

## Agenda

**Meeting:** Transport, Economy and Environment  
Overview and Scrutiny Committee

**Venue:** The Brierley Room, County Hall, Northallerton,  
DL7 8AD  
(See location plan overleaf)

**Date:** Monday 15 July 2019 at 10am

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### Business

**1. Minutes of the meetings held on**

(a) 17 April 2019

(Pages 6 to 13)

(b) 12 June 2019

(Pages 14 to 18)

**2. Any Declarations of Interest**

**3. Public Questions or Statements**

Members of the public may ask questions or make statements at this meeting if they have delivered notice (to include the text of the question/statement) to Jonathan Spencer of Legal and Democratic Services (*contact details below*) no later than midday

on Thursday 11 July 2019. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

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

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will instruct those taking a recording to cease while you speak.

	<i>Suggested timings if no public questions or statements</i>
<p>4. <b>Ringway Performance 2018/19</b> – Report of the NYCC Corporate Director – Business and Environmental Services</p> <p style="text-align: right;"><b>(Pages 19 to 31)</b></p>	10:00-10:30
<p>5. <b>Highways England</b> – Oral report of the Service Delivery Manager, Highways England</p>	10:30-11:00
<p>6. <b>Home to School Transport Policy Changes – Post Consultation</b> - Report of the NYCC Corporate Director – Children and Young Peoples Service</p> <p style="text-align: right;"><b>(Pages 32 to 51)</b></p>	11:00-11:30
<p>7. <b>Update on the implementation of the Local Strategy for Flood Risk Management</b> - Report of the NYCC Corporate Director – Business and Environmental Services</p> <p style="text-align: right;"><b>(Pages 52 to 59)</b></p>	11.30-12.00
<p>8. <b>Update on the North Yorkshire and York Local Nature Partnership</b> – Report of the NYCC Corporate Director – Business and Environmental Services</p> <p style="text-align: right;"><b>(Pages 60 to 63)</b></p>	12:00-12:30
<p>9. <b>Work Programme</b> – Report of the Principal Scrutiny Officer</p> <p style="text-align: right;"><b>(Pages 64 to 68)</b></p>	12:30
<p>10. <b>Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances.</b></p>	12:40

Barry Khan  
Assistant Chief Executive (Legal and Democratic Services)

County Hall,  
Northallerton.

5 July 2019

NOTES:

Emergency Procedures for Meetings

Fire

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Accident or Illness

First Aid treatment can be obtained by telephoning Extension 7575.

# Transport, Economy and Environment Overview and Scrutiny Committee

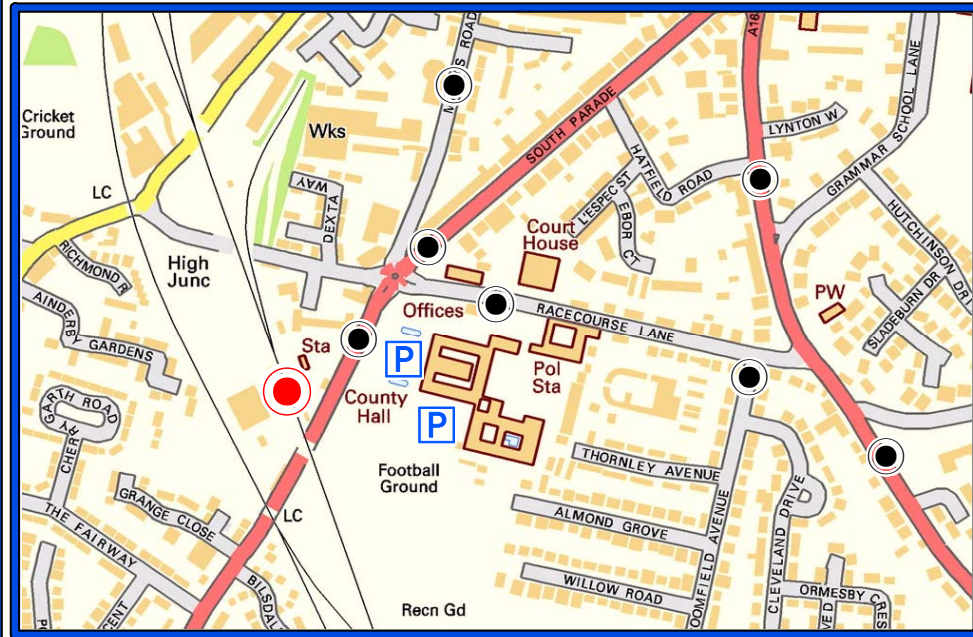
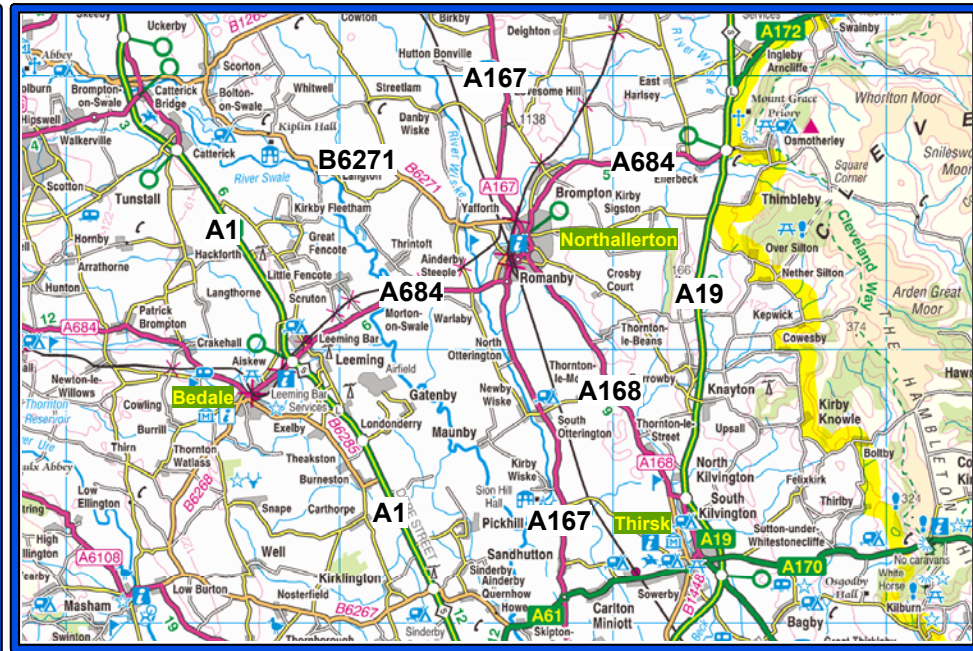
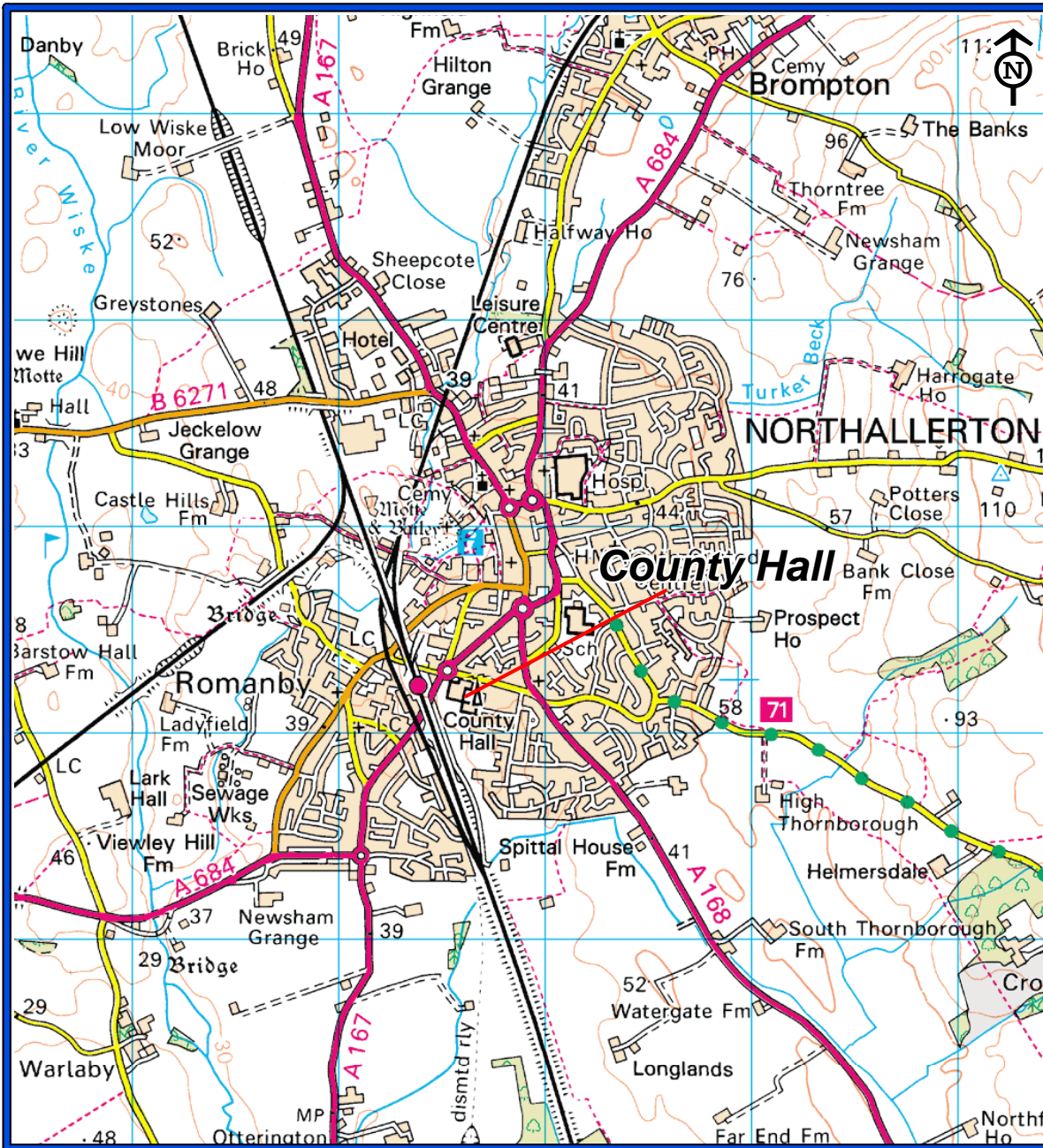
## 1. Membership

County Councillors (13)					
	<i>Councillors Name</i>	<i>Chairman/Vice Chairman</i>	<i>Political Group</i>	<i>Electoral Division</i>	
1	ARTHUR, Karl		Conservative	Selby Barlby	
2	GOODE, David		Liberal Democrat	Knaresborough	
3	HASLAM, Paul		Conservative	Harrogate Bilton and Nidd Gorge	
4	HESELTINE, Robert		Independent	Skipton East	
5	JEFFELS, David		Conservative	Seamer and Derwent	
6	LUMLEY, Stanley	Chairman	Conservative	Pateley Bridge	
7	MACKAY, Don		NY Independents	Tadcaster	
8	MCCARTNEY, John	Vice-Chairman	NY Independents	Osgoldcross	
9	PARASKOS, Andy		Conservative	Ainsty	
10	PATMORE, Caroline		Conservative	Stillington	
11	PEARSON, Clive		Conservative	Esk Valley	
12	SWIERS, Roberta		Conservative	Hertford and Cayton	
13	WELCH, Richard		Conservative	Ribblesdale	
<b>Total Membership – (13)</b>			<b>Quorum – (4)</b>		
<b>Con</b>	<b>Lib Dem</b>	<b>NY Ind</b>	<b>Labour</b>	<b>Ind</b>	<b>Total</b>
<b>9</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>13</b>

## 2. Substitute Members

<b>Conservative</b>					
	<i>Councillors Names</i>				
1	BAKER, Robert				
2	GOODRICK, Caroline				
3	ENNIS, John				
4	TROTTER, Cliff				
5	PEARSON, Chris				
<b>NY Independents</b>					
	<i>Councillors Names</i>				
1					
2					
3					
4					
5					





Visitor Parking  
at County Hall



Northallerton National  
Rail Station



Bus Stops

### County Hall

Northallerton  
North Yorkshire  
DL7 8AD



North  
Yorkshire County Council

Tel : 0845 8 72 73 74

## North Yorkshire County Council

### Transport, Economy and Environment Overview and Scrutiny Committee

Minutes of the Meeting held at County Hall, Northallerton on 17 April 2019 at 10.00 am.

**Present:-**

County Councillor Stanley Lumley in the Chair.

County Councillors Karl Arthur, David Goode, Robert Heseltine, David Jeffels, Don Mackay, John McCartney, Andy Paraskos, Caroline Patmore, Clive Pearson, Roberta Swiers and Richard Welch.

Other Members present were:

Executive County Councillor Andrew Lee

Executive County Councillor Carl Les

Executive County Councillor Don MacKenzie

NYCC Officers attending: Gail Chester, SEND Transport Manager (CYPS), Andrew Davies, Area Manager (BES), Ian Fielding, Assistant Director - Waste Management (BES), Michael Grayson, Project Manager Mobile Connectivity (BES), Kerry Green, Development & Outreach Team Leader (BES), Jonathan Spencer, Principal Scrutiny Officer (CSD) and Cathy Summers, Commercial Sector Service Development Manager (BES).

An apology for absence had been received from County Councillor Paul Haslam.

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**Copies of all documents considered are in the Minute Book**

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**59. Minutes**

**Resolved -**

That the Minutes of the meeting held on 24 January 2019 be confirmed and signed by the Chairman as a correct record.

**60. Declarations of Interest**

**Resolved -**

There were no declarations of interest to note.

**61. Exclusion of the Public and Press**

**Resolved –**

That on the grounds that they each involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972

as amended by the Local government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting during consideration of:

- i) Agenda item 10, Mobile Phone Infrastructure Programme – Tender Update
- ii) Agenda item 11, Private Minutes of the meeting held on 24 January 2019

### **62. Public Questions or Statements**

There were no general public questions or statements from members of the public concerning issues not on the agenda.

### **63. SEND Home to School Transport 2018 Policy Change**

The report of the Corporate Director – Children and Young People Service, updating the Committee on the implementation of the Home to School Transport Policy adopted May 2018.

Gail Chester presented the report.

