



Agenda

Meeting held in private: Environment Directorate - Corporate Director and Executive Member - Highways and Transportation

To: Councillor Malcolm Taylor.

Date: Friday, 23 January 2026

Time: 9.30 am

Venue: Via Microsoft Teams

These meetings are private meetings. The agenda and papers for the meeting have been published for the purposes of openness and transparency. If a member of the public or press wishes to attend these meetings where there are extenuating circumstances, then they can request to do so via Maureen Wilson. Each request will be considered on its own merits.

Business

Items for Corporate Director decision

1. Business and Maintenance Plans for South Cliff Gardens, Scarborough (*Pages 3 - 86*)
2. Procurement of a New Contract for Design, Supply and Installation of Traffic Signals Equipment (*Pages 87 - 98*)
3. Approval to Vary the Existing North Yorkshire Permit Scheme following Consultation with Key Stakeholders (*Pages 99 - 152*)
4. Highways Capital Programme (*Pages 153 - 166*)
5. Opposed Definitive Map Modification Order – Restricted Byway No. 20.75/58 Reeth, Fremington and Healaugh & 20.42/9 Marrick, Fremington Edge Modification Order 2025 (*Pages 167 - 182*)

Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

Thursday, 15 January 2026

Enquiries relating to this agenda please contact Maureen Wilson – maureen.wilson@northyorks.gov.uk

Website: www.northyorks.gov.uk

North Yorkshire Council

Environment Executive Members

23 January 2026

Approval of Five-year Business Plan and 10-year Maintenance Plan for South Cliff Gardens, Scarborough

Report of the Assistant Director, Highways & Infrastructure

1.0 PURPOSE OF REPORT

- 1.1 To gain approval and sign off from the Corporate Director - Environment in consultation with the Executive Member for Highways and Transportation for the 'Management and Maintenance Plan' and 'Business Plan' for South Cliff Gardens project, which are pre-requisite for project closure and final funding draw down.
- 1.2 To highlight the proposed charging for the room hire of Beeforths Hive, as part of the South Cliff Gardens 'Business Plan'.

2.0 SUMMARY

- 2.1 On 10 January 2019 an HLF 'Parks for People' grant of £4,665,700 was awarded to Scarborough Borough Council to restore the South Cliff Gardens. In addition to this the former Scarborough Council committed £2,129,960 and an additional £236,229 was donated, bringing the budget for the refurbishment of the gardens to £7,031,889.
- 2.2 This report explains the work undertaken and the commitment to continue with the ongoing increased maintenance level and community engagement as required for the funding as well as a proposed business plan (Appendix A) to ensure additional income is brought into the gardens.
- 2.3 The main aim of the National Lottery Heritage Fund (NLHF) project was "To save the unique and enchanting heritage of South Cliff Gardens from a point of critical decline and to breathe new life into the Gardens so they appeal to 21st century communities and become a vibrant and well-used park once again."

3.0 BACKGROUND

- 3.1 South Cliff Gardens are located on the South Bay of Scarborough in North Yorkshire. The Gardens are a designated heritage asset, being listed Grade II on the Historic England Register of Historic Parks and Gardens. Within the gardens are further designated heritage assets consisting of several individually listed buildings and curtilage structures. Principal amongst these structures is The Spa, originating in the 17th century, that was subsequently developed and expanded in the 18th and 19th centuries and which together with the emerging fashion for sea bathing provides Scarborough with a justifiable claim to be England's first true seaside resort.
- 3.2 The development of the spa, the town and its role as a resort saw the provision of new facilities for visitors along the South Cliff, amongst them gardens open to the public. Some of these were provided by the town council, others by the Spa company while the wealth generated from increasing tourism led to many of the town's elite developing their own

private gardens. Further developments and extensions during the 20th century culminated in the South Cliff Gardens coming under the singular management of the Borough Council, both through purchase and by gift. The registered gardens include not only those to the east of the Esplanade on the cliff itself, but also the Valley Gardens, Prince of Wales Gardens and Shuttleworth Gardens to the west of the Esplanade.

- 3.3 A large scale £7m restoration project has taken place since 2019 with the final funding grant ending in October 2025. As part of the conditions of that grant from the National Lottery Heritage Fund, the recipients are required to submit a Business Plan to show how the Council can ensure the success of the project moving forwards without the grant funding, as well as a Management and Maintenance Plan (Appendix B) for the gardens to ensure the standards remain high quality for the public to enjoy.
- 3.4 Submission of both these documents to a standard deemed satisfactory to the National Lottery will enable the Council to claim the remainder of the grant (which this report is also seeking approval to do). This is currently £719,490.64.

4.0 SOUTH CLIFF GARDENS – KEY WORKING DOCUMENTS

4.1 Business Plan

- 4.1.1 The five-year business plan has considered numerous opportunities to generate additional income within South Cliff Gardens. Some have been dismissed whilst others have been added as actual income generators which need implementation with immediate effect.
- 4.1.2 Income generated within the gardens will be retained and reinvested within the gardens to ensure they remain high quality moving forwards. Should the proposed income levels not be met, the management and maintenance within the gardens will continue as this has already been included within staffing base budgets.
- 4.1.3 The main income generator detailed is to charge for use of Beeforths Hive – this is a purpose-built multi-purpose building using the NLHF grant. Part of the building is a small operational depot and rest room. Part of the building is a community room with small kitchenette, provision of tables and chairs as well as access to an accessible toilet. It is this community room which will be hired to community groups, for events, meetings etc. Since completion there have been numerous regular and some one-off users of this facility all of whom are aware a charge will be introduced. The charge will be the same as that for rooms within NYC libraries (Hourly rental £15.00 per hour; Half day rental £55.00 max four hours; Full day rental £110.00 max eight hours; cancellation fees to be considered for all options) so no additional Fees and Charges are being considered. This report seeks approval that charging can commence in February 2026.
- 4.1.4 This report also seeks an approval signature on the business plan which will then be submitted to NLHF as well as published online and shared with the Friends of South Cliff Gardens.

4.2 Management and Maintenance Plan

- 4.2.1 This 10-year management and maintenance plan is a requirement of the funding grant from NLHF. It includes a detailed action plan about how an uplifted maintenance schedule will be managed whether this is by Parks and Grounds staff, Property, Compliance and Facilities staff or volunteers.
- 4.2.2 This report seeks an approval signature on the management and maintenance plan (with associated appendices) which will then be submitted to NLHF as well as published online and shared with the Friends of South Cliff Gardens.

4.3 Final Grant Claim from NLHF

- 4.3.1 In 2019 a NLHF fund was awarded to Scarborough Borough Council of £4.66m.
- 4.3.2 This grant was awarded with specific criteria and methods of spend. Once each element had commenced, all invoices were submitted on a quarterly basis and reclaimed from NLHF, however repayment was at 85% with the remainder being held to ensure project completion.
- 4.3.3 We are now at a point of project completion – once the Business Plan and Management and Maintenance Plan are both submitted the Council will be eligible to make the final grant claim of £719,490.64.
- 4.3.4 This report therefore seeks approval to submit the final grant claim to NLHF and receive the remaining funding of £719,490.64.

5.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 5.1 Internal consultation has been taking place with staff from the former Major Projects Team of former Scarborough Borough Council who originally coordinated and managed the improvements at South Cliff Gardens.
- 5.2 Within the Parks and Grounds team consultation has taken place with the East Operational Team, the Parks Commercial Team and Parks Community Assets and Engagement Team as well as the Trees and Woodlands Team.
- 5.3 Consultation has also been conducted with Facilities Management Team to assess the space availability to hire the community facility at Beeforths Hive, with the finance team to review the cost implications.
- 5.4 Division Councillor for Weaponness and Ramshill, Cllr Richard Maw has also been contacted in relation to this report. His feedback is below.
 - 5.4.1 “I am supportive of the improvement project at South Cliff Gardens, which has delivered significant enhancements to a much-loved and historically important public space. These improvements have enabled both local residents and visitors to enjoy the gardens in a safe, accessible, and attractive environment.
 - 5.4.2 While I recognise that introducing charges for some aspects of the gardens may raise concerns, I also acknowledge the financial challenges facing local authorities in maintaining public assets to a high standard. In this context, I am supportive of the introduction of charges for certain facilities, provided they are fair, proportionate, and carefully considered.
 - 5.4.3 It is essential that the core experience of the gardens - open access to the landscape, paths, and green spaces - remains free to all. Any charges should apply only to specific, optional services or facilities and must not create barriers to access for the local community.
 - 5.4.4 I will continue to monitor the implementation of any charging arrangements to ensure they strike the right balance between financial sustainability and public accessibility.”

6.0 CONTRIBUTION TO COUNCIL PRIORITIES

6.1 The delivery of the South Cliff Gardens project and associated ongoing business and management plans contribute to the following Council priorities:

- **Thriving and empowered communities** – Supporting our places by supporting regeneration and celebrating culture and heritage.
- **Sustainable and connected places** – Protecting and enhancing our built and natural heritage by improving the local environment.
- **Safe, healthy and living well** – Support healthy communities that live and age well by working in partnership with the voluntary sector.

7.0 ALTERNATIVE OPTIONS CONSIDERED

7.1 Not approving the 4 items in the recommendations for this report was considered but rejected. This was because it will result in the council not receiving the remainder of the NLHF grant of £719,490.64 to fund the capital spend incurred on South Cliff Gardens.

7.2 In addition, this will also have a reputational impact with a view from NLHF and other potential funders that NYC are unable to meet grant requirements therefore we may not be eligible to apply for external grants in future.

8.0 FINANCIAL IMPLICATIONS

8.1 The legacy project is funded from a grant award from the National Lottery Heritage Fund of £4,665,700, supplemented with £2,129,960 from the former Scarborough Borough Council and £236,229 of fund raising for a total budget of £7,031,889. However, both the total income and expenditure has exceeded this with a net shortfall of £33,173 shown. This was due to an overcharging of salary costs to the project in 2024/25, where the full cost rather than the uplift for enhanced management and maintenance was charged.

Income to date	
Local authority	£2,009,753
Other fundraising	£105,000
Increased M&M met by SBC	£547,460
Noncash contributions	£950
Volunteer time	£121,091
HLF Grant	£3,946,234
TOTAL INCOME TO DATE	£6,730,488
Final NLHF Grant to claim	£719,466
PROJECT INCOME TOTAL	£7,449,954
Expenditure to date	
Capital Costs	£6,470,732
Activity Costs (staff, training, volunteering & engagement)	£547,116
Other costs (publicity, contingency, management & maintenance uplift).	£465,279
TOTAL EXPENDITURE TO DATE	£7,483,127

- 8.2 The business plan sets out proposals to generate additional modest income of at least £12,206 from 2026/27 onwards derived from rental income of Beeforth's Hive and events and activities in the gardens. This will contribute to the overall running costs for management and maintenance of the gardens.
- 8.3 The estimated annual management and maintenance costs are £353,201 as set out in the maintenance and management plan (minus volunteer hours). Existing staffing budgets of £270,488, and £70,507 revenue costs (e.g. for materials, equipment, services) are available to cover these costs along with estimated annual income of £12,206. The overall budget for the Parks and Grounds Service is overspending and a review is underway to ensure actions are taken to bring the spend back on budget. In addition, achievement of the increased income target is a risk for the service, and it should be highlighted that any shortfall in income will result in an ongoing budget pressure for the Directorate. However, the management and maintenance plan is a condition of receiving the grant funding and so without it, the draw down of the remaining grant funding of £719k will not be possible.
- 8.4 Officers from NYC continue to work closely with the NLHF to ensure all conditions of the grant funding are met. A particular challenge has been around the maintenance of the cliff area where slope stabilisation works were undertaken prior to this project, with a key aim of funding to restore this area. Therefore, the draw down of the remaining grant is subject to a final site visit on 12 March 2026.

