ Senior Press Officer
- ◆ Communications Officer

**19. EXECUTIVE DECISIONS BY INDIVIDUAL OFFICERS OR INDIVIDUAL MEMBERS OF THE EXECUTIVE**

*(For the decision making powers of individual Executive members and Officers, see the Executive Members' and Officers' Delegation Schemes in Part 3).*

**19.1 Reports intended to be taken into account**

Where an individual member of the Executive or Officer (either alone or in consultation with an Executive Member) receives a report which he/she intends to take into account in making any key decision, then (subject to Rule 16) he/she will not make the decision until at least five clear days after receipt of that report.

**19.2 Provision of copies of reports to Overview and Scrutiny Committees**

On the giving of such a report to an individual decision maker, the person who prepared the report will give a copy of it to the Chairman of every relevant overview and scrutiny committee as soon as reasonably practicable, and make it publicly available at the same time.

**19.3 Record of individual decision**

- (a) As soon as reasonably practicable after an executive decision has been taken by an individual member of the Executive or by an Officer, (either alone or in consultation with an Executive Member) he/she will prepare a record of the decision including the date it was made, a statement of the reasons for it and any alternative options considered and rejected, a record of any conflict of interest declared by any executive member who is consulted in relation to the decision, and a note of any dispensation granted in respect of any declared conflict of interest, in the format contained in the Appendix to these Rules.
- (b) Copies of the decision record will be sent electronically, as soon as possible, to:
- ◆ All Members of the Council
  - ◆ All Management Board
  - ◆ All Management Board Secretaries
  - ◆ All Senior Managers
  - ◆ All Democratic Services Officers
  - ◆ All Corporate Development Officers
  - ◆ Senior Press Officer
  - ◆ Communications Officer
- (c) The Assistant Chief Executive (Legal and Democratic Services) will be responsible for forwarding the record to all Members, and will publish the record on the Council's website on the day of receipt.

- (d) Any record containing confidential and/or exempt information, must be marked “not for publication” in the top right hand corner. Where possible, The Assistant Chief Executive (Legal and Democratic Services) will remove any confidential and/or exempt information before publishing it on the Council’s website.
- (e) The provisions of Rules 7 and 8 (inspection of documents after meetings) will also apply to the making of executive decisions by individual members of the Executive and officers. This does not require the disclosure of exempt or confidential information.

## **19A IMPLEMENTATION OF EXECUTIVE DECISIONS**

After a decision record has been produced and published (whether in the form of Minutes of a meeting or in the decision record format contained in the Appendix to these Rules), there will be a period of 5 clear days before the decision will take effect if not called in within that time, in accordance with Overview and Scrutiny Procedure Rule 16.

### **19B OTHER DECISIONS BY INDIVIDUAL OFFICERS**

19B.1 An officer must produce a written record of any decision which he/she makes which falls within paragraph 19B.2.

19B.2 A decision falls within this paragraph if it would otherwise have been taken by North Yorkshire County Council, or a committee, sub-committee of the County Council (or a joint committee in which the County Council participates), but it has been delegated to an officer of the County Council either-

- (i) under a specific express authorisation; or
- (ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to-
- grant a permission or licence;
  - affect the rights of an individual; or
  - award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.

19B.3 As soon as reasonably practicable after a decision at 19B.2 has been taken by an individual Officer, he/she will prepare a record of the decision including the date it was made; a statement of the reasons for it and any alternative options considered and rejected; and, where the decision falls under paragraph (i) of 19B.2, the names of any Member of the relevant local government body who has declared a conflict of interest in relation to the decision.

19B.4 The duty imposed by paragraph 19B.1 is satisfied where, in respect of a decision, a written record containing the following information is already required to be produced in accordance with any other statutory requirement:-

- the date the decision was taken; and
- a record of the decision taken along with reasons for the decision.

19B.5 Where an officer makes a decision which falls within paragraph 19B.2, he/she will, as soon as reasonably practicable after the record is made:-

- make the decision record, together with any background papers, available for inspection by members of the public, at all reasonable hours, at the offices of the relevant local government body; and
- forward a copy of the decision record, together with any background papers, to the Assistant Chief Executive (Legal and Democratic Services) who will publish the decision record, together with any background papers, on the website of the relevant local government body, if it has one, and email copies the decision record, as soon as possible, to the Members and officers listed in paragraph 19.3(b) of the County Council's Access to Information Procedure Rules.

subject to the exclusion of any document or part of a document which the proper officer is of the opinion contains, or may contain, confidential or exempt information.