Members made the following key comments:

- With reference to paragraph 3.2 of the report, a Member commented that a positive aspect of the removal of the free transport statement for SEND post 16 to 18 year olds had been that a number of young people who were capable of doing so now travelled to their place of education on mainstream transport. This was helping build up their independence. She went on to ask what arrangements were in place to provide parents with information on the variety of travel arrangements available. Gail Chester explained that parent workshops had been held in this regard and the County Council was working with parents of post 16-18 SEND students to look at SEND students' aspirations for when they left education so that they were confident in being able to function in wider society.
- Referring to paragraph 4.2 of the report, a Member asked if savings projections had been made beyond Year 4. Gail Chester said that the service was able to utilise data showing the number of under 11 and over 11 year old students with an Education Health Care Plan (EHCP) to extrapolate projections over a number of years. In relation to post 19, the implementation of the policy will be completed and all post 19 assessments will be through social care as business as usual. The service looked at destination data for Year 6 and Year 9 pupils and what their ambitions are for longer term outcomes.
- A Member noted that existing transport users had been reluctant to take up the Parental Transport Allowance to SEND sole-occupancy provision. He asked the extent to which the scheme had been promoted to existing parents. Gail Chester replied that all existing parents had been notified about the provision and each year the service made contact with parents to remind them about this option and would continue to do so.
- On behalf of a Member of the Committee who was unable to be present at the meeting, the Chairman asked the following questions on his behalf: Had the



policy changes impacted upon education attendance levels?; Older pupils are the ones leaving the scheme, are these drivers that we are putting on the road and thereby reducing the environmental gain from the policy changes? Paragraph 3.3 suggests that 66 adults have been take out of education. What has happened to these young people? Are the money savings on schedule? Gail Chester replied that the changes had had no impact on education attendance levels in relation to post 16-18 SEND students with an EHCP. In relation to the adults no longer in transport provided by the authority, this included older students who had gone on to university and so had progressed beyond the expectations set out in their EHCP. The changes had not caused a barrier to participation in post-16 education. She went on to note that there had been an environmental gain as the majority of post 16-18 SEND students were using existing college transport and there were only two students she was aware of who possessed a car driving licence. The money savings were on schedule, as set out in the report. From a financial perspective in relation to the families, they had been referred to the welfare benefits assessment department to check that they were accessing the full range of benefits that they were entitled to and were also making use of any bursaries in colleges.

### **Resolved -**

That the Committee notes the progress made in the first year of implementation of the Home to School transport policy 2018.

### **64. Scarborough Park and Ride**

Considered -

The report of the Corporate Director – Business and Environmental Services updating the Committee on the consultation of options to change the level of service provision of Park and Ride in Scarborough and to obtain the Committee's comments on the same.

Cathy Summers presented the report and invited Members to comment on the consultation of options to change the level of service provision of Park and Ride in Scarborough.

Members made the following key comments:

- A Member referred to paragraph 4.2 concerning the introduction of the £1 charge noting that there was a strong correlation between the introduction of the charge and the reduction in numbers using both sites. He asked what consideration had been given to removing the £1 charge in order to reverse the trend. Cathy Summers explained that the charge had been brought about by a legislative change removing Park and Ride services from the scope of the concessionary fares scheme. If the charge was dropped there would be an associated cost to the County Council as it would still be required to reimburse bus operators for the lost fares. Executive County Councillor Don MacKenzie said that removing the £1 charge would represent poor value for money as it would be a demand-led budget of which the County Council would have no control. The concessionary fares scheme already cost the County Council £8 million a year and Scarborough Park and Ride cost £0.5 million a year to run.



- A Member asked if any work had been done to establish where visitors to Scarborough, other than those using the Park and Ride facility, were now parking instead. Cathy Summers replied that in producing the options the focus had been on looking at the demand for the Park and Ride rather than visitor numbers to Scarborough as a whole. Executive County Councillor Don MacKenzie noted that the County Council's receipts for on-street parking had not increased rapidly but off-street parking in Scarborough Borough Council's managed car parks might have increased.
- A Member said that the most sensible option in light of the falling demand for both sites particularly during out of season was to implement option 3 (ceasing the Park and Ride out of season). He said that in the long term retaining the Park and Ride facilities made good economic and environmental sense. Where he would like to see clarification was in respect of the last line of option 3. Rather than stipulating that the Park and Ride sites and services be closed from the second Sunday in November until the second Sunday before Easter, a specific opening date of 1 April should operate instead, unless Easter occurred earlier than 1 April within a given year. This was in view of the timing of Easter varying from year to year. Cathy Summers replied that she would take this suggestion on board and noted that this suggestion had been made by other people responding to the consultation. The Member went on to advise that immediately prior to the sites re-opening there should be a publicity campaign to raise awareness amongst potential customers.

### **Resolved -**

- a) That the Committee notes the report.
- b) That the Committee recommends that the Executive adopts option 3 but that rather than stipulating that the park and ride sites and services be closed from the second Sunday in November until the second Sunday before Easter, a specific opening date of 1 April should operate unless Easter occurred earlier than 1 April within a given year.

### **65. DEFRA/HM Treasury Consultations on Elements of the Resources and Waste Strategy**

Considered –

The report of the NYCC Corporate Director – Business and Environmental Services to inform the Committee of four consultations relating to the Resources and Waste Strategy, and to invite the Committee to comment on the draft responses on behalf of the County Council to be sent to DEFRA and HM Treasury:

Ian Fielding presented the report, summarising the draft officer response to each of the four consultations: consistency in household and business recycling collections in England; reforming the UK packaging producer responsibility system; introducing a Deposit Return Scheme in England, Wales and Northern Ireland; and plastic tax consultation.

Members made the following key comments:

- A Member said that the initiatives set out in the consultation represented a starting point and that not bringing waste into the system was the preferred

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approach. There was a lot more that society as a whole could do to minimize waste. In respect of the draft County Council's response to the food waste collection proposal he sought clarification as to whether the proposed response was whether to not support food collections per se or as a separate collection. He asked if there would be support if food waste was integrated with other green waste. He noted that the Netherlands did allow food waste to be included and so he felt that this could be a missed opportunity if the same did not apply in the United Kingdom. Ian Fielding replied that the government was clear in its ambition to see separate food waste collections to deliver on its recycling target of 65% of waste. 51% of local authorities collected food waste, whilst North Yorkshire did not. For those that collected food waste it worked because a number of those local authorities had landfill sites only. In North Yorkshire there was the Allerton Waste Recovery Park which included an anaerobic food digester which could accommodate organic waste and so there was not a need for separate food waste collection. This provided a cost-effective way of dealing with food waste. If separate food waste collection was brought in it would significantly increase costs which would need to be passed on to taxpayers as a whole.

- A Member referred to the proposal in paragraph 5.5 for the County Council to not support a minimum fortnightly collection frequency. He said that he disagreed with this stating that in his view a collection frequency longer than a fortnight would lead to an increase in vermin, especially as larger families were likely to struggle to contain their household waste in the bin provided. In relation to the packaging plastic tax, he said his concern was that the tax revenue collected from the government would simply be used by government to raise the tax burden and so would need to be offset by tax cuts elsewhere.
- A Member queried if there was a separate food collection would this mean that the anaerobic digester would work less effectively. Ian Fielding said that separate food collections would still be transported to the Allerton Waste Recovery Park but the benefit of going separately would be that the food waste material could be returned to the land and free up more capacity at the energy waste plant. Whilst separate food collections could work there would need to be detailed work with district councils to establish how it would be collected. It would also require additional vehicles which was likely to outweigh the benefits of carbon reduction.
- A Member queried if in the consultation response there was much impact on reducing waste in the first instance such as banning single-use plastic cups. Kerry Green replied that in the consultation documents the waste produced by society was mentioned and discussed in terms of green waste collections. The government position was that it did not see the composting of household waste as a way out. Plastic cups were mentioned as an item in the Deposit Return Scheme. The County Council's draft response was that home composting should be included as it would create a behaviour change.
- Executive County Councillor Andrew Lee said that North Yorkshire had taken a pro-active approach to waste through the construction of the Allerton Waste Recovery Park and so was at an advantage compared with some other areas. Regarding food waste the county had the capacity to deal with it through the Allerton Waste Recovery Park. If there were separate food waste collections it might impact on doing that. With regards to re-use/prevention of waste in North

Yorkshire, there more opportunities to do home-composting than in urban areas so might encourage households to do that. He went on to state that it was important to look at how the government's proposals would impact on the County Council financially. The government was stating that costs would be shifted on to the producer notably with the introduction of the plastic packaging tax but it might not always work out like that. He went on to state that there were opportunities for more joined up working between the district councils and the County Council to look at how collectively they could have a more co-ordinated waste strategy and make savings. With regards to the Deposit Return Scheme he said that he had some concern given the rurality of the county about the impact on small businesses and so more details were required from government.

- A Member said that on the whole he supported the government proposals but with reference to paragraph 4.3 he disagreed with non-binding performance indicators because unless they were binding, progress could be abandoned. In the past the government had environmental indicators and the requirement for councils to have an environmental strategy. However when this requirement was removed the County Council no longer had one and focused instead on cost savings.

### **Resolved -**

That the Committee approves the draft response as submitted to be sent to DEFRA and HM Treasury.

### **66. Highways Infrastructure Asset Management Policy and Strategy**

The report of the NYCC Corporate Director – Business and Environmental Services to provide the committee with the opportunity to review the updated highways infrastructure asset management policy and strategy documents.

Andrew Davies presented the report.

Members made the following key comments:

- A Member said that she received complaints from members of the public about the funding being spent on green lanes/bridleways when more major routes still had potholes. Executive County Council Don MacKenzie replied that conversely he received complaints about the Council not spending funding on bridleways and neglecting green lanes. This year £55 million was being spent on highways maintenance to bring all classes of highways back up to standard. North Yorkshire had almost 6000 miles of highways and so there would always be potholes at a given point in time somewhere on the road network. However he believed that the County Council had got the balance right. Andrew Davies said that the Highways Infrastructure Asset Management Policy and Strategy helped to address the balance especially the strategy as it set out the rationale for prioritising investment.
- A Member raised a concern about incorrect signage during roadworks including signs not being taken away when works had finished. Andrew Davies replied that the County Council relied on its contractors to have a street works team to monitor signage. He acknowledged that there was room for improvement and that issues had been raised with the contractor at operational levels regarding

temporary road signs. More recently improvements had been seen with the introduction of the permitting scheme.

**67. Work Programme**

Considered -

The report of the Principal Scrutiny Officer asking the Committee to confirm, amend or add to the areas of the work listed in the Work Programme schedule (Appendix 1 to the report).

The Chairman introduced the report.

**Resolved -**

- a) That the work programme be noted.
- b) That the Committee approves the draft scope of the Vehicle Activated Signs Review as submitted in Appendix 2 of the report.
- c) That County Councillors Robert Heseltine, David Goode, David Jeffels, Stanley Lumley, Clive Pearson and Roberta Swiers be appointed to the task group.

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**Minute No. 68 - Mobile Phone Infrastructure Programme – Tender update – and Minute 69 - Private Minutes of the Meeting held on 24 January 2019, included confidential details, as outlined in Minute No. 61 and, as such, the minutes reflect the confidential nature of some of that information.**

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**68. Mobile Phone Infrastructure Programme – Tender update**

The report of the NYCC Corporate Director – Business and Environmental Services, providing an update on the Mobile Phone programme and the progress to date following the tendering exercise.

Michael Grayson presented the report. He explained six areas had been identified to build masts. Following the tendering exercise, Arqiva had been appointed as the County Council's preferred partner in the project in January 2019 to build the masts.

Prior to building any infrastructure, at least one Mobile Network Operator (MNOs) must be signed up who will provide improved mobile coverage.

To date there was interest in two sites from EE who were providing the replacement Emergency Services Network.

The County Council continued to have discussions with the MNOs on the other sites in anticipation of securing agreement. At present the County Council was estimating that up to four masts would be able to be delivered with the monies available.

The current programme was still on track for the completion by March 2020 but it was dependent upon having the MNOs agreeing to anchor the Masts.

Arqiva could provide other sites of interest for the MNOs and the County Council would review what other sites could be available.

Members made the following key comments:

- A Member commented that there was not 4G mobile phone coverage in his Division, which was a concern in relation to there being no 4G coverage for emergency services. Michael Grayson replied that he was looking at two areas where there was no mobile phone coverage for EE on the back of the network, with one doing an infill programme. He said that he was trying to talk to the energy service EE and another – extended areas service where to build masts in complete ‘not spots’. 25 masts were being proposed in the Dales and Moors area and another 15 masts by EE for infill. Nine out of 15 had been built. Executive County Councillor Don MacKenzie noted that there was funding available to provide superfast broadband coverage to 98% of county. The 4G network was a method to bridge the gap between 98% and 100% of coverage. Fully consulted to improve 4G broadband and mobile telephony in general and got funding just about to take us there.
- A Member asked how people could find out about the best provider for their area in terms of network coverage. Michael Grayson replied that individual operator sites showed some information but were not always up-to-date and so it was difficult to say if it was the best provider in certain areas. Ofcom information was anonymised. As part of the mobile network coverage project the County Council had produced a mast register to build up more detailed and up-to-date information.

### **Resolved –**

That the progress update be noted.

### **69. Private Minutes of the Meeting held on 24 January 2019**

#### **Resolved -**

That the Private Minutes of the meeting held on 24 January 2019, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

The meeting concluded at 12.05pm

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## North Yorkshire County Council

### Transport, Economy and Environment Overview and Scrutiny Committee

Minutes of the Meeting held at County Hall, Northallerton on 12 June 2019 at 2.00pm.

**Present:-**

County Councillor Stanley Lumley in the Chair.

County Councillors Margaret Atkinson (substitute for Caroline Patmore), Robert Baker (substitute for Roberta Swiers), Derek Bastiman (substitute for David Jeffels), Paul Haslam, Robert Heseltine, Andy Paraskos, Chris Pearson (substitute for Karl Arthur), Clive Pearson, Peter Sowray (substitute for Richard Welch).

Other Members present were:

Executive County Councillor Patrick Mulligan  
Executive County Councillor Janet Sanderson  
County Councillor John Blackie  
County Councillor Helen Grant.

NYCC Officers attending: Stuart Carlton, Director, Children and Young Peoples Services; Howard Emmett, Assistant Director, Strategic Resources; Gail Chester, SEND Transport Manager, Children and Young Peoples Services.

Apologies for absence had been received from County Councillors Karl Arthur, David Jeffels, John McCartney, Caroline Patmore, Roberta Swiers and Richard Welch.

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**Copies of all documents considered are in the Minute Book**

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**70. Chairman's introduction**

County Councillor Lumley welcomed everyone to the meeting and thanked members for attending the meeting at such short notice. County Councillor Lumley recorded the apologies that had been received.

County Councillor Lumley referred committee members to the report at page 6 of the agenda pack which outlined the 'call in' process, in particular, section 3 on page 7, the 'Order of Business'.

County Councillor Lumley reminded committee members that the 'call in' is of the Executive decision made on 21 May 2019 by Stuart Carlton, Corporate Director of Children and Young People Services (CYPS) in consultation with Executive Member, County Councillor Patrick Mulligan. The decision was:

"That the contribution rate for post-16 home to school transport be set at £600 per annum for the 2019/20 academic year. This will place the authority at the mode rate, and within the majority of County Council current rates of contribution."

County Councillor Lumley then said that the aim of this meeting was to consider the



reasons for the decision taken and then determine what course of action to take. This could include one of the following:

- (a) make no referral in relation to the matter; or
- (b) refer the matter back to the decision taker for reconsideration; or
- (c) refer the matter to full Council.

County Councillor Lumley said that if a referral was to be made with a recommendation that the decision be re-considered, clear reasons must then be given for the referral.