9.0 LEGAL IMPLICATIONS

- 9.1 The NLHF Grant was awarded in January 2019. The approved purposes of the grant (which have all been achieved) related to:
- Restore 14 shelter buildings and a clock tower; repair/replace/add railings, fencing, litter bins and benches; restore/reopen funicular tunnel and restore Italian steps.
 - Tree pruning/removal/planting; perennial, ground flora, shrub and under-storey planting habitat management/enhancement and Japanese Knotweed management.
 - Repair/resurface footpaths; create accessible through-route; cover and seed obsolete paths; and repair steps/paving.
 - Repair retaining walls; undertake minor earthworks; improve drainage; and repair/replace/extend lighting and electrical connections.
 - Build new operations centre (incorporating public toilets); install fitness distance markers and cycle parking/signage; and create a 'family hub' near the Clock Café, with new play area and toilets/changing facilities.
 - Deliver SSP reinstatement, plant specimen trees, ornamental shrubs, herbaceous plants, wildflowers and bulbs; repair/reinststate/replace shelters, rock-work, lighting and fencing and create a new lost shelter feature.
 - Reinterpret through way-marking, signage, interpretation panels, brass rubbing trail, oral history audio posts; orienteering/geocaching, leaflets and web material.
 - Engage priority underrepresented groups as identified through extensive Development work.
 - Deliver extensive volunteering, training and activity programmes, in partnership with Friends of South Cliff Gardens and numerous other organisations.
 - Continue to explore/develop proposals for putting green shelter/toilets and report progress to HLF.
 - Prior to practical completion submit an up-to-date Management and Maintenance Plan to HLF's satisfaction.
 - Before the project complete and the final HLF payment is made, submit an up-to-date Business Plan to HLF's satisfaction.

9.2 The standard terms of the NLHF grant and the additional grant conditions will last for 20 years from the Project Completion Date therefore the Council is legally bound by the terms for 20 years. This will include ensuring that the property must remain as Gardens and within the council's control for this period (unless otherwise agreed with NLHF).

10.0 EQUALITIES IMPLICATIONS

10.1 The proposal/report will not have any detrimental impact in terms of EIA. See Appendix C

11.0 CLIMATE CHANGE IMPLICATIONS

11.1 The improvements at South Cliff Gardens have a positive impact on Climate Change and will continue to be managed and maintained in this way due to the supporting Management and Maintenance plan required as part of the NLHF grant. See Appendix D

12.0 REASONS FOR RECOMMENDATIONS

12.1 The South Cliff Gardens project has been scheduled to conclude by March 2026 with all works completed and the final funding claim submitted. This report outlines the key achievements and the proposed ongoing maintenance for the gardens, which are mandatory requirements to enable project closure and full grant draw down.

13.0 RECOMMENDATIONS

13.1 It is recommended that the Corporate Director – Environment, in consultation with the Executive Member for Highways and Transportation approves:

- i. the Business Plan for South Cliff Gardens;
- ii. the Management and Maintenance Plan for South Cliff Gardens and to note that this is reliant on income generation of £12,206 per annum and
- iii. the submission to claim for the remaining National Lottery Heritage Fund (NLHF) capital grant due of £719,490.64.

APPENDICES:

Appendix A – South Cliff Gardens Management and Maintenance Plan with costed breakdown and monthly work schedule

Appendix B – South Cliff Gardens Business Plan

Appendix C – Equalities Impact Assessment

Appendix D – Climate Change Impact Assessment

BACKGROUND DOCUMENTS: None

Barrie Mason
Assistant Director - Highways and Infrastructure
County Hall
Northallerton
12 January 2026

Report Author – Kate Dawson, Parks and Grounds Community Assets & Engagement Mgr
Presenter of Report – Kate Dawson, Parks and Grounds Community Assets & Engagement Mgr/
Jon Clubb Head of Parks and Grounds

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



South Cliff Gardens Business Plan 2025-2030



Contents

1.0	Executive Summary	3
2.0	The Project	4
2.1	Project Outcomes	5
2.2	About North Yorkshire.....	5
2.3	Local and strategic context	5
2.4	Background to South Cliff Gardens.....	5
3.0	The Organisation	7
3.1	NYC Parks and Countryside Information.....	7
3.2	Volunteer Information.....	9
3.3	NYC Our Vision.....	10
3.4	NYC Political Structure.....	10
3.5	Strategic Context of South Cliff Gardens.....	11
4.0	Business Plan.....	11
4.1	Current Situation.....	11
4.2	Demographics.....	11
4.3	Events and Activities	12
4.4	Local Neighbourhood.....	13
4.5	Marketing and Promotion	15
5.0	Proposed Income Generation	15
5.1	Licences	16
5.2	Memorialisation.....	16
5.3	Sponsorship/Crowdfunding	16
5.4	Donation buckets/posts.....	17
5.5	Tours of the Garden.....	17
5.6	Specialist workshops (horticulture).....	17
5.7	Beeforth's Hive room hire.....	18
5.8	Pitch and Putt	18
5.9	Plant sales.....	18
6.0	Financial Predications.....	19
7.0	Activity and Engagement Plan	19
8.0	Risk Analysis	21
9.0	Monitoring and Evaluation	21

1.0 Executive Summary

North Yorkshire Council (NYC) has been the lead organisation in the delivery of the National Lottery Heritage Fund (NLHF) Parks for People project but managed the project with the support of a range of partners, including the Friends of South Cliff Gardens and other local organisations.

This Business Plan has been developed to manage the South Cliff Gardens in line with the NLHF Parks for People Programme.

South Cliff Gardens are an integral part of North Yorkshire Council's commitment to local regeneration and supports their overall vision to support thriving places and empowered communities that live, work, visit and do business in North Yorkshire; develop more sustainable and connected places across North Yorkshire; ensure the people of North Yorkshire are safe, healthy and living well and maximise the potential of North Yorkshire's people and communities

This plan considers the opportunities for generating income from the newly restored South Cliff Gardens as an integral part of the future management of the Parks for People Project.

Part of that 5 year (medium term plan) is a desire to plan longer term to ensure the maintenance standards of parks and open spaces remain high quality as well as accessible to residents and visitors alike.

This plan is supported by Barrie Mason (Assistant Director of Highways and Infrastructure, including Parks and Countryside) and Karl Battersby (Corporate Director of Environment).

Barrie Mason has commented that "our open spaces and parks demonstrate the Council's commitment to residents and visitors alike. We aim to maintain the high-quality parks and open spaces for the enjoyment of the public with appropriate and sympathetic commercialisation to ensure our open spaces can be maintained to such high standards. This enables greater benefits for all not only to appreciate the beautiful gardens, vistas, flora and fauna but also to focus on wellbeing and health the open spaces bring to all."



Barrie Mason

Date

Signature

2.0 The Project

The National Lottery Heritage Fund and National Lottery Community Funded Parks for People project has assisted the Council with saving the unique and enchanting heritage of South Cliff Gardens from a point of critical decline and has breathed new life into the Gardens, so they now appeal to 21st century communities and is a vibrant and well-used park once again. The project has allowed the Council to set out a whole-park masterplan that balances heritage, cost and visitor appeal and review and address key issues such as circulation, viewpoints, maintenance, landscape setting and biodiversity to provide the maximum benefits to all. We have been able to rethink what the Gardens offer today's community and how the original design intentions as a place for health, relaxation, romance, and enjoyment can be made relevant to people's modern lives. Using this rethinking, we have reinvigorated the gardens through a combination of new amenities and facilities, stunning landscaping, exciting events and activities, diverse training opportunities, and active community involvement and ownership. As well as implementing this business plan and new management systems including a revised staffing structure, management plan, training, and community involvement, to ensure heritage is better managed and people are more actively involved in the Gardens.

The overall aim of the project is:

“To save the unique and enchanting heritage of South Cliff Gardens from a point of critical decline and to breathe new life into the Gardens so they appeal to 21st century communities and become a vibrant and well-used park once again.”

This is supported by several objectives which were updated following the restoration by several community groups involved in the project, the Friends Group, and the Parks Management Team.

- To restore, conserve and enhance nature and its resilience in the garden through a proactive nature-first led approach to sustainable horticultural management and partnership working.
- Continue to make the Gardens as accessible as possible and welcoming.
- Continue to repair and restore the historic fabric of areas of the Gardens not included in the NLHF restoration, to a high quality and with respect to the original design intentions.
- Reconnect people with the Gardens, attracting new and larger audiences and engaging people with their heritage.
- Continue to renew the health and tourism benefits that the Gardens were originally created for.
- Provide a place for people to learn new skills and meet new friends.
- Add a new layer of horticultural excellence that becomes an exemplar of coastal gardening and increases wildlife and environmental benefits enormously.
- Build on 18 great years of active community involvement with the Friends group to further develop local ownership.
- Provide effective management systems to make the most of the Gardens and safeguard them for generations to come.
- Encourage volunteering as a way of helping people connect with the gardens, meet new people, make new friends, develop new skills, and share knowledge and experience with visitors and other volunteers.
- Encourage use of new community assets such as Beeforth's Hive, the play area and arts trail.

2.1 Project Outcomes

- The park and its heritage will be better managed.
- The park and its heritage will be in better condition.
- The heritage of the park will be better interpreted and explained.
- The heritage of the park will be identified/recorded. People
- People will have developed skills.
- People will have learnt about heritage.
- People will have volunteer time. Communities
- The local area/community will be a better place to live/work/visit.
- Environmental impacts will be reduced.
- More people and wider range of people will have engaged with Heritage.

2.2 About North Yorkshire

North Yorkshire is an attractive place to live, work and visit. The county has an enviable identity with a brand globally renowned for its culture and spectacular landscapes. The county has a varied and vibrant local economy, the lifeblood of which is defined by over 32,000 small and medium enterprises (SMEs) which form 99% of all businesses locally. North Yorkshire Council serves a diverse and dispersed population of an estimated 615,400 people across a geographical area of over 8,000 square kilometres. Large parts of the county sit within two beautiful National Parks. Ninety eight percent of the county is either sparsely (13%) or super-sparsely (85%) populated with just over a third of the population living in these areas. This results in a population density of just 77 people per square kilometre, compared with an England average of 432.

2.3 Local and strategic context

South Cliff Gardens provide three main things:

- A local green space for residents and wildlife
- A major tourist attraction for visitors
- A landscape backdrop to the iconic South Bay panorama South Cliff Gardens is classified as a “Town Park” in the Council’s public open space typology, indicating their status as a high value green space. They provide the main green space for the south of the town, as Peasholm Park and North Bay do for the north of the town.

2.4 Background to South Cliff Gardens

South Cliff Gardens is one of Scarborough's great historic public gardens. It offers formal planting, wooded walks down to the seafront and is a haven for wildlife. The Gardens benefit from impressive views out over the southern coastline and towards Scarborough, particularly to the northern side of South Bay, with clear views of Scarborough Castle from many vantage points within the Gardens. Elsewhere the Gardens act as a backdrop to inland views from the seafront, particularly behind the Spa complex buildings which sit in between the seafront and the Gardens. From the Esplanade at the top of the Cliffs the well vegetated areas of the Gardens screen outward views where vegetation has outgrown its original intent, although conversely vantage points are maintained from specific viewpoints, such as opposite the Crown Hotel to allow views.

Connected to the seafront are a collection of buildings related to seaside summer use, such as the beach huts, the Clock Café, and the former Sunbathing building, now the Spa. The Clock Café, meadow and new play area offer a 'destination point' for users to aim for, and to spend additional time within the Gardens. Before the restoration most users were passing through the Gardens en-route to either the town or the seafront and miss the chance to detour through the gardens at all. Following the restoration visitors dwell in the space, attend activities in the New 'Hive' community building and explore the history of the space.