...

*A table summarising the procedural requirements set out in these Rules, relating to Executive and non-Executive decisions, is included in the Appendix to these Rules.*



# Appendix

## to the

### Access to Information Procedure Rules

#### Explanatory Note

*[This note does not itself form part of the Constitution, but seeks to present the rules about decision making and access to information in an easily accessible way]*

#### CURRENT RULES APPLYING TO TYPES OF DECISION

Decision type		Taken by	Forward Plan?	5 clear days notice and report? <sup>3</sup>	Decision record?	Subject to call-in?
Executive decisions	Key decisions	Member body <sup>1</sup>	YES	YES	YES <sup>5</sup>	YES
		Executive Member	YES	YES	YES	YES
		Officer	YES	YES	YES	YES
	Other Executive decisions	Member body <sup>1</sup>	NO	YES	YES <sup>6</sup>	YES
		Executive member	NO	YES	YES	YES
		Officer	NO	NO	<del>NO</del> <u>YES<sub>8</sub></u>	NO
Non-Executive decisions	Major decisions	Member body <sup>2</sup>	YES <sup>4</sup>	YES	YES <sup>6</sup>	NO
		Officer	YES <sup>4</sup>	NO	NO	NO
	Other non-Executive decisions	Member body <sup>2</sup>	NO	YES	YES <sup>6</sup>	NO
		Officer	NO	NO	<del>NO</del> <u>YES<sub>7</sub></u>	NO

Notes:

1. *Either the Executive, Committee of the Executive or an Area Committee.*
2. *The Planning and Regulatory Functions Committee, Area Committees, Standards Committee, Audit Committee, Appeals Committee (Home to School Transport), Chief Officers Appointments and Disciplinary Committee, Pension Fund Committee and the County Council.*
3. *Five clear days notice and report – this requirement will be met in relation to member bodies by the publication of agenda papers. For Executive Members it will be met by the requirement that if there is a report which is to be taken into account in making any executive decision, it will be made available to the relevant Overview and Scrutiny Committee Chairman and Vice-Chairman and be available for public inspection. The same will apply to key decisions to be taken by officers. For the purpose of counting five clear days, only days when County Hall is open should be counted, i.e. not weekends or bank holidays.*
4. *Publication of these matters in the Forward Plan is a locally adopted practice and not a statutory obligation.*
5. *By minutes of Executive (or Committee of Executive) meeting or by decision record for Area Committees.*
6. *By way of minutes of meetings.*
7. *A decision record must be produced, published on the website, and made available for public inspection, where the decision has been made by an individual officer either-*
  - (i) under a specific express authorisation; or*
  - (ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to-*
    - grant a permission or licence;*
    - affect the rights of an individual; or*
    - award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.*

*Where a non-Executive decision by an individual Officer does not fall into one of the above descriptions, a decision record is not required.*
8. *The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require the recording of **executive** decisions made by individual members or officers under delegated arrangements (this changed the previous provision that only key decisions by officers needed to be the subject of a decision record).*

Reference Number:

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Re: [insert title of record]

This record is produced in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

This form should be used to record:

- EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and
- EXECUTIVE decisions (key or otherwise) taken by an OFFICER (either alone or in consultation with an Executive Member)
- \* A non-Executive decision taken by an OFFICER which falls into one of the following descriptions:-
  - (i) under a specific express authorisation; or
  - (ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to-
    - grant a permission or licence;
    - affect the rights of an individual; or
    - award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.

(One form per decision)

The following ~~executive~~ decision has been taken: -

[Empty box for decision details]

By whom:

.....  
(insert name of Meeting, Member or Officer)

On: ..... (insert date decision taken)

<u>Was this an eExecutive decision?</u>	<u>YES/NO</u>
<u>If an executive decision, was it also a key decision?</u>	<u>YES/NO</u>

Reasons for decision: -

[Empty box for reasons for decision]

Details of any alternative options considered and rejected: -

**Conflicts of Interest**

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee or Monitoring Officer in respect of that conflict.

Conflict	Dispensation?

**Background Papers**

Please attach to this decision notice, for publication, the background papers that disclose any facts or matters on which this decision, or an important part of the decision, was based and which were relied on to a material extent in making the decision, but this does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

Signed  
.....

Publication Date: *[to be inserted by Jackie Dawson/Julie Robinson]*

(Name)  
.....