### **71. Declarations of Interest**

#### **Resolved -**

There were no declarations of interest to note.

### **72. Public Questions or Statements**

There were no public questions or statements.

### **73. Call in of the Executive decision made on 21 May 2019 by Stuart Carlton, Corporate Director of CYPS in consultation with Executive Member, County Councillor Patrick Mulligan**

#### **Considered -**

The report of Jonathan Spencer, Principal Scrutiny Officer, detailing the decision taken, the 'call in' process and courses of action open to the committee.

County Councillor Stanley Lumley invited the decision taker, Stuart Carlton, Corporate Director Children and Young People's Service, to explain the circumstances and reasons for the decision.

Stuart Carlton made the following comments:

- The provision of post-16 home to school transport is discretionary
- Charges for post-16 home to school transport were introduced in 2006
- Home to school transport is a demand-led service which has an overall annual budget of £21.7 million compared to an annual expenditure of £24.1 million
- Post-16 home to school transport costs £2.8 million per annum and contributions made to help cover the cost amount to £0.5 million. As such, the service is heavily subsidised
- There are significant budgetary pressures upon both the Council and the department. There was a £7 million overspend in 2018/19
- Of the 26 county councils in England, only 4 do not charge at present. Two of these are currently considering charging
- The County Council has some of the lowest charges at present
- The charges in 2013/14 were £360, in 2014/15 the rose to £480 and have only been increased by £10 since then
- The majority of county councils charge between £600 and £700
- There options considered were: increase to £570; increase to £600, which is the mode rate; and increase to £650, which is the average rate. The decision was to charge £600.

County Councillor Stanley Lumley invited County Councillor John Blackie, as a

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signatory of the call-in the position, to outline the reasons for request for the scrutiny committee to consider the issue.

County Councillor John Blackie made the following comments:

- A total of 16 reasons were submitted as the basis for the call in, all of which are listed in the agenda
- The call in has been made by County Councillors concerned about all of the rural areas of the county and the difficulties that people experience accessing services
- The arguments that have been put forward to support the increases in fees have been focused solely upon finances. The impact upon children and their families does not appear to have been considered.
- The proposed increase from £490 to £600 is a 22.5% increase that has been imposed without consultation or gathering of views
- The more remote rural communities will be hit the hardest by the increased fees and there is a very real concern that people on low incomes will be further disincentivised from accessing further education
- The increase is so significant that it may be beyond the means of many low income households
- This will create additional pressures that will hasten the departure of young families from rural areas of the county
- If the changes to the fees have to be made, then they could be made incrementally over a 4 year period. This would equate to £25 per annum.

County Councillor Stanley Lumley invited the decision taker to respond. County Councillor Patrick Mulligan made the following comments:

- The Council is facing significant financial challenges and all opportunities to reduce spend, reduce costs and generate income need to be considered
- The Council has a good track record of consulting with the public and responding to the issues raised
- It is not possible to consult on everything. The increase in fees is not a change in policy and so the Council is not obliged to consult.
- Low income families will only be charged 50% of the fees. Additional financial support is available through a bursary scheme, which provides up to £1,200 per annum.

There were no members of the public present and so County Councillor Stanley Lumley invited County Councillors, who were in attendance, to speak.

County Councillor Janet Sanderson said that there was a need to focus upon the budget and providing good quality services that were within the means of the Council. She said that county councils had been poorly funded over time and that this created additional financial pressures.

County Councillor Helen Grant noted her support for the comments made by County Councillor John Blackie and raised her concerns about the impact of the proposed increase in charges upon rural communities.

County Councillor Stanley Lumley then opened up the discussion to the Members of the Transport, Economy and Environment Overview and Scrutiny Committee. The following comments were made:

- Advice and financial support is in place for families on low incomes
- The real challenge to the long term sustainability of rural communities is the rising

## ITEM 1(b)

- cost of houses and the rising number of second homes
- The fees are a flat rate that does not take into account the distances travelled. As such, people in urban areas may be subsidising people in rural areas
- There is a need to focus upon the budget and the costs to the Council. Local government funding is such that the Council has to make hard decisions which it would prefer not to do but has no choice
- The proposed savings for the Children and Young Peoples' Services were detailed in the Mid Term Financial Plan that went to County Council in February 2019. As such, none of this should come as a surprise.

County Councillor Derek Bastiman noted that it may have been better to consult on the proposed increase or even to have staggered the increase over a longer period of time. He asked whether other local authorities formally consulted on changes to charges.

In response, Stuart Carlton said that only a new policy would be consulted upon and not a change in fees.

County Councillor Paul Haslam queried whether any assessment had been made of the differential impact of the increased charges across different communities in the county.

In response, Stuart Carlton said that such an assessment had not been undertaken as there was no change in policy being proposed.

County Councillor Stanley Lumley invited the decision taker to sum up.

County Councillor Patrick Mulligan referred back to the comments previously made by himself and Stuart Carlton. He added that the Council has a responsibility to maintain strong financial management and ensure that all communities in the county can access the best possible services within the financial constraints that exist. County Councillor Patrick Mulligan said that the charges had to be increased but that it was important to note that there was still a subsidy in place of approximately £300 per person, per annum.

County Councillor Stanley Lumley invited County Councillor John Blackie, as a signatory of the call-in, to respond and sum up his position.

County Councillor John Blackie made the following comments:

- It would have been good practice to have a consultation on the proposed changes to the fees
- The financial support that is available to low income families is welcomed but it is highly unlikely that it will be taken up even where most needed
- There remain concerns about the ability of people to pay whose income is just above the threshold for financial assistance
- The increase in fees are yet another factor in the rising cost of living in the Dales, which is driving young families away
- Rural areas are at a disadvantage as people living there face long journey times to services and so are reliant upon transport and have few choices
- The financial position of the Council is well known but the decision to increase the fees charged by £110 or 22.5% with no consultation and with little notice does the Council no credit whatsoever
- The impact upon rural families will be significant and the worry remains that a generation of children will be discouraged from accessing further education and so

## ITEM 1(b)

not be helped to fulfil their potential.

County Councillor Stanley Lumley summed up the discussions, reminding committee members that the choices available to the committee were to:

- (a) make no referral in relation to the matter; or
- (b) refer the matter back to the decision taker for reconsideration; or
- (c) refer the matter to full Council.

County Councillor Derek Bastiman proposed a motion that no referral be made in relation to this matter.

This was seconded by County Councillor Andy Paraskos.

A vote was taken and the motion passed with 8 in favour, with 1 abstention and none against.

### **Resolved -**

To make no referral in relation to the matter.

### **74. Other business that the Chairman agrees should be considered as a matter of urgency because of special circumstances**

There was none.

The meeting concluded at 3.15pm

DH



**Transport, Economy and Environment Overview and Scrutiny Committee**

**15 July 2019**

**Report of the Corporate Director Business and Environmental Services**

**Ringway Performance – 2018/19**

**1.0 Purpose of Report (Mandatory)**

- 1.1 The purpose of this report is to advise Members of Ringway's (RIS's) performance under the Highways Maintenance Contract (HMC2012) during the period 1 April 2018 – 31 March 2019 and of the outcome of the Evaluation Panel held on 5 June 2019 which was to keep the term of the Contract at 9 years with a Contract completion date of 31 March 2021.

**2.0 Key Background Information**

- 2.1 Following a restricted EU procurement process, the HMC2012 was awarded to RIS which commenced on 1 April 2012 for a term of 6 to 10 years dependant on performance.
- 2.2 An Evaluation Panel is held annually to review Contract Performance Indicators (CPI's) and determine the term of contract. The CPI's comprise Primary Performance indicators (PPIs) and Secondary Performance Indicators (SPIs). The PPIs directly affect the term of the contract, although the SPIs can also be taken into consideration. The Evaluation Panel is also asked to support the implementation of the rolling CPI targets, together with any interim amendments.
- 2.3 The Contract starts with a default 10 year term, which can then be reduced following poor performance. Once reduced, the term can be increased again following good performance.
- 2.4 The Contract term was reduced by one year at the Evaluation Panel meeting held on 22 May 2014.
- 2.5 The Evaluation Panel meeting held on 5 June 2019, considered the performance of RIS for the period 1 April 2018 – 31 March 2019. The performance for this period was that the required targets for 12 out of 13 PPIs and 7 out of 10 SPIs were met.
- 2.6 Based on a detailed assessment of the level of performance, the Panel took the decision to keep the term of the Contract at 9 years with a Contract completion date of 31 March 2021. Although Ringway had demonstrated improved performance compared with the previous year, for which the panel complimented the management team, the level of improved performance did not warrant a change to the current length of the contract.
- 2.7 Through the HMC 2012 Governance arrangements, RIS's performance is scrutinised throughout the year at the monthly Operational Management Group (OMG), quarterly

Strategic Management Group (SMG) and 6 – monthly Partnering Steering Group (PSG) meetings.

- 2.8 Since the first HMC 2012 Evaluation Panel, RIS's performance has been further scrutinised by Members at:
- Transport, Economy and Environment Overview and Scrutiny Committee (TEE OSC) – 17 July 2013
  - BES Executive Members (with County Councillor David Jeffels in attendance as Chairman of TEE OSC) – 27 November 2013
  - TEE OSC – 22 January 2014
  - TEE OSC – 16 July 2014
  - TEE OSC – 21 January 2015
  - TEE OSC – 14 October 2015
  - TEE OSC – 27 July 2016
  - TEE OSC – 20 July 2017
  - TEE OSC – 12 July 2018
- 2.9 RIS has demonstrated an improved level of performance since the last report. Appendix A details the overall performance for the financial year 2018/19 compared to the previous year.
- 2.10 Appendix B details the 'Rectification Action Plans' presented to the Evaluation Panel relating to those indicators where the required Target was not met.

### **3.0 Key Implications**

#### Local Member

3.1 None

#### Financial

3.2 Over the first seven years of HMC 2012, approximately £343 million of work has been delivered to date. Spend over the remaining years will be from the indicative Department for Transport budgets along with successful grant applications.

#### Human Resources

3.3 None

#### Legal

3.4 The requirement for an Annual Review of HMC 2012 is stipulated in the contract documents and shall be completed before 1 June in each Contract Year.

3.4.1 The Key Decisions associated with the Evaluation Panel held in this and in previous years have been published on the County Council's Statutory Forward Plan in accordance with its Constitution.

#### Equalities

3.5 None.



#### **4.0 Conclusion**

- 4.1 Based on a detailed assessment of the level of performance, the Panel took the decision to keep the term of the Contract at nine years

#### **5.0 Recommendation(s)**

- 5.1 It is recommended that Members note the contents of this report and the attached appendices.

#### **6.0 Reasons for Recommendations**

- 6.1 The decision by the Evaluation Panel was made following the procedures set out in the contract.

Author of Report: Nick Burgess – Commercial Services Contracts Officer  
Presenter of Report: Barrie Mason – Assistant Director, Highways and Transportation (BES)  
27/06/2019

Background papers relied upon in the preparation of this report:-  
HMC 2012 Annual Evaluation Panel Report – Contract Term and Future Targets  
For further information contact the author of the report

#### **Appendices:**

Appendix A Summary of CPI Scores for 2018-19  
Appendix B RIS Rectification Action Plans

## Appendix A Summary of PPI Scores for 2018-19

### Primary Performance Indicators (PPIs)

Reference No.	PPI	Measure	Performance			Technical Notes	2017/18 Performance	
			2018/19					
			Target	Actual	Pass/Fail			

#### WINTER MAINTENANCE:

PPI WM01	Client Satisfaction –Winter Maintenance Gritting Routes	Max no. scores <10	9	0.00	Pass		Pass	1.00
		Average score (based on 42 returns)	9.65	10.00	Pass		Pass	9.79
		Max total no. failure points	52	0.00	Pass		Pass	15.00
		Max no. 1 pt deductions	9	0.00	Pass		Pass	0.00
		Max no. 3 pt deductions	6	0.00	Pass		Pass	0.00
		Max no. 5 pt deductions	4	0.00	Pass		Pass	3.00
Overall Performance					Pass			

**SCHEMES** (surface dressing, resurfacing and reconstruction (R&R) schemes, integrated transport schemes, bridge schemes, section 38 and section 278 works, and street lighting [if included in final contract]):

PPI S01	Start on Time	% on time or better	91%	100.00%	Pass	All allocation of party responsible for delays taken as having been agreed by operational teams. Of the 159 schemes programmed to start 159 were started on time	Pass	96.19%
PPI S02	Finish on Time	% on time or better	91%	99.38%	Pass	All allocation of party responsible for delays taken as having been agreed by operational teams. Of the 160 schemes programmed to finish, 159 were finished on time. 1 were not	Pass	93.42%
PPI S04	Street works Noticing	Number of completed works orders that require works notices as a % based on a random sample	50	39	Pass	To date 39 sites have been found to have no authorised/deemed permit from driving the network as part of other duties..	Not Applicable (revised scoring methodology)	
		Number of compliant notices	90%	31.94%	Fail	To date of the 216 inspections, 69 have been compliant. 147 were not compliant with their permit conditions.	Not Applicable (revised scoring methodology)	
		Number of notices that over run the proposed notice end date	6%	2.87%	Pass	To date there have been 10,533 stop notices, 302 have been overruns.	Not Applicable (revised scoring methodology)	
Overall Performance					Fail		Fail	

**ROUTINE MAINTENANCE** (grass cutting and weed killing, gully emptying, street lighting, other routine maintenance including lining, sign installation and repair, tree maintenance, pothole repair, drainage repair and the like and GMUs):

PPI RM05	Road Markings	% Completion of road marking schemes within deadline	90%	95.20%	Pass	Based on RIS data, of the 396 beds which have been lined, 377 were lined in time.	Pass	93.90%
PPI RM06	Achievement of Programme – Surface Dressing	% Completion of surface dressing programme by 15 <sup>th</sup> August, annually.	97%	98.42%	Pass	3,148,599 of the programmed 3,199,275 surface dressing beds have been completed. 3,148,599 of this is prior to 15th August.	Pass	97.96%

## Appendix A Summary of PPI Scores for 2018-19

### Primary Performance Indicators (PPIs)

Reference No.	PPI	Measure	Performance			Technical Notes	2017/18 Performance	
			2018/19					
			Target	Actual	Pass/Fail			

**ROUTINE MAINTENANCE** (grass cutting and weed killing, gully emptying, street lighting, other routine maintenance including lining, sign installation and repair, tree maintenance, pothole repair, drainage repair and the like and GMUs):