Along the seafront there are shops, The Spa (a venue for concerts and theatre) and the Sun Court Cafe. The Clock Cafe within the gardens is situated to the north-east of the site (open during the summer months), it is next to the new accessible public toilets, accessible play area and sunken wildlife garden which has been a favourite with local people and visitors alike. Adjacent to the Clock Cafe is the Spa Cliff Tramway which used to prevent access to the north of the gardens but following the tunnel opening as part of the restoration access across the site has been opened. The coastal gardens have 14 shelters dotted around the site and numerous gardens including the Spa Gardens (started as private gardens in 1837), the Prince of Wales Gardens, a Rose Garden, Holbeck Gardens, Shuttleworth Gardens, and Italian Gardens (added throughout history between 1860 and 1914, listed in consecutive order). At the southern edge of the site is the Holbeck Clock Tower, a putting green, additional public toilets which open all year round and the UK's largest star map viewpoint. There are also beach chalets on site that are available for hire.

The Gardens are divided into 5 sections with zone 1 at the Northern end of the Gardens which connects to the town centre, zone 2 encompassing the spa, zone 3 which hosts the clock café and family hub space and the cliff lift, zone 4 which allows informal recreation and provides links to the seafront and esplanade including the new community centre and zone 5 which links to the coastal paths.

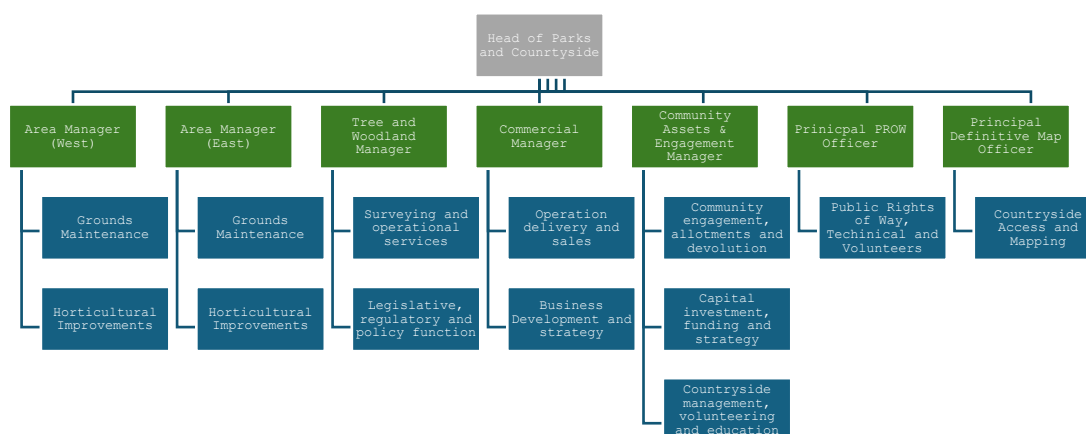
3.0 The Organisation

North Yorkshire Council has gone through a period of rapid transformation and organisational change, bringing together 7 district authorities and the county council to become a unitary organisation on 1st April 2023. Since this a series of restructures has taken place to bring the new authority together with one set of values and one forward vision. Parks and Countryside sits within the Environment Directorate.



3.1 NYC Parks and Countryside Information

With the Parks for People funding the Council employed a Head Gardener and Community Engagement Officer through the project who were fundamental to the delivery of the Business Plan (through raising the profile of horticulture and the delivery of activities and events). A new staffing structure is now in place for the council's Parks and Countryside service which will enable the delivery of an Action Plan in coordination with the Business Plan and Management and Maintenance Plan. The following staffing structure is now in place and fully funded through the grant and council funding.



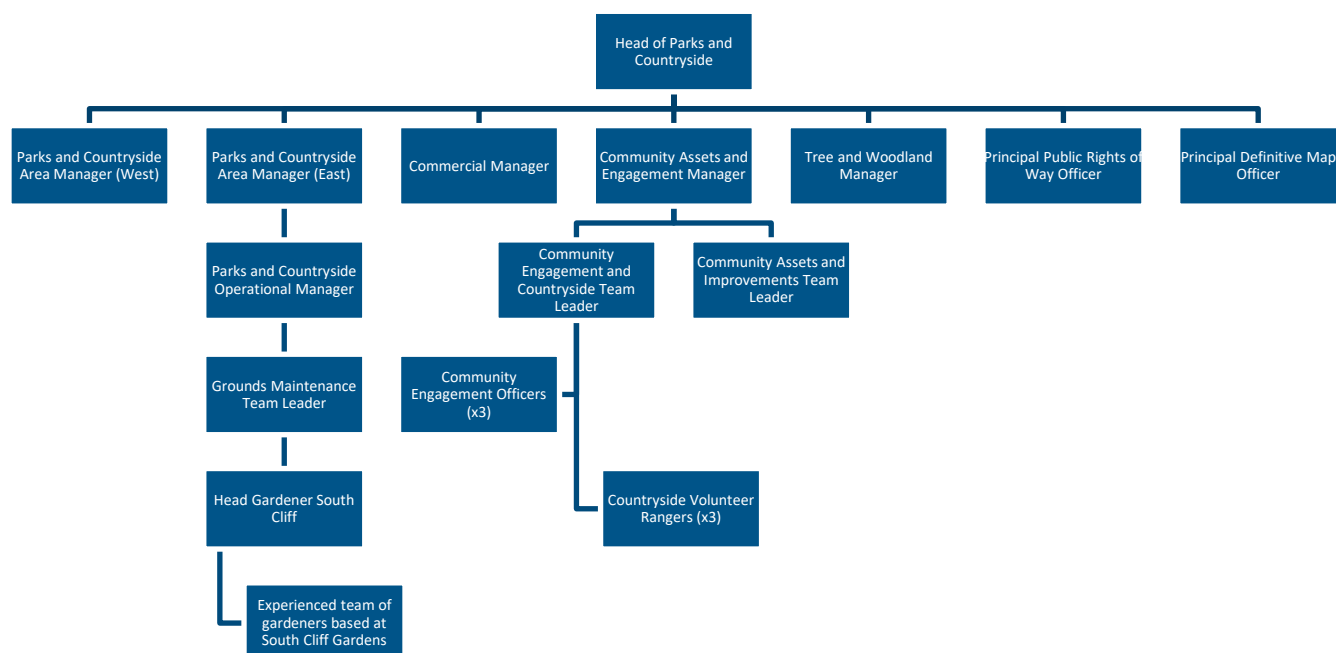
This structure and additional management support allows South Cliff gardens the opportunity to keep developing and improving whilst allowing additional chargeable events and activities to take place to ensure the longevity of the improvements. The new Parks and Countryside Team enables wider functionality.

The **Area Operational Teams** focus on the direct delivery of operational services and a wide range of maintenance operations, they are key in the horticultural function of the service as well as undertaking the inspection and maintenance of assets/facilities within our parks and open spaces.

The newly formed **Tree and Woodlands Team** maintain tree survey data to effectively manage risk, are responsible for operational tree works will give specialist advice and lead for planning and legislative matters in relation to trees as well as support and lead on policy development e.g. conservation, climate change etc.

The **Commercial Team** coordinate and manage the Charter markets across North Yorkshire, are responsible for income generation from concessions, leases and contracts, support the business-to-business sales of traded services such as grass cutting, develop new business activities to support transformation, coordinate and set up fee and charges within Parks and Countryside and are responsible for building commercial partnerships internally and externally.

The **Community Assets and Engagement Team** manages and develops partnerships with the community and voluntary sector, coordinates and plans all community development and improvement initiatives including capital investment, manages specific land assets (via a countryside ranger function) and coordinated inward investment into Parks and Countryside.



3.2 Volunteer Information



Volunteer Activities in South Cliff Gardens

The Friends Group serves as the primary volunteer team dedicated to maintaining and improving the Gardens. Here's an overview of their contributions and activities:

Weekly Volunteering: "Volunteers in Parks" sessions occur every Wednesday from 10:00 am to 12:00 pm.

Ecology & Conservation Efforts: Following the Gardens' restoration, a specialized branch of volunteers focuses on ecological and conservation tasks, meeting biweekly at the Holbeck end of the site.

Social Engagement: The Friends Group also hosts a monthly coffee morning on Tuesdays, generating a modest income (approximately £40) via a donation box.

Achievements and Contributions The Friends Group has played a pivotal role in:

- Maintaining key areas like the Rose Garden and Shuttleworth Garden.
- Securing funding for South Cliff Gardens.
- Taking full responsibility for new planting areas, with guidance from Doug Stuart and the RHS, to improve sustainability across the site.

Community Involvement

Local schools occasionally visit for litter-picking and planting activities.

Businesses like McCain regularly organize work parties, with a recent initiative involving 90 volunteers over three days.

Litter Picks: Litter-picking events take place regularly coordinated by Keep Scarborough Tidy

Partnership with Skills Village The new collaboration with Skills Village in Eastfield is actively:

- Training apprentices in building skills (e.g., steps, walls).
- Involving volunteer groups such as Andy's Man Club in various construction projects.

3.3 NYC Our Vision

The council want to harness the power of North Yorkshire's natural capital, unique communities and businesses, continuously improving our services to enable a good quality life for all.

The plan is based around four main aims as shown below and is supported by One Council with strong, local and customer-led services.



3.4 NYC Political Structure

The councillors are responsible for providing strategic direction and decision on a wide range of public services to the people of North Yorkshire. They are made up of an elected assembly of 90 councillors, with elections normally held every four years.

The councillors are elected democratically by the people of North Yorkshire. They are active at the heart of their local communities, listening to concerns and responding to the needs of the public to deal with issues that are important to where they live.

They also act as a champion for North Yorkshire and its people. They represent and promote the interests of our county in the wider Northeast region, in the whole of the United Kingdom and abroad.

They work closely with a range of partners and organisations to support the people and businesses of North Yorkshire.

We are a Conservative controlled council. There are 90 councillors in total:

- Conservative - 47 (including 3 Conservative and Independents)
- Liberal Democrats and Liberals - 13
- Labour - 11
- NY Independents - 8
- Green - 5
- Unaffiliated – 5

At present the Executive Member for Highways and Transportation, Road Safety and Cycling is Cllr Malcolm Taylor.

3.5 Strategic Context of South Cliff Gardens

South Cliff Gardens is owned and managed by North Yorkshire Council. The framework within which the project has been delivered is defined by the council's strategic plan, which has a strong focus on people and the environment. Locality working is a key element of our Council Plan which has four pillars of locality working:

- Local services and access
- Local accountability
- Local action
- Local empowerment

The NLHF project "Saving South Cliff Gardens" has supported the council's aim of supporting the region as a place with a great quality of life, as well as helping to increase employability and building skills through the apprenticeship post. As well as partnership with Futureworks, Horticultural Skills Village, Scarborough Skills Village, and a package of training opportunities.

4.0 Business Plan

4.1 Current Situation

The current audiences for South Cliff Gardens include residents, tourists, and day visitors. The Gardens tend to consistently serve a relatively narrow group of users (generally older people, visiting families in the summertime using the Gardens as a cut through to the seaside and dog walkers all year round. A slight increase in use from other sectors of Scarborough residents including teenagers, users with mobility issues, young families, and ethnic minorities has been shown following the restoration work.

Current and popular use of the Gardens includes dog walking, cycling, and jogging, families using the play area, through routing, bird watching, short-term "pop in/out" visitors attend for events and activities held across the site and in the new 'Hive' community building and conference/Spa users. We have also seen a small increase in people using the site to explore the history and for landscape painting with the new meadow space becoming a popular draw. This perhaps is a knock-on effect from the increase in ecological and cultural events that are on offer thanks to the activity programme.