**Note regarding Executive decisions only:**  
***This decision will come into force, and may then be implemented, on the expiry of 5 clear working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to The Assistant Chief Executive (Legal and Democratic Services).***

Directorate  
.....

**Note 2: non-executive and non-key executive decisions by Officers are not subject to call in.**

**Contact for further information: ...(insert email address if possible)**

**Contact for copy of report considered ...(insert email address if possible)**

To: The Senior Legal and Democratic Technical Support Officer, Legal and Democratic Services - for onward circulation to: all Members of the Council; all Management Board; all Management Board Secretaries; all Senior Managers; all Democratic Services Officers; all Corporate Development Officers; Senior Press Officer; and Communications Officer

## Part 1

### SUMMARY AND EXPLANATION

#### The Council's Constitution

...

#### What's in the Constitution?

...

#### How the Council Operates

...

#### How decisions are made

...

#### Overview and Scrutiny

...

#### Area Committees

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~~ maintain an overview of the effectiveness of the public services provided to their local community by the Council and other agencies and to advocate the interests of their community in relation to those services. They involve Councillors for each particular area and meetings are held in public.

#### The Council's Staff

...

#### Citizens' Rights

...

#### Members' Conduct and Interests

...

## AREA COMMITTEES

### Delegated Powers

- Notes: 1. *In relation to area committees, see also Article 10 of the Constitution;*
2. *Area committees should not make decisions which significantly affect parts of North Yorkshire outside the Committee's area.*

1. To promote in their areas the development of key local strategies where the County Council should work in partnership with District Councils or others, for example on community safety, community transport, community strategies and community education, and economic development and regeneration, in furthering the County Council's duty to promote economic, social and environmental wellbeing in the County, and to work with others to achieve them.

~~◆ The above includes the power for area committees to endorse district community strategies on behalf of the County Council; appoint representatives of the County Council to the relevant Community Safety Partnership; and for County Council payments to such Partnerships to be made through area committees.~~

2. To maintain an overview of the effectiveness of the public services provided to their local community by the Council and other agencies and to advocate the interests of their community in relation to those services.

3. ~~[Not used]; To use its budget to fund any activity or purpose upon which the County Council is legally entitled to incur expenditure and which does not conflict with the policy framework (subject to such conditions in relation to financial commitments, budgetary control and accounting arrangements, as the Executive may from time to time agree).~~

4. ~~[Not used]; Area Committees should, in relation to the use of their budget, have regard to the community strategy for their area when considering spending, as this will help ensure that the community strategy is attended to in local spending decisions.~~

5. To act as a consultee in the process of the setting of the County Council's annual budget and precept.

6. To request and/or receive reports in relation to service developments affecting their area, with power to make representations thereon to the decision making body.

7. To make appointments to outside bodies in accordance with paragraphs 2 and 3 of Schedule 5 to Part 3 of the Constitution.

8. To consider and make recommendations to the Executive on programmes of schemes for the construction and improvement of highways for which the County Council has or will become responsible as Highway Authority.

9. To exercise, within the approved budget and policy framework, the following powers and duties:

- (a) aspects of the Private Street Works procedure for which objections have been received;
  - (b) the making and enforcement of new street Byelaws and Orders;
  - (c) [Not used];
  - (d) [Not used];
  - (e) the stopping up or diversion of highways (other than public rights of way) where an objection is received from any person or body entitled under the relevant statute;
  - (f) the stopping-up and provision of access to premises from highways;
  - (g) the promotion of road safety information, advice or training;
  - \* (h) power to issue licences authorising the use of land as a caravan site;
  - \* (i) power to licence the use of moveable dwellings and camping sites;
  - \* (j) power to enter into agreements with respect to means of access to the countryside, and to provide access in the absence of agreement under sections 35 and 37 of the Countryside and Rights of Way Act 2000.
- 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.
10. Being consulted on community education priorities and proposals.
11. ~~[Not used]; To deploy a General Maintenance Unit in their area for one month on priorities they identify.~~
12. ~~[Not used]; To determine the use of the County Community Fund allocation to their area on the basis of proposals developed by the LSP.~~
13. [Not used.]
14. To respond to any consultation under the Local Government (Miscellaneous Provisions) Act 1982, Section 3.
15. To consider other matters referred to it by the Council, the Executive or overview and scrutiny committees.
- NB: Items marked \* are delegated to area committees by the Council; other items are delegated to area committees by the Executive.