PPI RM08	Highway Dangerous Defects CAT 1	% of dangerous defects made safe within 24 hours of identification	99%	100.00%	Pass	527 instructions that have been raised, of those 527 were completed in time.	Pass	99.59%
PPI RM09	Completion on Time – Emergency Call Outs	% on time	99%	100.00%	Pass	1,850 instructions that have been raised, of those 1,850 were completed in time.	Pass	99.94%
PPI OB7	Completion in time option B (minor works) 7 day response	Number of jobs completed as % of those planned to be completed.	75%	76.98%	Pass	Of the 1,742 instructions 1,341 were completed on time, or commenced on time and were completed within a timely manner.	Pass	76.01%
PPI OB8	Completion in time option B (minor works) 30 day response	Number of jobs completed as % of those planned to be completed.	80%	84.29%	Pass	Of the 5,282 instructions 5,282 were completed on time, or commenced on time and were completed within a timely manner.	Fail	78.00%
PPI OB9	Completion in time option B (minor works) 3 month response	Number of jobs completed as % of those planned to be completed.	85%	88.79%	Pass	Of the 1,561 instructions 1,386 were completed on time, or commenced on time and were completed within a timely manner.	Pass	88.30%

**FLEET MAINTENANCE** (Maintenance of the County council's vehicle fleet and management of the fuel supply and storage facilities):

PPI FM01	Compliance with Servicing Schedule	% Completion of servicing within deadline	95%	99.85%	Pass	Of the 681 services carried out 680 have been carried out as planned.	Pass	99.67%
PPI FM02	MOT Pass Rate	% of MOTs passed	97%	97.56%	Pass	Of the 123 MOT's carried out, 3 have failed.	Pass	99.15%

**STREET LIGHTING MAINTENANCE** [if included in final contract]

PPI SL01	Street Lighting Fault Repair	% of defects repaired within 7 days	96%	93.06%	Mitigated Pass	To date 7,718 seven-day repairs have been received and 536 have not been completed on time.	Pass	99.59%
PPI SL02	Achievement of Programme – Street Lighting Cyclical Maintenance	% Completion of programme	90%	93.79%	Pass	To date 12,677 of the programmed 13,516 tests and clean of bollards and lit signs have been completed. Works are running 15.89 days behind programme	N/A	N/A

## Appendix A Summary of PPI Scores for 2018-19

### Summary of SPI Scores for 2018-19

#### Secondary Performance Indicators (SPIs)

(Only to be taken account of by the Evaluation Panel on failure of one or more of the PPIs. To be considered as part of "NYCC's discretion"):

Reference No.	SPI	Measure	Performance			Technical Notes	2017/18 Performance	
			2018/19					
			Target	Actual	Pass/Fail			

#### SCHEMES

SPI S03	Defects – Impact at Handover	% schemes defect free at handover	92.00%	#N/A	#N/A	To date 0 schemes have been handed over, with 0 having a defect outstanding	Pass	99.55%
SPI S06	Value of Gain Achieved	Value of pain + gain	>£0.00	£ -	Fail	#REF!	Fail	£ -

**ROUTINE MAINTENANCE** (grass cutting and weed killing, gully emptying, street lighting, other routine maintenance including lining, sign installation and repair, tree maintenance, pothole repair, drainage repair and the like and GMUs):

SPI RM02	Achievement of Programme – Grass Cutting Rural	% of rural grass cutting routes completed within 14 calendar days of programme	97%	100.00%	Pass	22 'villages' have been programmed to be cut of which 22 were cut in time.	Pass	100.00%
SPI RM03	Achievement of Programme –Weed Spraying	% of weed spraying routes completed within 14 calendar days of programme	97%	100.00%	Pass	18 sites have been treated, 18 were within time.	Pass	100.00%
SPI RM04	Achievement of Programme – Gully Emptying	% of gullies cleaned within 14 calendar days of scheduled cleanse	97%	78.22%	Fail	145,614 gullies were originally programmed. When visited, 15,106 were deemed to be jammed, obstructed or missing. Of the remaining 130,508 gullies, 102,089 have been cleaned within time.	Fail	66.88%
SPI RM07	Defects	Max No. of Defect Notices issued	140	9	Pass	9 defects have been received	Pass	1

#### HEALTH AND SAFETY:

SPI HS01	LTIFR (Lost Time Through Injury Frequency Rate)	Number of lost time incidents per 1,000,000 hours worked	2.50	3.27	Fail	A total of 610,889 hours have been recorded. 0 lost time incidents have been recorded.	Fail	3.10
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## Appendix A Summary of PPI Scores for 2018-19

### Secondary Performance Indicators (SPIs)

(Only to be taken account of by the Evaluation Panel on failure of one or more of the PPIs. To be considered as part of "NYCC's discretion"):

Reference No.	SPI	Measure	Performance			Technical Notes	2017/18 Performance	
			2018/19					
SPI PCS01	Public Satisfaction – All Schemes	% satisfied or very satisfied	90%	95.39%	Pass	282 cards have been returned of which 269 were satisfactory or better. To date 2,160 cards have been posted out.	Fail	89.94%
SPI PCS05	Annual Client Survey	A - % Satisfaction Management of the Contract	85%	88.34%	Pass		Pass	87.51%
		B - % Satisfaction Service Provision	85%	93.21%	Pass		Pass	93.38%
		Overall Performance		90.77%	Pass		Pass	90.45%

### CONTRACTOR – SELF EVALUATION AGAINST ANNUAL ACTION PLAN

SPI AAP01	Contractor Progress against Annual Action Plan – self evaluation	% actions complete against Annual Action Plan	90%	100.00%	Pass		Pass	98.33%
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	<b>ACTION REPORT FORM</b>		<b>PROCESS OWNER: Group IMS Manager</b>
	Issue: 5A	Date: August 2011	Page 1 of 2

**Section 1**

Business Ref: RIS HMC2012 Division and/or Location: North Yorkshire Action Report No: RAP 2019 01 PPI SO4

**Section 2**

Issued by: P Jepps	Issued to: North Yorkshire	Date: 02/5/2019
Contract Number: MU 5382	Works Order Number: N/A	Delivery Note Number: N/A

**Section 3 DESCRIPTION OF ISSUE**

Not achieving the minimum target of CPI PPI SO4 during the contract year 2018/19

Of the 3 parts to the CPI measure pt B (Inspections) didn't meet the target

**Section 4 STATE THE ROOT CAUSE OF THE ISSUE**

- Gangs not being aware of the requirements
- Gangs not complying with the imposed conditions
- Gangs not following procedure and displaying a permit board with the correct reference number.
- Inspectors not introducing themselves and not reporting to the gang any problems at time of inspection.

**Section 5 WHAT ACTION IS PLANNED TO ADDRESS THE ABOVE ROOT CAUSE?****5a CORRECTIVE ACTION (To address the issue)**

- Briefings took place in November and March to stress the importance of the Streetworks procedures and the reasoning behind them
- The March briefings included NYCC staff responsible for the Inspections and their management responsible for monitoring

**5b PREVENTIVE ACTION (To prevent recurrence)**

- Monitor performance on a daily basis and report to Area staff when failure occur so that they can be rectified and the gang reminded of what is expected of them

**5c RESPONSIBILITY CHART REQUIRED (PAGE 2)?** Y

*Note: When you have completed this section please send copy to originator.*

**Section 6 CONFIRM ACTION HAS BEEN IMPLEMENTED (Supply supporting evidence)**



	<b>ACTION REPORT FORM</b>		<b>PROCESS OWNER: Group IMS Manager</b>
	Issue: 5A	Date: August 2011	Page 2 of 2

**Business Ref:**

**Division and/or Location:**

**Action Report No:**

<b>Date Prepared: 02/05/2019</b>		<b>Responsibility of: Mike Francis</b>													
<b>Improvement/Concern</b> Meet the CPI Targets for Streetworks noticing.		<b>Persons Involved</b>													
<b>Planned Completion Date:</b>		Mike Francis	Ashley Beecroft	Area Team										<b>By When</b>	<b>Complete</b>
<b>Task No</b>	<b>Task Description</b>														
1	Monitor Inspections as they are reported to the Hub. Forward details on to Area team and Operations manager each time there is a failure.	I	X	I										Ongoing until Apr 2020	
2	Speak to the gang each time a failure is reported and establish the circumstances. Establish whether the Inspector made contact with the gang and informed them of the result on site.			X										Ongoing until Apr 2020	
3	Report finding of each failure investigation to the Operations Manager	I		X										Ongoing until Apr 2020	
4	Report performance to the Ringway SMT and OMG each month	X												Ongoing until Apr 2020	
5															
6															
7															
<b>Note</b>		<b>ONLY ONE PERSON CAN BE RESPONSIBLE FOR AN ACTIVITY</b>													
		<b>(X = RESPONSIBLE, I = INVOLVED)</b>													

**Distribute to: CSU, OMG, SMG, Jill Davies**

	<b>ACTION REPORT FORM</b>		<b>PROCESS OWNER: Group IMS Manager</b>
	Issue: 5A	Date: August 2011	Page 1 of 2

**Section 1**

Business Ref: RIS

Division and/or  
Location: North  
YorkshireAction Report No: RAP 2019 04 SPI  
RM04 Gullies**Section 2**

Issued by: P Jepps	Issued to: North Yorkshire	Date: 02/05/2019
Contract Number: MU 5382	Works Order Number: N/A	Delivery Note Number: N/A

**Section 3 DESCRIPTION OF ISSUE**

Failure of Secondary Performance Indicator RM04 Gully Cleansing

**Section 4 STATE THE ROOT CAUSE OF THE ISSUE**

Failure to clean the gullies to the programme agreed.

- Loss of Skilled labour to operate the vehicle
- Not achieving outputs due to plant breakdown
- Insufficient information to plan effectively

**Section 5 WHAT ACTION IS PLANNED TO ADDRESS THE ABOVE ROOT CAUSE?****5a CORRECTIVE ACTION (To address the issue)**

Utilise the information obtained from the Gully Survey undertaken in 2018 to capture cleanse data against individual gullies.  
Utilise the ESRI software to capture cleanse data and report on progress.  
Utilise the ESRI software to provide location information to the gully crews

**5b PREVENTIVE ACTION (To prevent recurrence)**

- Appoint a Contracts Manager (Liam Taylor) to manage the service
- Hold regular monthly meetings with the Area teams to review progress
- Use the ESRI software to monitor outputs of individual teams and compare against each other.
- Review gully running order with the Operatives.
- Manage gully cleaning vehicles maintenance schedule and plan downtime into the programme. (MOT, Servicing and tank pressure check)
- Schedule unplanned gully cleans during weekend shifts
- Use sub-contract resource when require to keep to programme

**5c RESPONSIBILITY CHART REQUIRED (PAGE 2)?** Y**Note: When you have completed this section please send copy to originator.****Section 6 CONFIRM ACTION HAS BEEN IMPLEMENTED (Supply supporting evidence)**

Action closed by:	Date:
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	<b>ACTION REPORT FORM</b>		<b>PROCESS OWNER: Group IMS Manager</b>
	Issue: 5A	Date: August 2011	Page 2 of 2

**Business Ref:**

**Division and/or Location:**

**Action Report No:**

<b>Date Prepared: 02/05/2019</b>		<b>Responsibility of: P Jepps</b>											
<b>Improvement/Concern</b>		<b>Persons Involved</b>										<b>By When</b>	<b>Complete</b>
		Liam Taylor	Mike Francis	Hub Team									
<b>Planned Completion Date:</b>													
<b>Task No</b>	<b>Task Description</b>												
1	Review Schedule and assign Cleansing teams to Areas	X										31/5/2019	
2	Review programme to match the new schedule and include Vehicle down time.	X										31/5/2019	
3	Log outputs of individual teams using the ESRI software			X								Ongoing until APR 20	
4	Report monthly, actual output verses planned output.			X								Ongoing until APR 20	
5	Address any shortfalls in production quickly and monitor against CPI targets	I	X									Ongoing until APR 20	
6	Provide NYCC with monthly data to upload into Symology	I		X								Ongoing until Apr 20	
<p><b>Note</b> <b>ONLY ONE PERSON CAN BE RESPONSIBLE FOR AN ACTIVITY</b> <b>(X = RESPONSIBLE, I = INVOLVED)</b></p>													

**Distribute to: CSU, OMG, SMG, Jill Davies**

	<b>ACTION REPORT FORM</b>		<b>PROCESS OWNER: Group IMS Manager</b>
	Issue: 5A	Date: August 2011	Page 1 of 2

**Section 1**

Business Ref: RIS

Division and/or  
Location: North  
YorkshireAction Report No: RAP 2019/20  
SPI HS01  
LTIFR**Section 2**

Issued by: P Jepps	Issued to: North Yorkshire	Date: 09/5/2019
Contract Number: MU 5382	Works Order Number: N/A	Delivery Note Number: N/A

**Section 3 DESCRIPTION OF ISSUE**

Failure of Secondary Performance Indicator HS01 LTIFT (Lost Time Incident Frequency Rate)  
In the rolling year there was 3 incidents which were recorded with lost time.

- 1No. Ankle sprain resulting in an operative being off longer than 7 days
- 1No. Incident involving a gas bottle causing a fire on a pick up resulting in burns to an operative

**Section 4 STATE THE ROOT CAUSE OF THE ISSUE**

- Not following company procedure
- Inadequate safeguards in place

**Section 5 WHAT ACTION IS PLANNED TO ADDRESS THE ABOVE ROOT CAUSE?****5a CORRECTIVE ACTION (To address the issue)**

Review the Health and Safety plan for the contract and monitor action list through the monthly SMT meeting  
Ensure adequate checks are made of SCP equipment

**5b PREVENTIVE ACTION (To prevent recurrence)**

See Health and Safety plan for 2019/20 contract year  
Workforce and SCP's to follow Company Policies and Procedures

**5c RESPONSIBILITY CHART REQUIRED (PAGE 2)?**      Y

**Note: When you have completed this section please send copy to originator.**

**Section 6 CONFIRM ACTION HAS BEEN IMPLEMENTED (Supply supporting evidence)**

Action closed by:

Date:

	<b>ACTION REPORT FORM</b>		<b>PROCESS OWNER: Group IMS Manager</b>
	Issue: 5A	Date: August 2011	Page 2 of 2

Business Ref:

Division and/or Location:

Action Report No:

Date Prepared: 09/5/2019		Responsibility of: P Jepps								
Improvement/Concern		Persons Involved							By When	Complete
		Phil Jepps	Mike Francis	Contract Managers	Regional Director	Supervisors				
Planned Completion Date:										
Task No	Task Description	Phil Jepps	Mike Francis	Contract Managers	Regional Director	Supervisors				
1	Review Health and Safety plan for the contract	I	X	I					Monthly	
2	Work to the plan, completing the actions and monitoring H+S performance as an indicator of performance and compliance.	I	X	I	I				Monthly	
3	Continue with the Monthly Health and Safety meetings which involve all representatives from each depot.		X	I	I				Monthly	
4	Ensure briefings are disseminated to workforce and SCP's	X	I	I					Monthly	
5	Increased number of Supervisor Site Safety Inspections		X	I	I				Monthly	
6	Stand down of Supervisors to review incidents and identify culture and behavioural issues being at the root cause of incidents	I	I	I	X	I			3 April 2019	X
7	RD and DM to review monthly, site safety inspections	X			I				Monthly	
<b>Note</b>		<b>ONLY ONE PERSON CAN BE RESPONSIBLE FOR AN ACTIVITY</b>								
		<b>(X = RESPONSIBLE, I = INVOLVED)</b>								

Distribute to:



## Transport, Economy and Environment Overview and Scrutiny Committee

15 July 2019

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

#### Home to School Transport Policy Changes – Post Consultation

#### 1. Purpose of Report

This paper provides an analysis of the feedback received from the 60 day consultation together with the recommendations for changes to the Home to School Transport Policy from September 2019.