4.2 Demographics

Using Visitor Observation Data from 2023, there was an even split between male and female users, with 47% of users identified as female and 53% male. This is similar to the gender ratio within Scarborough Town, where 51.7% of residents identify as female.

Data from the Visitor Observation Study demonstrates that most visitors to South Cliff Gardens are White, reflecting the local area where 96.5% of residents are White. However, 1.2% Black and 0.4% Asian people visited the gardens, which is a slight increase on the previous data in 2018.

Only 26 (1.1%) visitors were identified as having an obvious, observable disability through the Visitor Observation Study. This included one user in a mobility scooter and two using wheelchairs. This is significantly lower than the local area, where 22.2% of residents consider themselves to have a limiting long-term illness but higher than the 12 people recorded in 2018.

The Audience segmentation shows that the residential market at Scarborough largely older families and singles who are highly engaged. Local populations cover older people, younger people such as students and those who are culturally diverse. Activities of interest include drama, art and craft exhibitions, music, heritage events, public art installations and carnival type festivals. To attract visitors and new volunteers to the gardens, marketing should be through a variety of sources including on websites and social media, via email, in local newspapers and through a range of community organisations. The gardens should also be signposted from the town centre and from key attractions along public transport routes.

4.3 Events and Activities

Following the restoration, we now have a successful activity programme which includes everything from art classes to yoga and a book festival. Our most popular events are the music events that we host in the Italian Gardens. They take place every week throughout the summer period and at the peak we had over 190 people attended.

The new community building Beeforth's Hive is well used by the local community, including groups such as the U3A (University of the Third Age), Civic Society, board game groups, music, play and dance groups. The community room is booked up 6 months in advance and proving to be very popular. The proposal is that the room can be used for free by groups that have been involved in the project or that offer something in return. For example, North Yorkshire Art School use the space to teach art classes and in return they offer several free spaces which can be used by our project Youth Steering Group.

Below is a list of regular events delivered through the activity programme:

- Big Garden Bird watch. An annual bird watching event taking place 27th -29th January which is a community bird watching event supported by bird-themed family craft activities in Beeforth's Hive.
- U3A weekly art and craft workshops.
- Weekly drop-in crafting session at Beeforth's Hive, often with a plastic free, wildlife/environmental theme.
- Monthly Friends meeting hosted at the Hive.
- Half term activities including Go Wild and Crafts with local artist, poets, and musicians aimed at families and children.
- Weekly Friends Gardening group volunteer days and fortnightly conservation volunteer sessions.
- Presentation of music and poetry project alongside historic postcards heritage exhibition supported by Friends group.
- Easter activities including crafts and storytelling will take place at Beeforth's Hive and in the gardens during the Easter holidays.
- A programme of landscape-artist led classes utilising the key viewpoints in the gardens.
- Writing Workshops, writer-led adult sessions. Participants will create poems and short stories inspired by the gardens using Beeforth's Hive and the outdoor classroom.
- Fun Music sessions ever popular toddler music events led by a professional local musician.
- Play dates for local group's e.g., young carers, home educators, and refugee / asylum seeker groups.
- Bi-weekly heritage walks lead by trained volunteers.

- Program of gardening training sessions lead by RHS trainer Dough Stewart.
- Family Book Festival
- Music and poetry free drop-in sessions in the gardens
- Family Friendly Events Program. 20-40 free or affordable family events and activities Yoga
- Weekly guided Heritage Walks.
- Scarborough Jazz Festival Event
- Halloween Events.
- Christmas Craft Sessions.

4.4 Local Neighbourhood

Around 18,000 people live within 15 minutes' walk (1km) of South Cliff Gardens (SBC Ward Profiles), comprising largely of the wards of Ramshill, Weaponness and Castle. The heritage of the Gardens, their spectacular setting, facilities such as the Spa and Clock Café, and the proximity to the beach mean that they are seen as a green space for the whole town and many existing users are from outside the immediate 1km catchment.

Future and Target Audiences Demographic, audience and market segmentation analysis, visitor observation studies and consultation throughout the development phase of this project has provided us with evidence to suggest that the key under-represented groups and therefore the proposed target audiences for South Cliff Gardens are:

- Families with Children
- Young People
- People with Disabilities
- Older People
- Disadvantaged Communities
- Ethnic Minorities

The Activity Plan sets out the following future and target audiences as shown in the table below:

	Why this audience is important	Barriers to use	How we will engage this audience
Families with children	Visitor Observations showed children were more underrepresented in the gardens compared to other user groups even though there had been an increase following delivery. Typically, parents looking for family orientated summer holidays where beaches play a starring role.	Less awareness of garden and new play facilities, activities	Develop exciting events and activity. Programme Promote the new play facilities and trails. Target promotional activities at families and young people
Older people	Those over 70 were less represented as users of the gardens than other groups.	Safety concerns Unwilling to visit alone.	Improve maintenance of Gardens with greater staff and volunteer presence and increased public use. Events to re-engage in a safe group. environment
Disadvantaged communities	There are pockets of deprivation within Scarborough, particularly to the north of South Cliff Gardens, Castle and Ramshill Ward. Within the 1 km buffer, the most deprived area is The Old Town, ranked eighth most deprived of the 71 LSOAs in	Lack of awareness of Gardens and what they offer Perception of "not for us". Cost of living crisis	Develop exciting events and activity. Programme Work with local community centres, groups and schools to engage with disadvantaged communities in Castle

	Scarborough. The LSOA directly north of the Gardens is also ranked the most deprived in terms of living environment		and Ramshill wards. Promote walking and cycling. Provide free facilities, e.g., play area, and plentiful opportunities for picnics and seating provide free events.
Disabled people	Demographic data show that 10.5% of the local population have their activities limited a lot by long-term illness. Visitor Observations revealed that this audience were using the gardens at a lower-than-expected level with only 1% being perceptibly disabled.	Lack of awareness of the garden and its access improvements	Work with Mind, Dementia Action Alliance and others to design appropriate events to re-engage. Promote the access improvements.
Tourists	South Cliff Gardens are an important area for tourism. The Esplanade above the gardens is predominantly hotels and guesthouses. There is an upward trend in domestic tourism across the UK with the North Yorkshire area now attracting 1.4 million trips annually Tourists come into the area to visit the Spa, which attracts nearly 600,000 visitors a year.	Lack of information Poor interface with Spa	Improve quality of horticulture, making the Gardens and exemplar of coastal gardening Develop exciting events and activity. They are an important group audience for the project being already in geographic proximity to the gardens and being comprised of other key audiences including families and older people.
Those with horticultural interest	The gardens have huge potential to provide learning and enjoyment to those with a horticultural interest. Audience segmentation shows Scarborough is likely to have untapped potential in this area.	Lack of events, activities and interpretation.	Sustain weekly volunteer opportunities. Provide greater support and training for volunteers More and wider promotion of volunteering and involvement opportunities through advertising, walks and talks. Provide visitor volunteer opportunities, e.g., horticultural. Increase biodiversity and wildlife interest
Those interested in health & wellbeing	Need for green spaces to promote health benefits Link to heritage of the gardens- they were intended to be a place to take the spa waters and associated with good health and well-being as well as gentle recreation.	Lack of targeted facilities and activities	Develop exciting events and activity. Programme Work with local fitness providers to run and promote activities in the Gardens Promote the health and wellbeing benefits of using the Gardens through branding and information Develop specific activity groups for health benefits, e.g., dementia gardening, walking groups, volunteering

4.5 Marketing and Promotion

Following the restoration of the South Cliff Gardens marketing has been improved, with the addition of a new project website, with new content being published on a weekly basis on the website and across several social media platforms. Events are published on the website and several local event pages including:

- Discover Yorkshire coast
- Leaflets and posters are distributed to local notice boards within the gardens, the library, market, bus and train station, art gallery, local hotels, the spa
- Installation of interpretation boards across the gardens which include a general map highlighting key attractions within the gardens, distances, access information and how much time it will take to get between each.
- Provision of a free information leaflet and map, of which 50,000 copies have been circulated to date
- Provision of a website ([South Cliff Gardens – Scarborough](#))
- Provision of a Facebook page [South Cliff Gardens | Scarborough | Facebook](#)
- Provision of a YouTube channel [South Cliff Gardens - YouTube](#)
- Trip Advisor average score 5 from 348 reviews with the Italian Gardens ranking 11th of 74 things to do in Scarborough
- Page on Discover Yorkshire Coast website
- Page on Parks and Gardens UK website
- Page on Yorkshire Guide website
- Post on Visit Scarborough website

5.0 Proposed Income Generation

Detailed financial projections in the form of a trading profile for a 10-year period, linked to the management and maintenance plan, have been developed and can be found in this section of the plan. This Business Plan sets out the main direct income generating opportunities considered for South Cliff Gardens:

- Licences
- Memorialisation
- Sponsorship / crowdfunding
- Suggested donation buckets at activities and events
- Tours of the gardens
- Specialist workshops (horticulture)
- Beeforth's Hive room hire
- Pitch and Putt
- Plant and map sales

In addition, a range of community and other initiatives within the Activity Plan will drive visitors to the site which will strengthen opportunities for secondary spend. The level of income generation is based on the partnership approach. This model establishes baseline rental arrangements or other performance related structures. This has a number of advantages, not least that it guarantees the

annual income and means that the partners absorb a significant proportion of operational costs. It also means that operators with specialist knowledge, experience and potentially activities across multiple sites are able to bring efficiencies and economies of scale to their respective areas of operation.

5.1 Licences

There are a number of potential licences that South Cliff Gardens could generate income from, these include filming, wedding photographs, professional dog walkers, dog agility and fitness trainers. A proposed charge of £100 per booking for wedding photographs has been inserted into the trading profile totalling £800 income plus inflation. This figure is based upon 8 per year, generated from a 50% take up from 17 wedding bookings and has been assessed on number of spa wedding bookings (1 per weekend run between May and September therefore 22 weddings).

5.2 Memorialisation

Commemorative seats and trees currently generate £1,500 per annum for South Cliff Gardens and it is felt that this could be dramatically increased as there is a large demand for this as many local residents have a special connection with the gardens and enjoy the many viewpoints. Some forms of current memorialisation are also inappropriate, and the materials used may deter some people from visiting and / or using the benches. This proposal includes formalising memorialisation to include commemorative seats, trees, plaques, ashes scattering donations and creating a memorial walkway or similar. The estimate inputted into the trading profile covers new 1 and 10 year agreements for £1,500/memorial item and bringing the management of this under Parks team as per the management and maintenance proposals. Options for memorialisation may include benches, trees, heritage urns, kerb edging, a new artist designed / sculptural memorial and possibly a 'buy a brick' scheme for the Horticulture Hub. Additional predicted income has been set at a baseline of £100 per year.

5.3 Sponsorship/Crowdfunding

This project presents an opportunity to embrace new ways of raising income e.g. crowd funding and to market the site and the restoration project at zero cost. An idea for generating income for the site is through Crowdfunder for which donation packages for up to £100 could be created dependent upon level of donation e.g. postcard, bag, t-shirt, publications / books, 'buy a bird box', wildflower seeds, shrub or a tree and a tour of the gardens. In order for such schemes to work the project team will need to identify specific projects which offer something additional to the core offer. The South Cliff Community Group have recently set up a sponsorship page on their website and are trialling this concept. They have been receiving pledges from local businesses and the community which are being used as match funding for the project. The pledge form can be seen here:

<http://www.southcliffcommunitygroup.com/hlf-bid---parks-for-people.html>

There are numerous hotels and shops in the town and local businesses (particularly Ramshill businesses) and this project will seek to develop better links with these to reinforce the training offer, encourage a greater level of corporate volunteering and develop commercial sponsorship of community projects or sponsoring a shelter. There are plans for the Council to create an overall framework for donations and sponsorship and to formally create a pledge web page that contains a shopping list of items ranging between £5 and £100 for people and between £100 to £5000 for businesses. Examples of such items could include: a packet of wildflower seeds for £5, a shrub for £10, a bird box for £25, a tree for £50, a Heritage Urn for £500 or a shelter for £5,000. A figure of £2,500 per annum has been

inputted into the trading profile, it is therefore forecast that a good sponsorship campaign will generate £25,000 over the 10-year period.

Consideration will also be made in relation to applying for additional grant funding to support specific projects and improvements moving forwards.

5.4 Donation buckets/posts

Currently we offer free of charge craft events and activities for children throughout the year (mainly school holidays and special occasions), it is proposed to encourage a pay as you feel for these activities to recoup the cost of materials whilst still being able to run some activities at low cost as required. Suggested income is £500 per annum.

5.5 Tours of the Garden

There is a possible income figure of £6,000 per annum against guided tours of the gardens for the public, schools and special interest groups. The programme of guided walks and talks programme should cover all aspects of the Gardens and their heritage. It is envisaged that 3 weekly tours will take place during the summer season (April to September) covering 20 weeks. The income projected assumes that there will be 20 participants on each walk and that these will be charged at £5 per head, generating £6,000. The hotel trade is very keen on this and there are also potential links with dawn chorus walks and breakfast offers. This would require additional trained staff to undertake these tours which at present we are unable to commit to, so this is a future consideration.

5.6 Specialist workshops (horticulture)

There is significant potential to develop and run specialist horticultural training events and workshops in the Gardens, in collaboration with local hoteliers, as part of a package holiday.

Proposed Workshop Structure:

Duration: Two days per workshop.

Day One: A guided garden tour followed by two teaching sessions.

Day Two: One teaching session and a half-day of volunteering.

Participation and Fees:

Each workshop is designed for 10 participants.

Workshops would run four weekends per year, covering May, June, July, and August.

Fee per participant: £150 per weekend.

Projected Income:

Annual income from workshops: £6,000 (10 participants per workshop, four weekends).

Operational Needs:

These workshops would require staffing and management by suitably qualified officers based at the site to ensure smooth execution and high-quality training. This would be a future consideration.

5.7 Beeforth's Hive room hire

The new facility of Beeforths Hive offers an opportunity for individuals and groups to hire the room (with basic kitchen facilities for the provision of hot/cold drinks and pre-made cold snacks; also, a fully accessible toilet). The room is already popular with some location groups such as Yoga, Choir, U3A all of whom are aware there will be a charge to cover expenses. It is proposed the charges would be like other Council owned facilities within the local area.

Within a 10 miles radius of Beeforth's Hive there are 9 meeting rooms (7 listed below), offering variations from the room sizes, technology provided, catering availability, booking packages, i.e. food, accommodation, technology and stationery. Research has been undertaken to identify the charging rates and this will allow us to align our pricing with local expectations and ensuring competitiveness.

Operating costs and overheads must be factored in regarding the room rate charges as we must consider the cost of utilities, cleaning, maintenance, insurance, and staffing costs, as we need to maintain financial viability and pricing should align with similar council-owned venues in the area.

By refining our pricing strategies, improving digital presence, and leveraging unique community offerings, Beeforth's Hive can carve out a distinct market position and grow as a sought-after venue for both casual, repeat and event-based bookings.

Projected income £400 per calendar month; £4800 annually

5.8 Pitch and Putt

It has been decided the running of the onsite Pitch and Putt will return to the Parks Team so any income generated from that and related sundry sales will support the improvements within the gardens.

Projected income £3090, however need to consider staffing and other related expenses.

5.9 Plant sales

It is proposed we sell surplus bedding plants and shrubs at coffee mornings and specific plant sale days from the gardens, this will generate not only a small income but also will increase footfall into the gardens.

Projected annual income £150

6.0 Financial Forecast

Taking all elements into consideration, the following list details the options to move forward with.

	Projected Potential Annual Income					
	2025	2026	2027	2028	2029	2030
Licences	£800	£824	£849	£874	£900	£927
Memorialisation	£100	£103	£106	£109	£113	£116
Sponsorship / crowdfunding	£1,500	£2,575	£2,652	£2,732	£2,814	£2,898
Donation buckets at activities and events	£500	£515	£530	£546	£563	£580
Beeforth's Hive room hire	£1,000	£4,944	£5,092	£5,245	£5,402	£5,565
Pitch and Putt	£1,000	£3,090	£3,183	£3,278	£3,377	£3,478
Plant sales	£150	£155	£159	£164	£169	£174
TOTAL PROJECTED INCOME	£5,050	£12,206	£12,571	£12,948	£13,338	£13,738

The gardens will require regular maintenance (with an estimated annual cost of £248,500) as well as specific key focus areas of maintenance, this income will support the additional maintenance costs associated with the gardens – further information is available in the Management and Maintenance Plan and related Action Plan. The expenditure includes the increased staffing levels and is accounted for within the Parks and Countryside annual budget.

7.0 Activity and Engagement Plan

In order to encourage people into the gardens there will be a regular activity programme at which we can promote more commercial events/activities. Examples are shown in the table below:

MONTH	ACTIVITIES
January	<ul style="list-style-type: none"> • Friends Coffee Morning • Friends Meeting • RSPB Big Garden Bird Watch • Community Wellbeing Morning
February	<ul style="list-style-type: none"> • Half Term family workshops • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning • Love in the Gardens poetry and photos
March	<ul style="list-style-type: none"> • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning
April	<ul style="list-style-type: none"> • Easter family workshops • Friends Coffee Morning • Friends Meeting

	<ul style="list-style-type: none"> • Community Wellbeing Morning
May	<ul style="list-style-type: none"> • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning • Half Term family workshops
June	<ul style="list-style-type: none"> • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning
July	<ul style="list-style-type: none"> • Family workshops • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning • Love Parks Week activities
August	<ul style="list-style-type: none"> • Summer and Insect themed family workshops • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning • Music in the Gardens • Library reading challenge
September	<ul style="list-style-type: none"> • 2x Yoga in the Shuttleworth Gardens • Friends Coffee Morning • Friends AGM • Poetry Open House • Community Wellbeing Morning • 2x Heritage Open Day events • Dementia Awareness Walk
October	<ul style="list-style-type: none"> • Half Term family workshops • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning • North Yorkshire Open Studios weekend
November	<ul style="list-style-type: none"> • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning • Talk at YMCA in collaboration with Friends of South Cliff Gardens
December	<ul style="list-style-type: none"> • Friends Coffee Morning • Friends Meeting • Community Wellbeing Morning • Christmas craft workshops

8.0 Risk Analysis

The income generated for 2025 will only commence on approval of all reports at Director level so will be presumed to be approximately half the amount indicated above.

Market Risks	Operational Risks	Financial Risks	Regulatory Risks
Regular users unable to pay	Income from licences generates income for other service area	Increase in service charges	Privacy and data protection laws affect how customer data is handled
Regular users go elsewhere	Human errors, such as record keeping	Customers failing to pay on time/in advance	Changes to H&S operating legislation
New and increased competition	Demand on staff time to increase income generation		
Fluctuations in service demand	Access to the building is restricted due to keys being retained by previous user		

9.0 Monitoring and Evaluation

We will undertake regular user surveys to review income generation and opportunities for additional income generation.

We will also undertake site user surveys to ensure supportive marketing and publicity is reaching the target audiences.

Results of all surveys will be published on the North Yorkshire Council website.

These support our corporate Key Performance Indicator (KPI) recording as will the number of volunteers active within the gardens.

KPI's are reported on a quarterly basis and will help support the ongoing review of this business plan. It is planned the document will be reviewed every 3 years to ensure it accurately represents.

Initial Key Performance Indicators will be:

- Quarterly Volunteer hour recording
- Annual events records with number of attendees and income generated
- Satisfaction surveys every three years with an action plan to identify improvements required
- Annual Green Flag Award Achievement
- Quarterly Review of Action Plan

These KPI's will be reviewed ongoing and added with targets to the service KPI's for 2026/27 and beyond.

This page is intentionally left blank



Friends of South Cliff Gardens

South Cliff Gardens, Scarborough Management and Maintenance Plan

2025 – 2035



Director Approval and Endorsement demonstrating North Yorkshire Councils commitment to delivering this Management and Maintenance Plan.

This plan is supported by Barrie Mason (Assistant Director of Highways and Infrastructure, including Parks and Countryside) and Karl Battersby (Corporate Director of Environment).

Barrie Mason has commented that “our open spaces and parks demonstrate the Council’s commitment to residents and visitors alike. We aim to maintain the high-quality parks and open spaces for the enjoyment of the public with appropriate and sympathetic commercialisation to ensure our open spaces can be maintained to such high standards. This enables greater benefits - not only to appreciate the beautiful gardens, vistas, flora and fauna but also enables a focus on wellbeing and health that open spaces bring to all.”

Director

Date

CONTENTS

1.0	Executive Summary	3
2.0	Introduction.....	5
2.1	Purpose of Management and Maintenance Plan.....	5
2.2	Background Information	5
3.0	Current Situation.....	7
3.1	The Site	7
3.2	Site Description.....	7
3.3	Location Plan	8
3.4	South Cliff Gardens Site Plan	9
3.5	Site History and Heritage	10
3.6	Heritage Photos	13
4.0	Site Management.....	14
4.1	North Yorkshire Council	14
4.2	NYC Parks and Countryside Information.....	14
4.3	South Cliff Gardens Team Structure	15
	15
5.0	The Community	16
5.1	Local Demographics	16
5.2	North Yorkshire Council	18
5.3	Friends of South Cliff Gardens.....	18
5.4	Volunteer Activities in South Cliff Gardens.....	18
6.0	Landscape and Buildings.....	20
6.1	Summary of main features	20
6.2	Environmental Management	20
6.3	Habitats	20
6.4	Slope Stabilisation Works	21
6.4	Recreation	21
6.5	Access.....	22
6.6	Furniture	22
7.0	Green Flag Award	23
7.1	2025 Feedback.....	23
7.2	Recommendations.....	23
8.0	Activity Plan and Digital Technology	24
9.0	Action plan.....	26
10.0	Monitoring and Evaluation Review	26
	Appendix One	26

1.0 Executive Summary

North Yorkshire Council (NYC) has been the lead organisation in the delivery of the National Lottery Heritage Fund (NLHF) and the National Lottery Community Fund, Parks for People project but managed the project with the support of a range of partners, including the Friends of South Cliff Gardens and other local organisations.

This Management and Maintenance Plan has been developed to manage the South Cliff Gardens in line with the NLHF Parks for People Programme.

South Cliff Gardens are an integral part of North Yorkshire Council's commitment to local regeneration and supports their overall vision to support thriving places and empowered communities that live, work, visit and do business in North Yorkshire; develop more sustainable and connected places across North Yorkshire; ensure the people of North Yorkshire are safe, healthy and living well and maximise the potential of North Yorkshire's people and communities.

This plan considers the opportunities for generating income from the newly restored South Cliff Gardens as an integral part of the future management of the Parks for People Project.

Part of that 5 year (medium term plan) is a desire to plan longer term to ensure the maintenance standards of parks and open spaces remain high quality as well as accessible to residents and visitors alike.

This plan is supported by Barrie Mason (Assistant Director of Highways and Infrastructure, including Parks and Countryside) and Karl Battersby (Corporate Director of Environment).