#### 2. Key Background Information

- 2.1 Home to school Transport is a demand lead service. This is based on the eligibility criteria set by the Department for Education as directed in the Education Act. The current Home to School transport budget is £21.7 million with a current expenditure of £24.1 million. This is resulting in a £2.4 million overspend.
- 2.2 Following the 2018 policy change in which the focus was to realign SEND transport with Mainstream. A further in-depth review of the full Home to School Transport Policy for areas above statutory minimum was identified to look for further efficiencies.
- 2.3 The LA must take steps to address the budgetary overspend whilst ensuring it continues to adhere to its statutory responsibilities and duties. These proposal were a result of the review of our current arrangements in which additional support above statutory minimum and internal inefficiencies were identified.

#### 3. Option Appraisal

##### **Proposal 1: Mainstream transport provision will only be given to eligible children and young people attending the catchment school or the nearest school to the permanent home address**

###### Description:

- Currently transport is offered to the catchment school and any school which is closer than the catchment school to the home address, but above the statutory walking distance.
- This policy change will only apply to mainstream schools as Special schools do not have catchment areas.
- For Children and young people applying under the grounds of Special educational needs or disability, transport is already based on the nearest

school which can meet the aptitude, age and ability of the child, with an available space at the point of admission as per statutory guidance.

Statutory duty:

- To provide free transport for all pupils of compulsory school age (5-16) if their nearest suitable school is:
  - beyond 2 miles (if below the age of 8); or
  - beyond 3 miles (if aged between 8 and 16)
- The option to move to statutory minimum would require a full investigation and review of local provision. The result of which may result in over-subscription to a number schools whilst other smaller schools sustainability would be compromised
- A number of authorities had removed catchment areas, and due to an increase in demand, and detrimental impact have resorted to reinstate catchment zones.

Efficiencies:

- Current students would be protected as would the cohort of 2019 as the transport offer is based on the policy declared at the point of application for a school place.

Current expenditure in this area is:

<b>Exclusive Transport (Buses)</b>	<b>£226,470.50</b>
<b>Parental Allowances</b>	<b>£42,294.00</b>
<b>Company Passes (Public Transport</b>	<b>£23,951.20</b>
<b>Total Expenditure:</b>	<b>£292,715.70</b>

Benefits:

- The reduction in cost of administrating and providing transport to multiple school
- Reduction in demand for transport as less schools would be recognised as qualifying schools
- Managing long term growth and demand in all aspects of home to school transport provision
- Clearer direction to parents as which schools will be qualifying for transport and potential for an automated eligibility checker prior to application of school

Risks:

- Potential for an increase in admission and transport appeals due to parental preference of school, no longer accepted within the transport policy.
- Smaller schools may see reduction in pupil applications due to transport concerns
- More transport required for the nearest school as the parents selection is influenced by the transport policy

Consultation Feedback

- General consensus of agreement to this proposal with 64% for and 30% against. A further 6% had no opinion.

- Implementation can only begin in September 2020 for children and young people applying for a school place in September 2019
- This will not reach full implementation until 2026

Recommendation: This proposal as cited is approved

### **Proposal 2: Remove free arrangement for second home address or introduce full cost recovery of a second transport assistance**

#### Description:

- Our current policy provides travel assistance when a family can demonstrate a 50/50 split during the school week (this does not include weekends or school holidays) and whilst this can be easily monitored in small scale arrangements, such as taxi provision, for large scale arrangements, such as multiple capacity coaches the LA have no method to monitor or enforce.
- The result of this arrangement is the policy the authority is paying for 2 seats in which 1 will always be empty.

#### Statutory duty

- The statutory guidance point 14, footnote 6 states. "A child's 'home' is the place where he/she is habitually and normally resident." and this is where the transport assistance should be provided from.
- Statutory Guidance does not place any duty on local authorities to provide assistance to a second home address

#### Efficiencies

- Due to this area not been scrutinised previously, the authority does not hold data on how many pupils have a second permit or transport arrangement
- PARIS is unable to extract the number of pupils who have a second permit or transport arrangement due to other transport commitments from Social Care.
- More in-depth analysis of the existing pupil's dynamics will be required to estimate current expenditure in this additional offer.

#### Benefits:

- This option would have a positive impact on the long term budget as no alternative will be funded by the authority, resulting in instant termination of growth. However existing arrangements will need to be honoured unless a change of provision, address or circumstance warrants a review of eligibility for Home to School transport provision.

#### Risks:

- Increase in the number of appeals for transport to other than the home address
- Fraudulent application to obtain transport to addresses other than the registered home

#### Consultation feedback:

- Mixed opinions in relation to charging and providing for free
- 51% in favour of full cost recovery



- Implementation can only begin in September 2020 for children and young people applying for a school place in September 2019
- This will not reach full implementation until 2026

#### Recommendation

This proposal is approved to recharge full cost for second address where a residency is 50/50

### **Proposal 3: The Local authority will collect from the curtilage of any highway or road which consists of or comprises a made-up carriageway\* unless a SEND, Medical or Mobility need requires a direct door to door collection**

#### Description:

- Currently the authority will use a combination of pick up points and door to door provision. This is not consistent and subject to elevated parental expectation and challenges.
- The Authority receive reports from operators that the transport not been able to access the narrow private roads to the property or that the route is poorly maintained and not suitable for the provision available, resulting in damage to the vehicle.

#### Statutory Duty

- The statutory guidance does not state home to school transport is a door to door service – point 35 states: With regards to pick up points, local authorities may at their discretion use appropriate pick up points when making travel arrangements.

#### Efficiencies:

- It would be difficult to model this proposal as implementation would occur at local area review stage, which factors demographic of eligible pupils against a route management matrix.
- This proposal is a re-information of the statutory duty.

#### Benefits:

- More direct transport routes resulting in less miles travelled
- Improved environmental impact
- Can be changed when local area reviews are conducted
- Small scale traveling to pick up points will increase independence for young people who are embarking on a preparation for adulthood agenda.
- More compliance in respect of sustainable transport requirements as stipulated within the statutory guidance

#### Risks

- Cultural change and parents expectation of a door to door service
- Infrastructure costs for additional pick up point, where none currently exist

#### Consultation feedback

- Strong agreement of 86%
- Concerns around suitability of pick up points in rural communities,
- Implementation will begin in autumn 2019 with a 4 year implementation cycle

Recommendation

This proposal as cited is approved

\*made-up carriageway - which is defined in Section 329(1) of the Highways Act 1980 as “a carriageway, or a part thereof, which has been metalled or in any other way provided with a surface suitable for the passage of vehicles”.

**Proposal 4: Removal of the current Rising 5 arrangement and confirm transport eligibility to commence from the September start of reception year**

Description:

- The current Home to School Transport Policy states Free transport will be provided to pupils from the term in which they are five to the catchment school or the nearest school to their home address
- North Yorkshire is the only Local Authority in the North which does not apply the transport from the September term
- Schools no longer offer admission points for reception Year – all school place offers are from September
- Largest area of appeals in Mainstream Transport and Applications for discretionary arrangements in SEN when an Education Health Care Plan names a school not in the child’s local area.

Statutory Duty

- Statutory education is from the 5<sup>th</sup> Birthday to the end of year 11

Efficiencies:

- This option will result in some additional expenditure where transport does not currently exist,
- Saving in officer time across the admission, commissioning and complaints directorates
- Reduction in additional solo transport at January and April where the extra capacity is not factored when arranging SEND transport via taxi, in September.

Benefits:

- Reduction in appeals and complaints
- Reduction administration with 2 additional intake points
- Consistence with neighbouring authorities
- Reducing additional transport when capacity is not calculated at the main admission point for September
- Increase benefits for the child in developing peer relationships

Risks:

- Possible increase in offset budget costs

Consultation Feedback

- Strong support for this proposal
- Implementation can be completed by September 2020

Recommendation

This proposal as cited is approved

## **Proposal 5: To adopt a single charge for all Discretionary Transport**

### Description

- Discretionary transport is an additional provision the local authority can use to assist pupils who are not eligible under the home to school transport policy.
- Currently children who are not entitled to home to school transport are able to purchase/occupy spare places on educational transport service vehicles. The current cost is £390.00 per annum which equivalent to £2.05 per day. The cost of paid permits has not been reviewed for 3 years and the last increase was £380 to £390 per annum.
- Paid permits for 2018 is estimated to generate £162,000, for statutory aged pupils.
- Post 16 transport provision is also regarded as Discretionary transport, for which we charge, therefore consideration will need to be made to ensure there is reduced discrepancy between the 2 areas of discretionary arrangements.

### Statutory Duty

- Statutory guidance point 36 states: Section 508C of the Act provides local authorities with discretionary powers to go beyond their statutory duties and provide transport for children who are not entitled to free transport. Charges can be made, or, as stated in Subsection (5) of 508C local authorities may also pay all or part of the reasonable travel expenses of children who have not had travel arrangements made either under the statutory duty placed on local authorities, or under their discretionary powers to make travel arrangements.

### Efficiencies;

- To bring all discretionary transport to a single rate, reducing conflict between statutory school and post 16 where the pupil is attending the same provision.
- To ensure that the contribution is fair and equal.

### Benefits:

- More children accessing the public transport network which may improve demand with the network and encourage sustainability and long term independence and the authority will no longer be the cheaper option.
- Recuperation of costs for the authority against empty seats relative to the market value of such transport.

### Risks:

- Reduced uptake of provision which results in empty seats within existing capacity
- Increase in fraudulent application for transport to obtain eligibility
- Increase in appeals for transport to obtain eligibility

### Consultation feedback

- Strong support for a single fee
- Mixed reaction regarding reduction for low income families in the same provision we provide for post 16

### Recommendation

It is recommended that this proposal is approved with an increase to £600 for September 2020 in line with the post 16 charging rate. This fee has been agreed following the result of the call in to overview and scrutiny on June 12<sup>th</sup> 2019.

## **Proposal 6: Introduce a £30 fee for Replacement school transport Bus Passes**

### Description

- The local authority currently replace school transport passes free of charge. This is available on mainstream buses only.
- This method of consistently replacing passes is open to abuse and places no value on the worth of the pass to the holder
- Each replacement pass costs the authority a notional amount in administration and postage.
- Between November 2017 and November 2018 a total of 515 replacement passes were re-issued

### Statutory Duty

- There is no statutory guidance on charging or replacement bus passes

### Efficiencies:

- To introduce a replacement pass fee to deter misuse and cover costs of administering the replacements outside of the programmed school transport intake of September.
- This proposal would be to introduce an agreed fee

### Benefits:

- Based on the current figures this may produce £15,000 per annum
- The fee may instil a value to the holder for the transport the authority is providing

### Risks:

- A process will need to be developed which will provide an exemption from the charge in exceptional circumstances

### Consultation feedback

- Strong support for a fee
- Strong objections for the fee to be £30, with the highest number of comments from all the proposals
- Repeat suggestion for a lower fee for the first pass increasing as further passes are requested

### Recommendation

The proposal is agreed but at a fee of £20.

## **Proposal 7: Introduction an application process for Home to School Transport**

### Description:

- Currently the assessment for Home to School transport takes place at the Normal point of entry or when a child moves into area.

- The current assumption is that transport is required for all eligible children and therefore transport is commissioned accordingly
- The current Home to School Transport policy does not accommodate after school activities, collection from an alternative other than the allocated home collection point, such as a child minder or breakfast club. Therefore this results in a number of seats being commissioned and not used as families do not require the transport as it does not fit with their personal circumstances

#### Statutory duty:

- The statutory guidance does not impose on authorities on how they administrate home to school transport other than the timing of assessment for eligibility – which for the majority will be at the point of admission to the school, either during the admission round for reception year and secondary placement, or upon requesting a school place such as specialist provision or moving into a new area.

#### Efficiencies:

- We are not able to forecast actual savings as once the transport is commissioned there is no appropriate monitoring system, such as smart ticketing, to judge uptake of the provision.

#### Benefits:

- The ability to improve the current process by using an electronic application system which will allow a better customer journey and greater control of the actual requirements and need for transport for the local authority
- Commissioning based on actual demand.
- Highlighted in the focus reviews and Veritau reports as a recommendation

#### Risks:

- Possible additional administration and some training requirements for staff.
- Communication plan to ensure that the requirement to apply for transport is clearly understood and a robust method of cross checking will need to be developed.
- The delay in developing and rolling out the process with not be realised until 2021.

#### Consultation feedback

- Strong support for this to be developed
- Benefits for both including with the application process and as a separate application, further development of the process will be required
- Interest in a transport checker to be available as part of this process

#### Recommendation

This proposal as cited is approved,  
This will require to be a manual process for September 2021 admissions and transport applications with a view to progressing to an full online application for September 2022

#### 4. Key Implications

##### Local Member

All

##### Financial

The proposals recommended are to manage growth and remove areas of non-statutory provision.

All existing arrangements will be protected, however these proposals are to ensure that there is a sustainable home to school transport policy that protects the requirement for the authority to meet its legal obligations

##### Human Resources

None

##### Legal

None

##### Equalities

An Equality Impact Assessment is attached in Appendix 1

##### Risk Management

The risks below have been reviewed in light of the feedback from the consultation process.

<b><u>Risks:</u></b>	<b><u>Mitigation</u></b>
Potential for an increase in admission and in-year transfers due to parental preference of school, no longer accepted within the transport policy.	- Existing arrangement will continue unless a change of home of school requires a reassessment of eligibility
Fraudulent application to obtain transport to addresses other than the registered home	- Sufficient checks and process are currently in place to manage these fraudulent or misleading application
Reduced uptake of provision which results in empty seats within existing capacity	- Capacity of empty seat will be removed at local area reviews
If the proposals are not implemented the significant budget pressure on home to school transport will continue to rise. Savings will need to be secured from alternative	- The proposal are recommended to be implemented into the Home to School transport policy and published July 2019

means to stabilise the budget in a sustainable way	
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### Environmental Impacts/Benefits

Proposal 3 is to meet our statutory duty for sustainable and environmental transport.

## **5. Conclusion**

The consultation responses for each of the proposals received above 50% in support of implementation, in particular proposals 3, 4, 6, and 7, which achieved above 70 % in favour of adopting the proposals and changing the current policy

Consideration has been given on all the feedback we received with some suggestions on how we implement the proposals been highlighted for further development.

Amendment to the proposal 2 and 6 for final recommendation have been made in light of feedback from the consultation.