Barrie Mason has commented that “our open spaces and parks demonstrate the Council’s commitment to residents and visitors alike. We aim to maintain the high-quality parks and open spaces for the enjoyment of the public with appropriate and sympathetic commercialisation to ensure our open spaces can be maintained to such high standards. This enables greater benefits - not only to appreciate the beautiful gardens, vistas, flora and fauna but also enables a focus on wellbeing and health that open spaces bring to all.”

2.0 Introduction

2.1 Purpose of Management and Maintenance Plan

The purpose of this Management and Maintenance Plan is to provide a clear plan of action to maintain the quality of the gardens following a comprehensive restoration programme and to safeguard the investments made using National Lottery Heritage Fund as well as council budgets:

- Ensure the longevity of this locally important green space
- Provide a clear vision for the policy, direction and development of South Cliff Gardens
- Ensure community involvement and ownership relating to South Cliff Gardens
- Act as a basis for identifying priorities for action within South Cliff Gardens
- Set continuous aims through the action plan that address issues relating to the needs of the park, community and visitors

This management plan is designed to outline the way forward regarding long-term improvement and maintenance.

This document has been produced with the support and input of the Friends of South Cliff Gardens and this group will continue to play an important role in the delivery of the vision for the site.

It is designed to be a working document, which will enable staff and the local community to monitor and review on-going management and maintenance.

2.2 Background Information

On 10 of January 2019 an HLF 'Parks for People' grant of £4.66m was awarded to Scarborough Borough Council to restore the South Cliff Gardens. The following objectives were achieved through the delivery of the project:

- Repair and conservation of the historic fabric to a high quality alongside works to stabilise the cliff.
- Reconnection of people with their heritage, attracting new and larger audiences.
- Making the Gardens more accessible and welcoming to all with the creation of an accessible route through the Gardens and accessible visitor facilities.
- Renewing the health and tourism benefits the Gardens were originally created for.
- Providing a place for people to learn new skills and socialise.
- Creating horticultural excellence in coastal gardening and providing wildlife and environmental benefits.
- Building on 10 great years of active community involvement with the Friends of South Cliff Gardens to further develop local ownership.
- Providing effective management to make the most of the Gardens and safeguard them for future generations.
- The following key interlinked projects were achieved within the masterplan:
 - Creation of an accessible path including reopening the Cliff Lift Tunnel.
 - Creation of the Clock Café Family Hub including a new bespoke play area, repurposing a chalet to create public toilets/changing facilities as well as the creation of space for a pop-up café.
 - Establishment of a new Operations Depot to fulfil the future maintenance needs of the site and expansion of volunteer involvement improving future sustainability of the Gardens.
 - Restoration of the Italianate Steps - to provide a grand transition between the Gardens and the Promenade and the Spa buildings.
 - Restoration of Shelters. All 14 shelters and Holbeck Clock Tower have been restored including providing improved accessibility.

- Spa Gardens North stabilisation area and landscape reinstatement. The reinstatement work proposed as part of the match funding and the follow on HLF works will ensure the best possible landscape restoration.
- Site wide infrastructure restoration and enhancement. The project included as much improvement as possible, including path works, step and wall repairs, new construction, drainage work, tree management and planting.
- Construction of a new operational depot/community centre.
- Repurposing a beach chalet to provide additional toilets.
- Construction of new accessible paths to key areas- including the Rose Garden from Esplanade, a link to Beeforth's Hive and the Operations Depot and improved access to the Italian Garden.

3.0 Current Situation

3.1 The Site

South Cliff Gardens is one of Scarborough's great historic public gardens. It offers formal planting, wooded walks down to the seafront and a haven for wildlife. The Gardens benefit from impressive views over the coastline, out to sea and towards Scarborough, particularly to the northern end of South Bay. There are clear views of Scarborough Castle from many vantage points within the Gardens. The Gardens also act as a backdrop to inland views from the seafront, particularly behind the Spa Complex buildings, which lie between the seafront and the Gardens above. From much of the Esplanade at the top of the cliffs, sea views are now obscured where vegetation has outgrown its original intent. Views are kept clear however from specific viewpoints, such as opposite the Crown Hotel and from key points within the Gardens.

3.2 Site Description

The steeply sloping topography of the site has given rise to an extensive network of footpaths that interlace the Gardens, often interconnected with steps, and supported by stone retaining walls. The Gardens are Grade II listed, described by English Heritage as 'outstanding', and the landscape contains many historic gems, including both the gardens and associated structures.

South Cliff Gardens comprises numerous discrete gardens of varying age and character, including in chronological order: the Spa Gardens, started as private gardens in 1837; the Rose Garden; Holbeck Gardens; and finally, Harry Smith's magnificent Italian Gardens, completed in 1914.

There are 14 shelters of varying size, design and construction distributed around the footpath network and at the southern edge of the site is the listed restored sandstone Holbeck Clock Tower, a putting green, (with public toilets recently refurbished and open all year), and the UK's largest star map viewpoint. The latter was developed relatively recently on the site of the former seawater swimming pool.

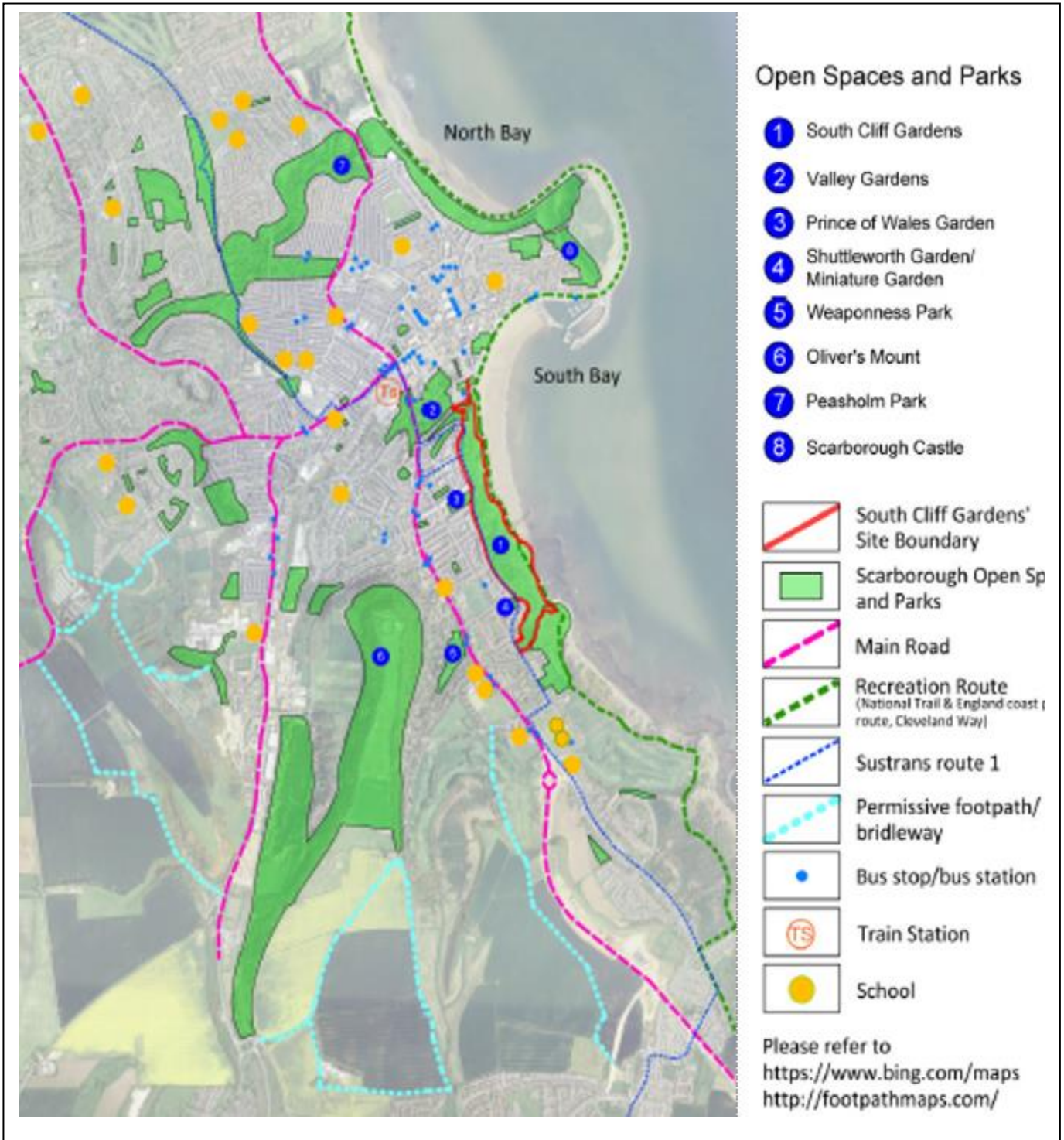
Along the seafront below South Cliff Gardens and to the south of the Spa Complex, is a collection of buildings catering to seasonal seaside use, such as beach huts, and the former Sunbathing building, now sadly derelict. The Clock Café a little above is open for most of the year and is a local landmark and meeting point. It derives its name from the small clock tower incorporated into the design of the building. This, together with the adjoining newly installed bespoke timber play area and public toilets, funded from the HLF 'Parks for People' project, form the main social hub of South Cliff Gardens. A new volunteers' base and study/community space, named Beeforth's Hive (after Lord Beeforth), also containing the grounds staff's base is another key addition to the Gardens funded through the HLF programme.

As well as visiting the Gardens as a destination, many users pass through as an attractive route to or from either the town or the seafront shops and the Spa Complex. The latter is now a popular venue for concerts, comedy and theatre productions. It also provides conference facilities and hosts major annual events such as Sci Fi Scarborough and Scarborough Pride. The Sun Court is the venue for summer concerts from the Spa Orchestra who have been in existence for 112 years. Farrer's Bar and Restaurant, named after the lady who discovered the Spa waters, provides refreshments.

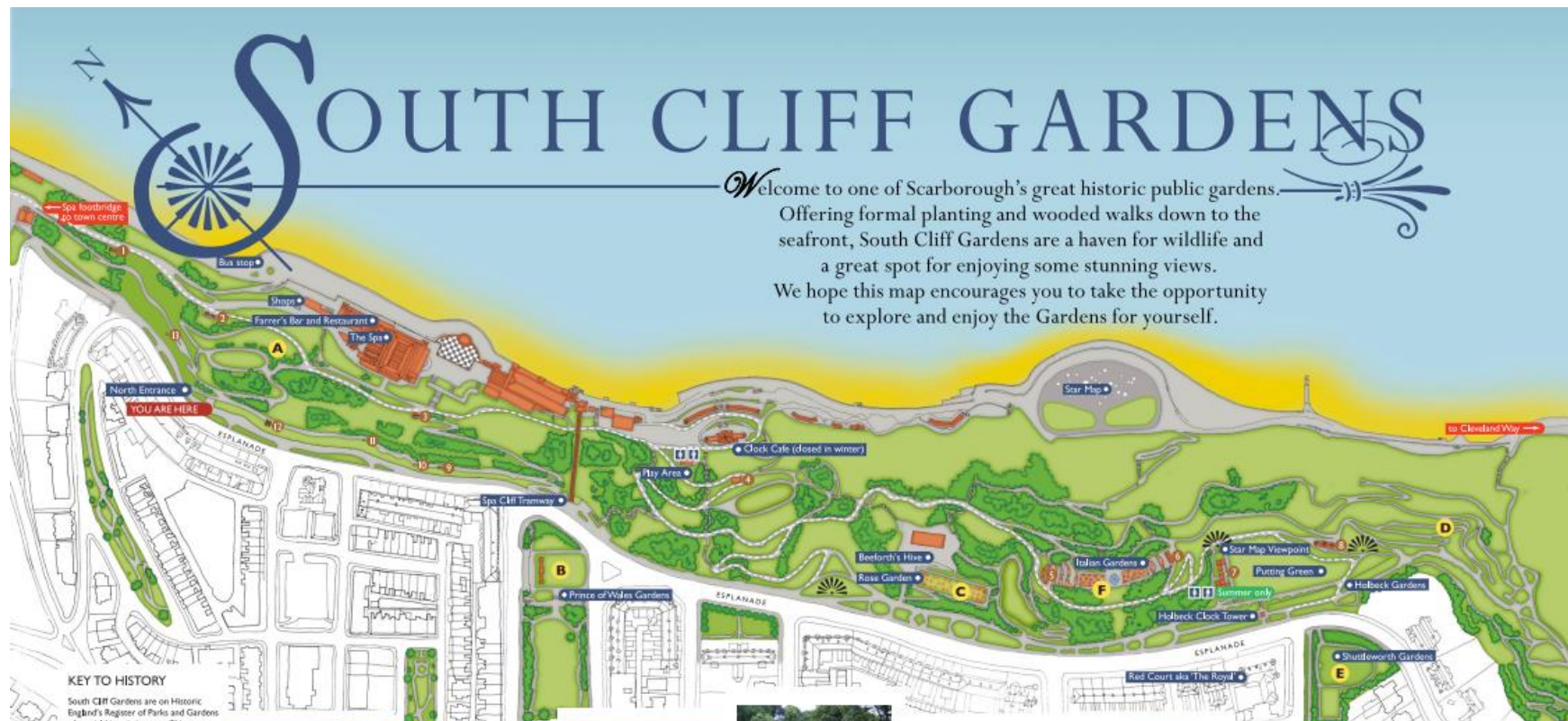
The Spa Cliff Tramway is an interesting and historic feature, which for a modest sum transports people between the seafront next to the Spa and the Esplanade at the top of the cliff. This line bisects South Cliff Gardens but is now much less of a barrier since the original foot tunnel underneath has been restored and reopened.

3.3 Location Plan

This plan shows the location of South Cliff Gardens within Scarborough as well as other key parks and open spaces.



3.4 South Cliff Gardens Site Plan



Welcome to one of Scarborough's great historic public gardens. Offering formal planting and wooded walks down to the seafront, South Cliff Gardens are a haven for wildlife and a great spot for enjoying some stunning views. We hope this map encourages you to take the opportunity to explore and enjoy the Gardens for yourself.

KEY TO HISTORY

South Cliff Gardens are on Historic England's Register of Parks and Gardens of special historic interest. This map indicates the various individual gardens that have combined to form the current configuration. Thanks to the efforts of the Friends of South Cliff Gardens and Scarborough Council (now North Yorkshire Council), together with funding from The National Lottery Heritage Fund and local funding, the Gardens underwent an extensive two year £7m restoration project completed in 2023.

- A** Spa Gardens, started around 1837 (as private gardens)
- B** Prince of Wales Gardens, started around 1860 (as private gardens)
- C** Rose Garden, started around 1883 (as private gardens)
- D** Holbeck Gardens, started 1885 (as private gardens)
- E** Shuttleworth Gardens, started before 1911 (as private gardens)
- F** Italian Gardens, started before 1914 (as public gardens)



Shelters

The Shelters (numbered 1-6 on this map) are situated around the gardens alongside the footpaths and were built at various times between 1862 and 1928. They vary in style from formal Victorian designs to quaint hideaways. They provide convenient places to catch your breath or take refuge from a sudden shower with many benefiting from sea views.



Viewpoints

The Gardens are the perfect spot to take in the panorama of Scarborough's South Bay from the Castle towering over the Old Town across to the dills stretching down to Flamborough Head. At night the beam from the lighthouse at Flamborough can be seen echoing the harbour's own call to shelter.



Clock Cafe

Look out for the union flag flying to indicate that the cafe is open - a pleasure location to sit and enjoy the seascape. Why not break your walk before moving on to a concert in the Spa Suncourt or prior to exploring rooftop pools on the shore?



Italian Gardens

Designed in the early 20th Century, the Italian Gardens were one of the many achievements of Harry W Smith, noted landscape designer who also designed Scarborough's faux-oriental Fossilhale Park at the North Bay. The sheltered Italian Gardens feature formal planting, seating and a fishpond overseen by Mercury, the winged messenger.



Children's Play Area

The play area was designed and created to inspire play and fun, encourage residents and visitors with children to spend more time enjoying the gardens and enhance their appeal as a destination to visit within the town.



Beeforth's Hive

Beeforth's Hive combines a fully equipped operations base for the garden's maintenance team and a new community centre with outdoor classroom. It commands an amazing view across the South Bay towards Scarborough Castle.



Holbeck Gardens

Offering some of the best views from a putting green anywhere in England, Holbeck Gardens also feature traditional flowerbeds and the landmark Holbeck Clock Tower built to celebrate the Coronation of King George V in 1911. Paths from the Gardens weave down to the site of the 1993 landslide which destroyed a nearby hotel.

Most accessible route (map free)
Most accessible route continues beneath Cliff Lift

This map has been produced by the Friends of South Cliff Gardens and Scarborough and District Civic Society for the benefit of both residents and visitors.

We hope the map will increase your enjoyment of the gardens.

In 1957 all the gardens came under the management of the Council for the first time. This map has been produced to mark the completion of the major restoration project during 2023.



Crown Copyright. All rights reserved.
Licence Number: 100024267



3.5 Site History and Heritage

South Cliff Gardens is a linear public park situated on the cliffs overlooking the Spa Complex and South Bay, Scarborough. The gardens developed during six main stages of land acquisition and landscaping which commenced during the early 19th-century. This occurred following the development of the spa, discovered in 1626, by a local woman who encouraged visitors to drink the water as a medicinal aid. Scarborough developed as a spa resort and by the early eighteenth century it was operating in fierce competition with the spa at Harrogate. In conjunction with the spa, the seaside resort grew in popularity during the 18th-century, and it is thought to be the first recorded place in England to offer bathing machines in 1735.

The Cliff Bridge Company, formed in 1826, negotiated a lease of the Spa from the Corporation after building the Spa Bridge to improve links to the town. The first phase of landscaping the site was by George Knowles (1776-1856) who laid out paths and pleasure grounds on the cliffs west of the Spa buildings. The company employed Henry Wyatt (1769-1862) to enlarge the Spa Pavilion from 1837-9. He built a castellated structure known as the Spa Saloon, set behind an improved sea wall with matching castellation. By the 19th century there was a saying 'The Spaw is Scarborough and Scarborough is The Spaw', demonstrating the significant economic importance of The Spa to the town.

In 1856 The Cliff Bridge Company took advantage of the proximity of Sir Joseph Paxton (1803-1865), the foremost public park designer in the country, who holidayed in Scarborough. They asked him to provide a design for pleasure grounds and alterations to the Saloon. Paxton's plans were submitted by his assistants Edward Milner and G.H. Stokes and included a music hall, viewing tower, Italianate terrace and steps, shrubberies, and circulatory footpaths which extended Knowles' layout. In 1875 the first passenger funicular railway in the country was installed on South Cliff. The Music Hall burnt down the following year and by 1877 was rebuilt by Verity and Hunt of London on the footprint of the earlier buildings.

George Lord Beeforth JP (1823-1904), a prominent local businessman, bought land on South Cliff and built several properties at the southern end of the esplanade. Beeforth enclosed land on the cliffs to form his own private gardens named after his house 'The Belvedere'. The house was linked to the garden via a tunnel under the road. Beeforth planted an oval shaped rose garden, or 'Rosary' shown north of the tunnel on the 1893 local OS map. Other garden areas are shown south of the tunnel on the same plan. These included large tracts of shrubs and woodland which gave shelter from the harsh salt-laden coastal winds.

In 1885 the Corporation purchased land south of Dickinson's Point and laid out Holbeck Gardens with assistance from the Cliff Bridge Company who loaned their gardener, Mr Skipsey. In 1909 the Corporation purchased the majority of Beeforth's gardens, and he retained a small area accessed by way of the tunnel from his house. The Borough Engineer, Harry Smith subsequently added more paths, the Italian Garden, the Clock Cafe and beach huts, a new Floral Lounge or Rose Garden, shelters, and seats. Smith's improvements to South Cliff Gardens during the early 20th-century continued to reinforce the spirit of the seaside resort at one of the first 'seaside' venues. The relationship between The Spa buildings and South Cliff Gardens is intrinsic. There is also an inherent relationship between the landscape and geology of the cliffs and the spa spring, whose location is now marked by a stone plaque.

South Cliff Gardens are composed of six-character areas which developed incrementally and reflect the distinct character of separate eras of design.

The general layout of South Cliff Gardens has changed little since their early-mid 20th century heyday, when tourists flocked to Scarborough in great numbers. The main exception is the removal of the large saltwater pool and related buildings and terracing. Over the years the Gardens, along with their buildings and structures, fell into disrepair and were classified by Historic England as 'Heritage at Risk'

due to the “deterioration of the wider Garden combined with cliff erosion, resulting in the loss of sections of the path systems and garden integrity.” Many paths were closed and heritage features such as shelters had deteriorated significantly. Much ornamental planting was lost, the setting of the Italian Steps compromised and unmanaged vegetation growth concealed key views.

Just prior to the commencement of the HLF restoration it was necessary to appoint a specialist contractor to design and construct cliff stabilisation measures to protect the Spa Complex and the Esplanade above from possible collapse of the steep cliffs due to ground movement. This has also undeniably compromised part of the heritage of the Gardens but the consequences of not carrying out this work were potentially far more serious.

There are a remarkable number of surviving historic shelters in South Cliff Gardens, 14 in all, possibly more than in any other park or garden in the Country. These have group value, and some may be worthy of listing. The abundance of shelters may have been provided as protection from the east winds and for visitors who were not allowed back into their nearby holiday accommodation until the evening. The earliest shelters were described as ‘arbours’ on the 1850 OS map.

The earliest shelters at South Cliff Gardens were ornate and may have been designed and located by Paxton or his assistants, G.H. Stokes, and E. Milner. It is known that Frank Tugwell was responsible for at least one shelter dating from the end of the 19th-century. Harry Smith also designed shelters when the gardens were amalgamated with gardens purchased from Beeforth.