## **6. Recommendation**

To allow the committee to have an overview of the consultation and recommendations for changes to the home to school transport policy

## **7. Reasons for Recommendations**

To manage the Home to school transport budget in line with statutory obligations

Authors:

William Burchill – Admission and Transport Manager

Gail Chester – SEND Transport Manager

Presenting

William Burchill – Admission and Transport Manager

Gail Chester – SEND Transport Manager

15<sup>th</sup> July 2019

Background papers relied upon in the preparation of this report:-

Outcome of Consultation report

Online consultation summary

Analysis of consultation feedback

For further information contact the authors of the report

### **Appendices:**

Equality Impact Assessment (EIA)

## Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

### Home to School Transport Review

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	Inclusion - CYPS Admissions – CYPS
Lead Officer and contact details	Jane Le Sage, AD Inclusion Judith Kirk - CYPS
Names and roles of other people involved in carrying out the EIA	Gail Chester - SEND Transport Manager William Burchill - Admissions Manager
How will you pay due regard? e.g. working group, individual officer	All proposed changes were subject to a formal public consultation of no shorter than 28 Days and the recommendations if approved will



	influence changes to be made to the Home to School Policy. This will be signed off at Full Council on 24 <sup>th</sup> July 2019 and the EIA will be reviewed and finalised depending on the outcome of the updated Policy.
When did the due regard process start?	The original project initially started in February 2016. With the first phase to realign mainstream and SEND transport into a single policy direction

**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 proposed changes to the Home to School Transport Policy following the public consultation and consideration of its impact on key groups with protected characteristics.

The Council is under statutory duties to provide Home to school transport for eligible children and it is a demands led service. Whilst mainstream growth has been minimal, SEND provision has continued to grow dramatically since the introduction of the Children & Families Act 2014 and SEND Code of Practice 2014.

The aim of the changes is to create efficiencies and where possible improve the delivery of services for existing and future individuals who access them. Proposal 2, 3, 4, 5, and 6 will impact on some families from September 2019. Proposal 1 policy will not be effective in full until the September of 2020, as families have already based the school selection on the existing policy. Proposal 7 is hoped to be introduced in September 2021.

These proposals are submitted to continue to meet the requirement of providing transport provision as a statutory requirement, as governed by the Education Act 1996. However these proposals are to reduce the provision the Local Authority currently provides in excess of statutory duties, ie its discretionary powers.

The proposal requested for consultation are all additional discretionary arrangements which the Local Authority have historically and currently continue to provide.

**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 proposed changes are due to an increased pressure on the Transport budget and the current transport model not being sustainable going forward. These proposals were raised during the Home to School Transport changes to policy in 2018, however as the 2015 policy was not coherent between Mainstream and SEND, before any review of discretionary arrangements could commence, this discrepancy between the 2 areas needed rectification. This was achieved in May 2018.

The Local Authority intends to honour agreements made on previous policy as the statutory guidance is clear when eligibility should be assessed, and that any transport granted is based on the policy at the time of assessment. Therefore existing arrangement shall be honoured until the next assessment point, this would be primary to secondary, or secondary to post 16. The

revised model is intended to remove any area of inconsistency and provide more clarity on the responsibility of the Authority to meet its statutory duty. This will also provide better outcomes for the Local Authority through effective and efficient use of resources.

The Local Authority must ensure its Home to School Transport policy is fit for purpose and is compliant with the legal requirements and code of practice, this will be reviewed on an annual basis going forward following implementation to ensure the policy is up to date and remains fit for purpose.

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

Census data from May 2017 shows that in North Yorkshire there are 67,966 school aged (reception to year 11) children, and a further 5,433 of post 16 (years 12,13 and 14). Of these 73,399 pupils, 11,500 are currently accessing transport.

The Home to School Transport Statutory Guidance 2014 places a duty on the local authority to provide transport assistance for eligible children of statutory school age (5-16). Therefore transport provision for pupils over 16 years old is a non-statutory duty, ie discretionary. However the Local Authority still wants to offer support to ensure students can access their education provision and recognise the rural nature of North Yorkshire and the lack of public transport available.

The Local Authority rejected in 2018 to remove all discretionary transport as elected members recognised the negative impact this would have on young people and families living in North Yorkshire.

#### Proposal 1: Mainstream transport will only be provided for eligible children and young people attending the catchment school or the nearest school to their permanent home address.

- This proposal will reduce the number of schools a parent may request transport to, in line with statutory guidance of nearest school only. However the proposal will still allow for Catchment schools to be included.
- This proposal will not impact on SEND, as Special schools do not carry a catchment zone, so already operate on the nearest school to meet the age, ability and aptitude of the child
- This proposal will not be effective until the start of the 2020 academic year

#### Proposal 2: Remove free arrangement for second home address or introduce full cost recovery of a second transport assistance

- This proposal will remove any future second address from September 2019.
- This proposal may impact families with shared parental responsibilities, the Council will recognise the home address used for the purpose of an application for a school place.

#### Proposal 3: Collection from pick-up points, unless medical, mobility or special educational needs require door-to-door collection.

- This proposal is to reinforce our duty in relation to the environmental impact and sustainability of transport provision.
- This will require some adjustment from families who live some distance from the main road.
- This proposal will be implemented throughout the 4 year cycle of Local Area Reviews.

#### Proposal 4: Providing free transport for all eligible children in the county when they start school in the reception year.

- This proposal will enhance the current offer and provide assistance to families who child is born between January and August.
- This proposal is designed to reduce officers time and yearly complaints/appeals regarding the eligibility criteria
- This will allow all reception children access to education from the start of the academic year

### Proposal 5: To adopt a single charge for all Discretionary Transport

- The proposal will have some impact on families who currently purchase a spare seat provision as this will be an increase on the family expenditure – however is should be noted that spare seats are not a guaranteed year on year provision, and require re-application each academic year.
- This proposal will introduce a low income reduction for statutory aged pupils
- The current charge for spare seats is £390, and for post 16 £490. Following a decision by Executive Members and Corporate Director on 21<sup>st</sup> May 2019. The fee will increase to £600 from September 2020, with a 50% low income reduction.

### Proposal 6: Introduce a fee for replacement school bus passes.

- This proposal is to place value on the provision, the first pass is free, and in line with statutory guidance however the authority will be occurring administration costs when processing additional passes outside the normal distribution time.
- Consideration will be given when replacement are required for reason beyond the bearers control.

### Proposal 7: Introduction of an application process for Home to School Transport

- The view is to adopt an application process to ensure that the authority is not over commissioning above and beyond requirements
- The process will need developing in partnership with families to ensure ease of use

## **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?)

Details of the different proposals were available on our public website ([www.northyorks.gov.uk/consultations](http://www.northyorks.gov.uk/consultations)), we invited you to provide your views by completing an online survey. This information was also available in easy read, alternative language or formats on request. In addition to the survey we have considered any feedback received by email, and from meetings during the consultation period (25<sup>th</sup> March – 16<sup>th</sup> June 2019).

Throughout the consultation a weekly breakdown has been provided for the policy owners to review and reflect any issues arising.

A number of public events have been arranged and the same presentation was delivered at all events to ensure the messages were consistent. The presentation has been positively received by audiences, people felt they had a better understanding of transport provision, why we have developed the proposals for change and the rationale behind this.

These events were held in

- Scarborough

- Skipton
- Whitby
- Harrogate
- Selby
- Pickering
- Richmond
- Northallerton

The public events were held at 12-2 and 5-7 to allow those with childcare and working arrangements to opportunity to attend and engage at times which are more convenient. These event were widely published on social media and within local media and community groups

The consultation has been promoted via the Schools E-red bag, NYCC website, corporate Facebook and Twitter accounts. The consultation has been promoted through our parent and community group networks. In addition to the above channels we have received interest from local radio stations.

We held engagement sessions with our young people regarding the home to school transport policy and arrangement, and our gratitude to the following schools for this engagement

- Scalby school
- Brooklands school
- Springwater school
- Tadcaster Grammer school

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

The current financial projection for Home to School Transport is demonstrating a continuous growth which is applying budgetary pressures on the Council to meet its statutory duties.

Whilst the Council must discharge its responsibilities appropriately, it must also ensure that areas were the Council has been able to provide additional support this cannot be maintained in light of the current expenditure and growth within the transport sphere.

The proposals are being put forward as areas where additional support has been given. These proposals are expected to address the long term management of growth and budget expenditure.

These proposals will not impact on the current expenditure as the local authority's offer is based on the policy in place at the time of allocation. Therefore we are unable to remove the provision for existing users until they reach the next eligibility check point. This would be at primary to secondary or secondary to post 16 education.

If the proposals are implemented it will assist with controlling expenditure in line with our statutory responsibility, however, it is also anticipated that within proposal 7 this could be realise the potential for reducing the current automatic allocation of transport to one which is based on applications only.

These proposals will bring the Council closer in line with the statutory minimum requirements whilst also reflecting on the rural nature of the authority.

<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	✓	✓		These proposals are not based on the age of a pupil, with the exception of proposal 4, which increases the offer for children born between January and August, eliminating any discrimination based on age.
Disability	✓			None of these proposals have a negative impact of on children and young people with special educational needs or disability. As a number of these proposals are already implemented with this particular group.
Sex	✓			It is anticipated there would be no identifiable impact on Mainstream or SEND pupils as a result of their sex.
Race	✓			It is anticipated there would be no identifiable impact on specific ethnic groups as a result of the proposals.
Gender reassignment	✓			It is anticipated there would be no identifiable impact on specific groups in relation to gender reassignment as a result of the proposals.
Sexual orientation	✓			It is anticipated there would be no identifiable impact on specific groups in relation to sexual orientation as a result of the proposals.
Religion or belief	✓			It is anticipated there would be no identifiable impact on specific groups in relation to religion or belief as a result of the proposals.
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact on specific groups in relation to pregnancy or maternity as a result of the proposals.
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact on specific groups in relation to marriage or civil partnership as a result of the proposals.

<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>
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Live in a rural area?	✓	✓	✓	<p>In respect of proposal 3 there will be an expectation that families bring their child to the safe pick up point. This could put additional responsibility onto the family. However consideration on the safety of the route to the collection point will be made in determining the offer.</p> <p>In respect of proposal 4 this may assist parent with parents whose child is not statutory school age to access education at the earliest point.</p>
...have a low income?		✓	✓	<p>Proposal 5 will increase the charge for discretionary transport. However, in aligning transport across all areas it will introduce a reduction of that charge for low income families in line with the current post 16 policy statement.</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.**

No, no combination identified at this stage.

<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 reason why ‘<b>Adverse impact - adjust the proposal</b> has been selected on the proposed changes to the Home to School Transport Policy:</p> <p>The 2018 consultation outlined a number areas which are above and beyond the statutory duty, these proposals have been submitted to protect the remaining areas in which the Council are aware that removal will have significant impact to families across the Council. The adverse impact will be mitigated with the introduction of a low income element added within proposal 5</p> <p>The following reasons for choosing to proceed with the recommendations for consulting remain the same:</p> <ul style="list-style-type: none"> <li>• To protect the provision of discretionary transport to still enable children and young people to access their education.</li> <li>• To take corrective action to address overspend whilst maintaining a sustainable transport offer.</li> <li>• To ensure the Council is legally compliant.</li> </ul>
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<p><b>Section 10. If the proposal is to be implemented how will you find out how it is really affecting people?</b> (How will you monitor and review the changes?)</p> <p>Subject to decision being made to implement the proposals the effect of the changes will be phased through the next 6 years as we have a legal requirement to protect those who transport arrangements were awarded on the previous policies. The implementation will be realised when comparing like for like moving forward and review anticipated growth.</p> <p>Following implementation there will be a 6 and 12 month Post Implementation Review. With further yearly reflections throughout the 6 year implementation period</p>
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<p><b>Section 11. Action plan.</b> 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.</p>				
Action	Lead	By when	Progress	Monitoring arrangements
60 day public consultation to commence	Jane Le Sage / Judith Kirk	25 <sup>th</sup> March 2019	Completed	
Public events to be held across localities	William Burchill / Gail Chester	Throughout April and May 2019	Completed.	Public events and feedback from these events will be monitored through a working group with representatives from CYPS

60 day public consultation to end.	Jane Le Sage / Judith Kirk	16 <sup>th</sup> June 2019.	Completed	
All responses and feedback to be collated and reviewed following consultation.	Jane Le Sage / Judith Kirk/ William Burchill / Gail Chester	16 <sup>th</sup> June- 24 <sup>th</sup> June 2019	Completed	Reviewed by lead officers.
Options to be revised (if required), EIA to be revised and Policy to be updated.	Jane Le Sage / Judith kirk / William Burchill / Gail Chester	27 <sup>th</sup> June 2019	Completed	This will be completed by lead officers
Sign-off of revised proposals and updated Home to School Transport Policy	Jane Le Sage / Judith Kirk	16 <sup>th</sup> July 2019	Scheduled	
Adoption of Home to School Transport Policy	Jane Le Sage / Judith Kirk	24 <sup>th</sup> July 2019 (Full Council)	Scheduled	
Publish updated Home to School Transport policy	Jane Le Sage / Judith Kirk	31 <sup>st</sup> July 2019	Scheduled	
Development and sign-off of Implementation and Transition Plan	Jane Le Sage / Judith kirk / William Burchill / Gail Chester	1 <sup>st</sup> August – 31 <sup>st</sup> August 2019.	Scheduled	This will be completed by a working group
Commencement of delivery of Implementation and Transition Plans.	Jane Le Sage / Judith kirk / William Burchill / Gail Chester	1 <sup>st</sup> September 2019 onwards for up to six years.	Scheduled	CYPS.

**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 Home to School transport budget is significantly overspent, with a forecast for the rise in demand to continue and therefore the Local Authority has to consider alternative options. Home to school transport is a statutory requirement and a demand led service, a significant proportion of the service which the Council provides is governed by legislation with no options to adjust this.



However, the proposals which we have consulted upon are the only areas of provision which have some scope for change, to ensure transport provision remains sustainable and fit for purpose.

Although the Council has identified the recommended proposals may have a negative impact on some families, the changes are necessary to ensure provision can continue. An early stage proposal to remove all non-statutory provision was rejected in 2018 consultation.

This EIA has been reviewed at weekly feedback sessions throughout the consultation and revised based on the responses received to incorporate feedback and this will be reflected in the recommendations for implementation to Full County Council.

Following any implementation, there will be a 6 and 12 month post implementation review to ensure that any adverse impacts on young people are mitigated.

### **Section 13. Sign off section**

This full EIA was completed by: Jane Le Sage/Judith Kirk

**Name: Jane Le Sage/Judith Kirk**

**Job title: AD, Inclusion and AD Education and Skills**

**Directorate: Children and Young People's Services**

**Signature:**

**Completion date:** 25th June 2019

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

**Date:**



## Transport, Economy and Environment Overview and Scrutiny Committee

15 July 2019

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

#### Update on the Implementation of the Local Strategy for Flood Risk Management

#### 1.0 Purpose of Report

- 1.1 To provide a progress update on the implementation of the Local Flood Risk Management Strategy.

#### 2.0 Executive Summary

- 2.1 This report provides members with an update on the activities of North Yorkshire County Council (NYCC) officers towards the implementation and delivery of the Flood Risk Management (FRM) Strategy.
- 2.2 Objectives of the strategy are:
1. A greater role for communities in managing flood risk
  2. Improved knowledge and understanding of flood risk and management responsibilities for all stakeholders, communities and the media
  3. Sustainable and appropriate development
  4. Improved knowledge of watercourse networks and drainage infrastructure
  5. Flood risk management measures that deliver social, economic and environmental benefits
  6. Best use of all potential funding opportunities to deliver flood risk management measures
- 2.3 Actions have been taken towards the delivery of all objectives, with development management being the largest growth area in the workload of the team. A programme of scheme development is now on-going, with processes, guidance and protocols to support the delivery of the Council's responsibilities as Lead Local Flood Authority (LLFA) having been implemented.

#### 3.0 Key Background Information

- 3.1 North Yorkshire County Council is identified by the Flood and Water Management Act 2010 (FWMA) as the Lead Local Flood Authority for the North Yorkshire administrative area.
- 3.2 Under the FWMA, the Council has a duty to develop and maintain a Local Strategy for Flood Risk Management for our administrative area. Our FRM Strategy was published on 18 February 2015 following approval by the County Council.
- 3.3 This report offers an update on the implementation of the strategy to date, including flood risk/coastal erosion alleviation measures which have been implemented or are presently in the programme.

#### **4.0 North Yorkshire Flood Risk Strategy**

- 4.1 The present flood risk strategy includes an action plan which specifies the objectives of NYCC as LLFA, working in North Yorkshire to respond to the flood risk in the county.
- 4.2 This report will now update on delivery around each of these objectives, since the previous update report in April 2016.

#### **5.0 A greater role for communities in managing flood risk**

- 5.1 This is integral to the work associated with the flood risk management team. The team regularly represents NYCC at a variety of flood groups, and partnerships.
- 5.2 The Resilience and Emergency Team work with interested communities to develop resilience plans that communities have ownership of and can implement when flood warnings are issued. This is a voluntary scheme based on the desires of the community.
- 5.3 This is integrated with the national EA Flood Warden schemes, and other multi-agency preparedness work.
- 5.4 Work continues to tie this approach to the FRM programme of works, and locations where flood risk investigation has been undertaken are passed to the Resilience and Emergency Team to progress.
- 5.5 In addition, the FRM team also engages through the work of the catchment partnerships. This community encouragement and support is now part of business as usual for the team.

#### **6.0 Improved knowledge and understanding of flood risk and management responsibilities for all stakeholders, communities and the media**

- 6.1 It is clear in the course of undertaking the indicative duties of NYCC in its capacity as LLFA that there is a significant lack of understanding amongst the general public with regards to drainage responsibilities, and flood risk response.
- 6.2 This is particularly problematic, given that watercourses are predominantly in riparian responsibility. Landowners often do not know their responsibilities towards their drainage assets and watercourses, and lack of maintenance is often therefore a contributing factor to a locations flood risk.
- 6.3 In 2019 NYCC produced and published its Culverting Works and Drainage Maintenance Protocol 2019, which details the responsibilities of riparian owners, design guidance for culverts and offers the circumstances in which NYCC as Land Drainage Authority will act to use its enforcement powers and powers to undertake maintenance work on third party systems.
- 6.4 This document has already been helpful in clearly establishing the position of the council in regards to this. In addition, standard letters and FAQ's have been developed to assist with communication with the community.
- 6.5 The FRM team attend parish council meetings as business as usual and arrange and attend stakeholder events such as Tadcaster Flood Fair and Brompton Flood Awareness day in our most affected communities. These types of events attract significant interest from the community and media. The team is presently working on

an event for Malton, Norton and Old Malton to promote the new protocol and the scheme that is proposed in that area and to increase resilience and community preparedness within the community.

## **7.0 Sustainable and appropriate development**

- 7.1 In its capacity as LLFA, NYCC became statutory consultee on surface water drainage associated with major developments in 2016, however the council began receiving and commenting on applications in 2015, prior to this duty being statutory.
- 7.2 During this time, major development across the county has increased significantly, in line with the government drive to create more housing and growth opportunities.
- 7.3 The volume of major development applications requiring a statutory response on surface water drainage has nearly tripled since 2015.
- 7.4 As a result of this rise in demand, this statutory duty and objective of the strategy now forms a significant majority of the workload of the flood risk management team.
- 7.5 Robust, defensible advice on surface water drainage and flood risk during the planning process is critical to future proof the existing drainage network and ensure new development does not heighten the flood risk to the existing community or present a new risk to those living and working in North Yorkshire.
- 7.6 In 2018 the Council reviewed and published an updated SuDS (sustainable drainage systems) guidance document, to ensure that the technical standards NYCC is recommending are in line with best practice in a way which is achievable for the developer community.

## **8.0 Improved knowledge of watercourse networks and drainage infrastructure**

- 8.1 Under Section 19 of the Flood and Water Management Act 2010, on becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:
  - (a) which risk management authorities have relevant flood risk management functions, and
  - (b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.
- 8.1.1 Where such an investigation is carried out, the LLFA must publish the results of its investigation, and notify any relevant risk management authorities.
- 8.2 Since 2011, the Council has undertaken flood investigation in over 170 distinct locations. Many of these investigations require ordinary watercourse and drainage mapping.
- 8.3 This historic record clearly offers an ever-increasing understanding of watercourse networks and drainage infrastructure. Each location is given a score within a criteria, which then informs the NYCC flood risk programme of scheme development and mitigation work.
- 8.4 Scheme development in our most high risk communities inevitably involves more comprehensive study and modelling of watercourse and drainage networks and their interactions to attempt to identify improvements that can be made to capacity or function. Work has either been delivered or is underway as a result of this process in the following high risk locations:
  - Malton, Norton and Old Malton

- Tadcaster
  - Rye Villages (Sinnington, Hovingham, Thornton le Dale, Kirkbymoorside, Gilling East)
  - Great Ayton (on-going)
  - South Craven (on-going)
  - Scarborough Town (on-going)
- 8.5 This understanding permits positive achievable potential scheme outcomes for the locations identified from our historical records and criteria as at most high risk. In addition, understanding drainage systems has stand-alone benefits distinct from scheme development, in the delivery of emergency response and improvement of community resilience.
- 8.6 The flood risk strategy offers a number of criteria for the production and publication of a formal report on the incident, as required by section 19 FWMA, which involves thorough investigation, details the causes and recommends the potential solutions.
- 8.7 The below incidents fulfilled the criteria for undertaking formal investigation in conjunction with other relevant risk management authorities:
- August 2017 - Scarborough Town
  - November 2016 - Sleights
  - Boxing Day 2015 flood investigation reports – Brotherton, Harrogate Greenfield Avenue, Knaresborough, Sessay, South Craven, Tockwith, Tadcaster and Whixley
- 8.8 These formal reports are published on the NYCC website:  
[www.northyorks.gov.uk/flood-and-water-management](http://www.northyorks.gov.uk/flood-and-water-management)
- 8.9 A flood risk asset register and supporting methodology has been introduced, in line with the stipulations of the FWMA. Assets identified through formal investigation as being integral to flood risk management are recorded on this asset register.
- 9.0 Flood risk management measures that deliver social, economic and environmental benefits**
- 9.1 Flood Mitigation and relief in rural, dispersed communities can be disproportionately expensive, given that the measures required to protect say, 1000 properties in Hull are broadly similar to those required to protect 20 in one of our market towns or villages. For this reason, it can be difficult to demonstrate the cost benefits required for Environment Agency Flood Defence Grant in Aid (FDGIA).
- 9.2 The social and economic problems associated with flood risk for our communities are nevertheless equally tangible, and consequently, as a result a proportionate programme of works in our most high risk priority locations has been developed by the flood risk management team and is being delivered.
- 9.3 Locations where flood investigation has previously been undertaken are scored against a criteria. Locations where a high number of properties are affected, where incidents are repeated, where critical infrastructure is affected, and where external investment could be attracted for example, have a higher weighting. This ensures that the locations which deliver the best social and economic benefits are targeted.
- 9.4 During the period of the present NY FRM Strategy, understanding and use of natural flood management (NFM) and holistic solutions has grown. NFM is now recognised as an excellent complementary measure to flood schemes, and the flood risk

management team continues to represent the Council at catchment partnerships, to be part of the work to deliver these multi-benefit solutions.

- 9.5 Where possible, environmental benefits are considered in all of NYCC's flood specific work. The approach does however have limitations when used to deliver flood benefits only and is more appropriate in locations where multiple outcomes are intended and flood mitigation is not the principle objective.
- 9.6 The locations where schemes are in progress according to the criteria are demonstrated below, alongside an update of their status.

Location	Scheme status
Malton, Norton and Old Malton	<p>The scheme seeks to bolster the existing organisational response to raised levels in the River Derwent and as such, a partnership arrangement with Ryedale District Council (RDC) has been agreed to support the future operational pumping response required. This will also see the procurement of a third party contractor which has been identified through an appropriate procurement process and legal agreements between RDC, NYCC and the contractor are presently being prepared.</p> <p>The scheme will also see property level protection provided to approx. 50 houses in the most at risk locations.</p> <p>A demonstration "rain garden" will also be provided, on RDC land, to demonstrate sustainable drainage techniques and help with growth agenda and aesthetics in the affected areas. Malton Town Council has agreed in principle to take maintenance responsibility of this asset.</p> <p>A fixed term project manager, joint funded by Ryedale District Council and NYCC has been in place since April 2019.</p>
Scarborough Town	<p>The section 19 investigation into the August 2017 surface water flooding recommended the upgrading of the condition of culverts and including debris screens/sediment traps and also on property level resilience to allow for events exceeding the capacity of drainage systems. £25k was previously agreed to be spent on the development of recommendations. An initial feasibility study has been undertaken. This recommended modelling of some strategic culverts under the highway. This would also unlock growth opportunities. A scope for this next phase of feasibility work is presently in preparation.</p>
Great Ayton	<p>£45k was contributed from the 17/18 FRM budget towards a multi-source study being developed in partnership with NYCC and Northumbrian Water. Northumbrian Water have led on delivery, through consultants Mott McDonald through 18/19 and 19/20. £30k was successfully bid for by NYCC to support this work, from both the EA Flood Defence Grant in Aid programme and the Regional Flood and Coastal Committee fund.</p> <p>The study will identify improvements to the inter-related drainage system that could be implemented to reduce flood risk.</p>
Rye Villages	<p>Funded by successful application to the EA for Flood Defence Grant in Aid (FDGIA), locations in the Rye identified for surface water study were Thornton le Dale, Hovingham, Sinnington, Gilling East, and Kirkbymoorside, based on the residual risk of conurbations in the Rye. The studies will be presented to Parish</p>

	<p>Councils during July and August of this year, to inform and gather views on the options.</p> <p>Permission to deliver this will be sought at the start of next financial year for delivery of the options once engagement with Parish Councils has been undertaken and the direction is known.</p> <p>This project is being delivered in a manner which complements Natural Flood Management measures simultaneously being delivered by the Derwent Catchment Partnership, meaning the villages will benefit from both natural flood management approach and the wider ecological benefits it delivers and harder surface water flooding mitigation measures.</p>
South Craven	<p>NYCC has contributed £25k to a project led by the EA closely supported by NYCC officers delivering studies to support the understanding of future feasibility of mitigation. This has been delivered during 18/19 and 19/20.</p> <p>The new river model of the Eastburn Beck catchment has now been completed and has been reviewed alongside existing hydrological data and flooding history by the consultants.</p> <p>Any viable options identified as part of this assessment may then be taken forward to form a multi-agency strategy for reducing flood risk in this area.</p> <p>Work is on-going with the EA as part of the study to identify most appropriate partners to lead future work in those locations given the remits and the extent of powers of the organisations.</p>
Filey	<p>Fully funded surface water project developed. Planning permission recently granted. Scheme fully funded by external parties, including RFCC, and due for delivery by Scarborough Borough Council.</p> <p>No NYCC action therefore required and removed from NYCC priorities in January 2019.</p>
Tadcaster	<p>Following the 2015 floods, the Environment Agency committed to investigating improved flood protection options for Tadcaster and secured local levy to fund a feasibility study to review options for the town. This was a recommendation of the NYCC Section 19 report on the event which recommended an improved system of flood defences in Tadcaster as a priority for the town, highlighting that the current level of protection is low.</p> <p>The feasibility study reviewed the work undertaken for a proposed scheme in 2002. It also investigated other options for the town and the preferred and most cost beneficial option has estimated costs of circa £10 million and would be eligible for FDGIA of circa £2.5 million leaving an estimated funding gap of approx. £7.5 million.</p> <p>The EA and partners have been developing a case to improve flood protection for Tadcaster. A feasibility study (funded by £50K of local levy) produced outline options and indicative costs. The preferred option (but not the final one) proposes a combination of walls and embankments at a cost of circa £10 million. With only 36 residential</p>

	<p>properties at significant or moderate risk (plus 43 business properties) the scheme is only able to attract 18% of full value.</p> <p>A funding strategy was put together to define where the remaining money would come from. It identified existing stakeholders, other government funds, beneficiaries and therefore potential investors in the scheme. The EA has engaged with these stakeholders, all of which are interested in being part of the scheme and potentially investing, but all of which needed to see further scheme development to raise confidence.</p> <p>In June 2018 a Strategic Outline Case (SOC) was submitted by the EA York Office for internal approval. It asked that FDGiA sum of £1.5 million was used to develop the project to Full Business Case (FBC). This was not approved and a recommendation made that this phase be proportionally funded by other stakeholders.</p> <p>FDGiA can provide approx £300k of the value and an application has now been successfully made during June 2019 to the Local Growth Fund for the £1.1 million contribution (York, North Yorkshire, East Riding LEP).</p> <p>NYCC has agreed a contribution of £25k towards the business case production. A working group is being established by the EA of which NYCC will form part.</p>
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#### **10.0 Best use of all potential funding opportunities to deliver flood risk management measures**

- 10.1 The high level future indicative programme over the next 5 years is estimated at £3.6m. This is based on NYCC contribution of £1.13m, based on a value of £5k per historically affected property, as a “do minimum” property level protection option.
- 10.2 Third party contribution to this programme therefore is estimated at over £1.4m, drawn primarily from EA FDGiA and the Regional Flood and Coastal Committee.
- 10.3 It is clear that given the nature of flood risk and the relationships between the responsible risk management authorities, collaborative working and funding is key to successful delivery. An excellent example of this is the Malton scheme which is presently at detailed design stage, where funding is agreed in principle between NYCC, RDC, the Local Growth Fund and EA and with further bids planned. It is hoped that this approach can be replicated in all future schemes at earlier development stages.
- 10.4 The EA has been consulted on the overall programme methodology and is in support of it. Successful application has been made as a result of this and as the programme moves forward it is hoped that confidence in delivery increases and additional stakeholders can be identified to permit more schemes across county in the future.

#### **11.0 Next steps**

- 11.1 In May 2019 the Environment Agency announced consultation on its next flood risk strategy document. The focus of the EA’s strategy, which NYCC are presently preparing a response to, is towards improving the resilience of our communities and infrastructure.
- 11.2 The NYCC Strategy has now been in place since 2015 and as this report demonstrates, work is well underway towards the delivery of its objectives.



## 12.0 Key Implications

### 12.1 Local Member

All

### 12.2 Financial

12.2.1 There are no financial implications resulting from this report, which is produced for information purposes only to update on the on-going work towards achieving the outcomes of the flood risk management strategy.

### 12.3 Legal

12.3.1 North Yorkshire County Council is identified by the Flood and Water Management Act 2010 (FWMA) as the Lead Local Flood Authority for the North Yorkshire administrative area.

12.3.2 Under the FWMA, the Council has a duty to develop and maintain a Local Strategy for Flood Risk Management for our administrative area.  
The Local Strategy for Flood Risk Management is a legal requirement; there is no legal implications resulting from this update report which is for information only.

## 12.4 Equalities

12.4.1 There are no equality implications resulting from this report, which is produced for information purposes only to update on the on-going work towards achieving the outcomes of the flood risk management strategy.

## 13.0 Conclusion

13.1 This report demonstrates that work towards the objectives of the flood risk management strategy are being successfully delivered, this is through the putting in place of guidance and processes relating to the Council's responsibilities and powers as LLFA.

13.2 Through the introduction of effective processes and guidance it is considered that all the functions of the LLFA are being delivered with a level of cohesion, ensuring that the risk is considered at all stages of development, from the planning of new development, through to the maintenance of existing drainage infrastructure and the identification and delivery of flood risk mitigation measures in our locations at highest risk.

## 14.0 Recommendation

14.1 It is recommended that Members note the contents of this report.

Report Author: Emily Mellalieu, Development Management Team Leader

Background papers relied upon in the preparation of this report:-

NY Flood Risk Strategy

NYCC SuDS Design Guidance

NYCC Culverting Works and Drainage Maintenance Protocol 2019

**North Yorkshire County Council**

**Transport, Economy & Environment Overview and Scrutiny Committee**

**15 July 2019**

**Update on the North Yorkshire and York Local Nature Partnership**

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

**1.0 Purpose of Report**

- 1.1 To update on the activities of the North Yorkshire and York Local Nature Partnership since January 2018.

**2.0 Background**

- 2.1 The North Yorkshire and York Local Nature Partnership (LNP) is one of 48 partnerships in England that obtained approved LNP status by the Department for Environment, Food and Rural Affairs (Defra) in July 2012. LNPs are a Government initiative to change how we work on the natural environment and were one of the key proposals made in the 2011 Natural Environment White Paper.
- 2.2 The LNP's vision is to see the natural environment of North Yorkshire and York conserved, enhanced and connected across the whole LNP area for the benefit of wildlife, people and the economy. The LNP covers the county of North Yorkshire and the City of York, excluding the Yorkshire Dales National Park and Forest of Bowland and Nidderdale AONBs, which are part of the neighbouring Northern Upland Chain LNP.
- 2.3 More information regarding the strategy can be found at [www.nypartnerships.org.uk/lnp](http://www.nypartnerships.org.uk/lnp).
- 2.4 The LNP has made strong links with the York, North Yorkshire and East Riding Local Enterprise Partnership (YNYER LEP) and the Health and Wellbeing Board, recognising shared priorities and the value the natural environment can bring to economic growth and healthier communities. Senior officers from both these partnerships sit on the LNP Board. Other Board members represent rural business and community sectors, environment charities and other local planning authorities.

**3.0 Current and Upcoming Policies Relevant to the Natural Environment**

- 3.1 In January 2018 Defra published the UK Government's 25 Year Environment Plan. It sets out government action to help the natural world regain and retain good health. The plan aims to deliver cleaner air and water in cities and rural landscapes, protect threatened species and provide richer wildlife habitats. It calls for an approach to agriculture, forestry, land use and fishing that puts the environment first. The plan has the concept of natural capital embedded throughout the document, which is described as a world first.
- 3.2 In response to the Government's 2018 LEP review, the YNYER LEP could merge with the Leeds City Region LEP to create a new LEP covering North and West Yorkshire. The LNP will support any emerging joint plans as the area develops its local industrial strategy, to determine how investment in the natural environment can support economic growth. The LNP has already worked with the YNYER LEP in

developing its energy strategy, and to support the development of their circular economy strategy, which has natural capital as a key element within it.

#### **4.0 Current Partnership Activities**

4.1 A report in January 2018 to the Committee outlined the range of projects and activities carried out by the LNP since 2016. In the last year the LNP has continued to develop a series of these, which are outlined below:

#### **4.2 Enhancing the economic value of our natural assets**

Natural capital refers to the environmental assets from which we derive a wide range of benefits, including food, energy, clean air, clean water, recreation and protection from hazards.

4.2.1 The North Yorkshire & York LNP and Hull & East Yorkshire LNP are working together on a natural capital investment framework across the 13 local authorities of York, North Yorkshire, East Riding and Hull, to identify where natural assets need to be considered or enhanced in order to strengthen economic growth priorities. This approach has strong support from the Directors of Development across North and East Yorkshire.

4.2.2 The LNPs listed above commissioned AECOM to carry out a natural capital data assessment for our region, which had three main aims:

- Evaluate the range of natural capital data sets, data products, tools and data sources linked that underpin the 10 goals in the government's 25 Year Environment Plan, and understand the quality and availability of such data at a local level;
- Explore with a wide range of stakeholders across North and East Yorkshire how they currently use such data, whether having better access and interpretation of such data would make their work more efficient, and whether a natural capital data hub to access such a wide range of data would be beneficial;
- Explore a range of natural capital data hub models, to understand if a hub concept is feasible and would be useful to the range of sectors the LNPs have been working with, e.g. planning, economic development, environmental partnerships, public health teams.

4.2.3 The report was completed at the end of March, and was presented to the Directors of Development in May. The report highlighted issues with local data that will be a key next step in progressing any natural capital activity. The LNPs are also in discussion with Natural England and Defra nationally to determine how our proposed local activities may be impacted by national projects and policies, such as development of 25 Year Environment Plan metrics, and biodiversity net gain policy, and share our process with them.

4.2.3 The report recommended developing a natural capital asset register, to understand what our natural assets are, what benefits are being derived from them, what condition they are in, and what investment is required that would lead to further benefits to our health and economic growth. The YNYER LEP has agreed to pay for this register, as it will form a key evidence base for their Local Industrial Strategy.

#### **4.3 Improving Farm Profitability, Supply Chains and Tourism**

3Keel Consultancy was commissioned by the YNYER LEP, the North Yorkshire and York LNP, Hull and East Yorkshire LNP, Nestlé and the Woodland Trust to explore expanding a project called "Landscape Enterprise Networks" into North and East

Yorkshire. This approach allows large businesses such as Nestlé to identify what local natural assets their business is reliant upon or impacts upon, and what investments within their local landscape are required to make their business more resilient and profitable.

4.3.1 3Keel explored the concept for this region via two pilots, one covering the supply chains reliant upon the agriculture of East Riding, and one focusing on the work of the National Trust and partners in the Skell Valley and Ripon. This second pilot builds upon an existing lottery funded project to reduce sedimentation issues that are costing the National Trust millions of pounds to manage Fountains Abbey and Studley Royal, impacting on their resources to grow tourism in the area.

4.3.2 A workshop was organized by 3Keel in March 2019 to explore the opportunities in these two areas with economic and environmental representatives, to identify key issues to focus on and investment opportunities. A final report with recommendations has been completed, and the project partners are currently exploring next steps to developing business links.

#### 4.4 Diversification, Bio-economy & Innovation

North Yorkshire & York LNP and Hull & East Yorkshire LNP are looking at how the biomass economy could provide a sustainable market for grassland products that are at risk of losing their traditional markets (hay cropping and grazing). Creating a new market would lead to greater resilience across the pilot areas in the Yorkshire Wolds and Lower Derwent Valley landscapes. Anaerobic digestion (AD) is suited to use grass cuttings as a feedstock for energy generation and compost as an end product, but has not been considered in our area.

4.4.1 The LNPs commissioned Peakhill Associates to carry out a feasibility study exploring the potential of growing such a market in the Wolds and Lower Derwent Valley, which demonstrated that it was economically viable for farmers, landowners and AD companies to incorporate more locally available biomass as AD feedstocks. A workshop took place in May, which presented the findings of the study to a range of stakeholders and explore how to progress the findings locally. The report is available to share, and next steps are being explored by the LNP.

4.4.2 There is crossover with the previous item, as the LNP, YNYER LEP and Nestle are exploring whether this concept could be developed into a LEP's project. This work is supported will also feed into the LEP's Energy Strategy and their developing circular economy work.

#### 4.5 Discoveries on your Doorstep

Beyond the positive impacts for people that the above projects will deliver, the LNP is also working with Public Health colleagues to continue the development of the successful Discoveries on Your Doorstep initiative into new market towns. Following development of the Selby and Scarborough Trails, the LNP and Public Health Team has created a new project officer post to deliver the initiative in Ripon. This project will explore how better use of the footpaths and green corridors through the town can improve people's health and wellbeing whilst reducing air pollution issues in the town.

4.5.1 This project will also revisit the Selby and Scarborough Trails to determine how to sustain the positive work carried out over the last few years.

#### 4.6 Nature and Mental Health

The LNP and Next Steps, a mental health charity based in Norton, were successful in October 2018 in a bid to Heritage Lottery Fund for £33,000. Next Steps will work with

its clients over the next three years to grow nationally rare cornfield flowers on their allotments and public spaces in Ryedale, and linking with farms in the district providing the seeds.

## **5.0 Future Direction**

- 5.1 The range of projects outlined in this report support the local delivery of the government's ambitions within the 25 Year Environment Plan. The LNP will continue to liaise with government agencies such as Defra to keep us in a strong position for any national pilots or opportunities.
- 5.2 The LNP will work closely with the YNYER LEP as it progresses merger proposals with Leeds City Region LEP to explore the role of the environment in their joint vision and priorities for the economies of North and West Yorkshire.

## **6.0 Recommendation**

- 6.1 That the Transport, Economy & Environment Overview and Scrutiny Committee note the update on the North Yorkshire and York Local Nature Partnership and continue to support this partnership.

DAVID BOWE  
Corporate Director – Business and Environmental Services

Authors of Report: Liz Small (Heritage Services Manager)  
Matt Millington (Local Nature Partnership Development Officer)

Background documents: None

## North Yorkshire County Council

## Transport, Economy and Environment Overview and Scrutiny Committee

15 July 2019

## Work Programme

**1 Purpose of Report**

1.1 This report asks the Committee to:

- a. Note the information in this report.
- b. Confirm, amend or add to the areas of work shown in the work programme schedule (**Appendix 1**).

**2 Background**

2.1 The scope of this Committee is defined as:

- *Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.*
- *Supporting business, helping people develop their skills, including lifelong learning.*
- *Sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement flooding and cultural issues.*

**3 Updates – 20 mph speed limit policy task group**Initial meeting

- 3.1 The task group met on 22 May 2019 to look at the conclusions and recommendations from the 20 mph National Research Study ('Atkins Report'), the DfT guidance and NYCC's current 20mph speed limit policy. Statistics were shared at the meeting on the number of Killed and Seriously Injured Casualties on the road crude rate per 100,000 by North Yorkshire district.
- 3.2 At the task group's next meeting later this month, more detailed district-based statistics showing the number of speed-related accidents in 30mph speed limit areas, and by road classification, will be brought to the meeting.
- 3.3 A range of stakeholders will then be invited to a subsequent meeting to discuss their policy position on 20 mph speed limits arising from the Atkins Report.
- 3.4 Findings from a number of other shire counties show that at this stage they have no plans to review their current guidance in light of the findings of the Atkins Report. Where 20 mph speed limits exist in their county little or no evaluation has been undertaken.

## **4 Recommendations**

### 4.1 That the Committee:

- a. Notes the information in this report.
- b. Confirms, amends, or adds to the areas of work listed in the Work Programme schedule.

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Principal Scrutiny Officer**

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1 July 2019

### Appendices:

- Appendix 1 – Work Programme Schedule 2019/20

### Background documents:

North Yorkshire County Council Forward Plan

<https://www.northyorks.gov.uk/council-forward-plan>

## Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2019/20

### Scope

‘Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.

Supporting business, helping people develop their skills, including lifelong learning.

Sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement flooding and cultural issues.’

### Meeting dates

Scheduled Committee Meetings	15 July 2019 10am	24 Oct 2019 10am	23 Jan 2020 10am	15 April 2020 10am
Scheduled Mid Cycle Briefings Attended by Group Spokespersons only	12 Sept 2019 10am	5 Dec 2019 10am	27 Feb 2020 10am	

### Reports

Meeting	Subject	Aims/Terms of Reference
<b>Consultation, progress and performance monitoring reports</b>		
Each meeting as available	Corporate Director and / or Executive Member update	Regular update report as available each meeting
	Work Programme	Regular report where the Committee reviews its work programme
Meeting	Subject	Aims/Terms of Reference
<b>15 July 2019</b>	Highways Maintenance Contract	To receive the annual report on actions being put in place by the highways maintenance & highways improvement contractor (Ringway) to improve performance and communications



## Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2019/20

	Highways England	Regular annual update	
	Home to School transport	To discuss the results of consultation on Home to School transport policy for statutory aged children.	
	Local Flood Risk Management Strategy	Update on the implementation of the Local Flood Risk Management Strategy including flood risk/coastal erosion alleviation measures put in place/scheduled to be put in place; funding; issues	
	North Yorkshire and York Local Nature Partnership	Update report	
<b>24 October 2019</b>	Rail developments	Update report on the rail franchise, Rail North and Transport for the North	
<b>Items where dates have yet to be confirmed</b>	HGV overnight parking in North Yorkshire	To explore the issues of HGV overnight parking in North Yorkshire and ways to respond	
	Tourism in North Yorkshire	Overview of the work and future plans of Welcome to Yorkshire.	
	Promoting access to our heritage	Overview of the County Council's heritage service	
	Winter Highways Maintenance	Overview of the policy on Winter Highways Maintenance	
	Traffic management in the county: tackling traffic congestion	Overview of the ways that the County Council can tackle traffic congestion problems in the county such as through the use of smart traffic lighting to control traffic flow. Road junction road improvements in Harrogate and Scarborough town to be taken as examples.	

## Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2019/20

	Countryside access	Overview of the County Council's countryside service and priorities (including unclassified roads, prioritisation of the public rights of way network and improving the definitive map processes)
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### In-depth Scrutiny Projects/Reviews

Subject	Aims/Terms of Reference	Timescales
The North Yorkshire economy post-Brexit	Steering group comprising of the Group Spokespersons set up to consider the measures required to support the local economy following the triggering of Article 50 of the Treaty of Lisbon by the UK government.	Ongoing (commenced March 2017)
20 mph speed limit policy	Response to the publication of the National Research project by the Department for Transport examining 20mph speed limits	Commenced May 2019

Please note that this is a working document, therefore topics and timeframes might need to be amended over the course of the year.