South Cliff Gardens - Historic Timeline

1626 Site building at South Cliff, by Francis Paine Scarborough

1715 Peter Miller's diary notes the construction of the Cliff Bridge

1734 John Satterthwaite engraving showing the first building on the site

1735 The Sea House was damaged by a storm

1808 The Sea House was damaged by a storm

1825 The Sea House was damaged by a storm

1826 The first cliff railway was built

1827 The Cliff Bridge was built

1836 The Cliff Bridge was built

1839 The Cliff Bridge was built

1845 The Cliff Bridge was built

1853 The Cliff Bridge was built

1856 The Cliff Bridge was built

1860 The Cliff Bridge was built

1862 The Cliff Bridge was built

1867 The Cliff Bridge was built

1871 The Cliff Bridge was built

1874 The Cliff Bridge was built

1875 The Cliff Bridge was built

1876 The Cliff Bridge was built

1877 The Cliff Bridge was built

1879 The Cliff Bridge was built

1881 Experimental lighting of the Cliff Bridge

1885-95 The Cliff Bridge was built

1886 The Cliff Bridge was built

1887 The Cliff Bridge was built

1889 The Cliff Bridge was built

1890 The Cliff Bridge was built

1891 The Cliff Bridge was built

1892 The Cliff Bridge was built

1893 The Cliff Bridge was built

1894 The Cliff Bridge was built

1895 The Cliff Bridge was built

1896 The Cliff Bridge was built

1897 The Cliff Bridge was built

1898 The Cliff Bridge was built

1899 The Cliff Bridge was built

1900 The Cliff Bridge was built

1901 The Cliff Bridge was built

1902 The Cliff Bridge was built

1903 The Cliff Bridge was built

1904 The Cliff Bridge was built

1905 The Cliff Bridge was built

1906 The Cliff Bridge was built

1907 The Cliff Bridge was built

1908 The Cliff Bridge was built

1909 The Cliff Bridge was built

1910 The Cliff Bridge was built

1911 The Cliff Bridge was built

1912 The Cliff Bridge was built

1913 The Cliff Bridge was built

1914 The Cliff Bridge was built

1915 The Cliff Bridge was built

1916 The Cliff Bridge was built

1917 The Cliff Bridge was built

1918 The Cliff Bridge was built

1919 The Cliff Bridge was built

1920 The Cliff Bridge was built

1921 The Cliff Bridge was built

1922 The Cliff Bridge was built

1923 The Cliff Bridge was built

1924 The Cliff Bridge was built

1925 The Cliff Bridge was built

1926 The Cliff Bridge was built

1927 The Cliff Bridge was built

1928 The Cliff Bridge was built

1929 The Cliff Bridge was built

1930 The Cliff Bridge was built

1931 The Cliff Bridge was built

1932 The Cliff Bridge was built

1933 The Cliff Bridge was built

1934 The Cliff Bridge was built

1935 The Cliff Bridge was built

1936 The Cliff Bridge was built

1937 The Cliff Bridge was built

1938 The Cliff Bridge was built

1939 The Cliff Bridge was built

1940 The Cliff Bridge was built

1941 The Cliff Bridge was built

1942 The Cliff Bridge was built

1943 The Cliff Bridge was built

1944 The Cliff Bridge was built

1945 The Cliff Bridge was built

1946 The Cliff Bridge was built

1947 The Cliff Bridge was built

1948 The Cliff Bridge was built

1949 The Cliff Bridge was built

1950 The Cliff Bridge was built

1951 The Cliff Bridge was built

1952 The Cliff Bridge was built

1953 The Cliff Bridge was built

1954 The Cliff Bridge was built

1955 The Cliff Bridge was built

1956 The Cliff Bridge was built

1957 The Cliff Bridge was built

1958 The Cliff Bridge was built

1959 The Cliff Bridge was built

1960 The Cliff Bridge was built

1961 The Cliff Bridge was built

1962 The Cliff Bridge was built

1963 The Cliff Bridge was built

1964 The Cliff Bridge was built

1965 The Cliff Bridge was built

1966 The Cliff Bridge was built

1967 The Cliff Bridge was built

1968 The Cliff Bridge was built

1969 The Cliff Bridge was built

1970 The Cliff Bridge was built

1971 The Cliff Bridge was built

1972 The Cliff Bridge was built

1973 The Cliff Bridge was built

1974 The Cliff Bridge was built

1975 The Cliff Bridge was built

1976 The Cliff Bridge was built

1977 The Cliff Bridge was built

1978 The Cliff Bridge was built

1979 The Cliff Bridge was built

1980 The Cliff Bridge was built

1981 The Cliff Bridge was built

1982 The Cliff Bridge was built

1983 The Cliff Bridge was built

1984 The Cliff Bridge was built

1985 The Cliff Bridge was built

1986 The Cliff Bridge was built

1987 The Cliff Bridge was built

1988 The Cliff Bridge was built

1989 The Cliff Bridge was built

1990 The Cliff Bridge was built

1991 The Cliff Bridge was built

1992 The Cliff Bridge was built

1993 The Cliff Bridge was built

1994 The Cliff Bridge was built

1995 The Cliff Bridge was built

1996 The Cliff Bridge was built

1997 The Cliff Bridge was built

1998 The Cliff Bridge was built

1999 The Cliff Bridge was built

2000 The Cliff Bridge was built

2001 The Cliff Bridge was built

2002 The Cliff Bridge was built

2003 The Cliff Bridge was built

2004 The Cliff Bridge was built

2005 The Cliff Bridge was built

2006 The Cliff Bridge was built

2007 The Cliff Bridge was built

2008 The Cliff Bridge was built

2009 The Cliff Bridge was built

2010 The Cliff Bridge was built

2011 The Cliff Bridge was built

2012 The Cliff Bridge was built

2013 The Cliff Bridge was built

2014 The Cliff Bridge was built

2015 The Cliff Bridge was built

2016 The Cliff Bridge was built

2017 The Cliff Bridge was built

2018 The Cliff Bridge was built

2019 The Cliff Bridge was built

2020 The Cliff Bridge was built

- South Cliff Gardens - Main Phases of Development**
- Phase 1 - 17th - Early 18th centuries - Birth of Scarborough Spa and Sea Bathing
 - Phase 2 - Early 18th century - The Cliff Bridge Company
 - Phase 3 - Mid 18th century - Sir Joseph Paxton's Involvement
 - Phase 4 - Late 18th century - Acquisition of South Cliff Gardens
 - Phase 5 - Early to mid 19th Century - Establishment of South Cliff Gardens
 - Phase 6 - Late 19th - Early 20th century - Decline and Rebirth

3.6 Heritage Photos



Figure above: 'A view of The South Cliff, Scarborough, showing its further capabilities and proposed New Buildings. Drawn by Mr. H.B. Carter' c.1840 showing the Cliff Bridge, railings leading up the cliff path to the Esplanade - Government Art Collection.

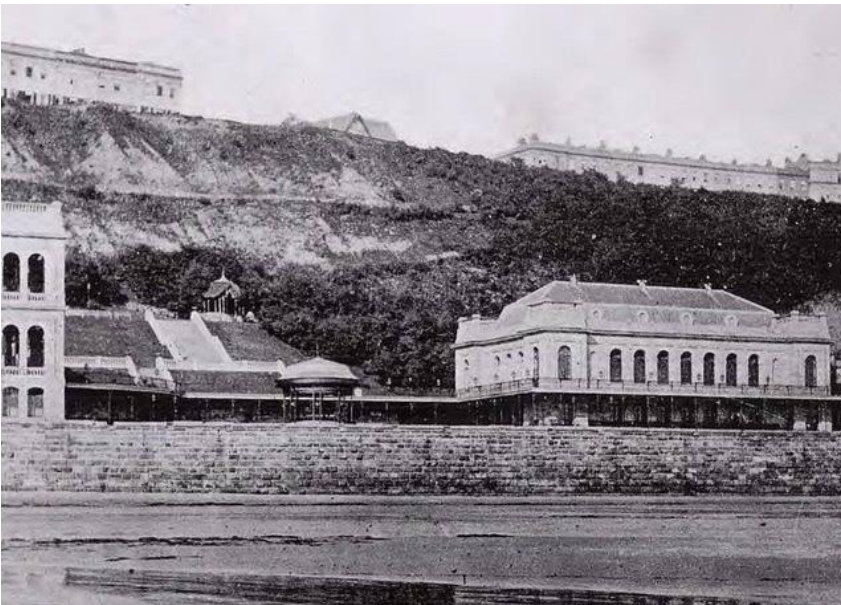


Figure Above: c.1870 Photograph from the beach showing Paxton's Music Hall, extended Colonnade Bandstand, Watch Tower, Italianate Steps as well as the Paxton's shelter on top of Paxton's Steps (Shelter 3 showing the previous shape).

4.0 Site Management

4.1 North Yorkshire Council

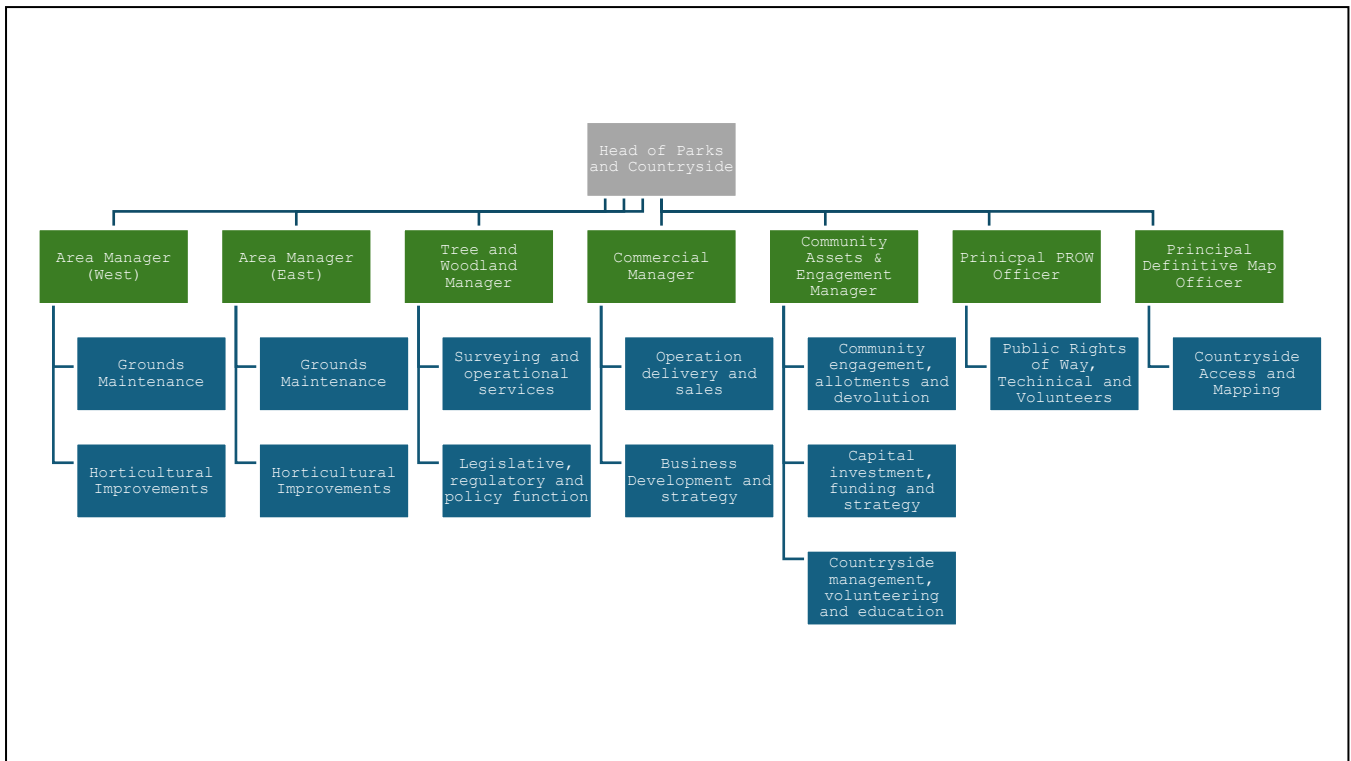
North Yorkshire Council has gone through a period of rapid transformation and organisational change, bringing together 7 district authorities and the county council to become a unitary organisation on 1st April 2023. Since this a series of restructures has taken place to bring the new authority together with one set of values and one forward vision. Parks and Countryside sits within the Environment Directorate, which is one of eight Directorates reporting to the Chief Executive. The Council's Management Board is shown in the diagram below.



4.2 NYC Parks and Countryside Information

With the Parks for People funding the Council employed a Head Gardener and Community Engagement Officer through the project who were fundamental to the delivery of the Business Plan (through raising the profile of horticulture and the delivery of activities and events). A new staffing structure is now in place for the council's Parks and Countryside service which will enable the delivery of an Action Plan in coordination with the Business Plan and Management and Maintenance Plan. The following staffing structure is now in place and fully funded through the grant and council funding (as per the diagram below).

We have a dedicated team of Gardeners at South Cliff Gardens who are supported as required by additional gardeners, the Tree and Woodlands Team as well as a specific Community Engagement Officer for South Cliff Gardens within the Community Assets and Engagement Team.



4.3 South Cliff Gardens Team Structure



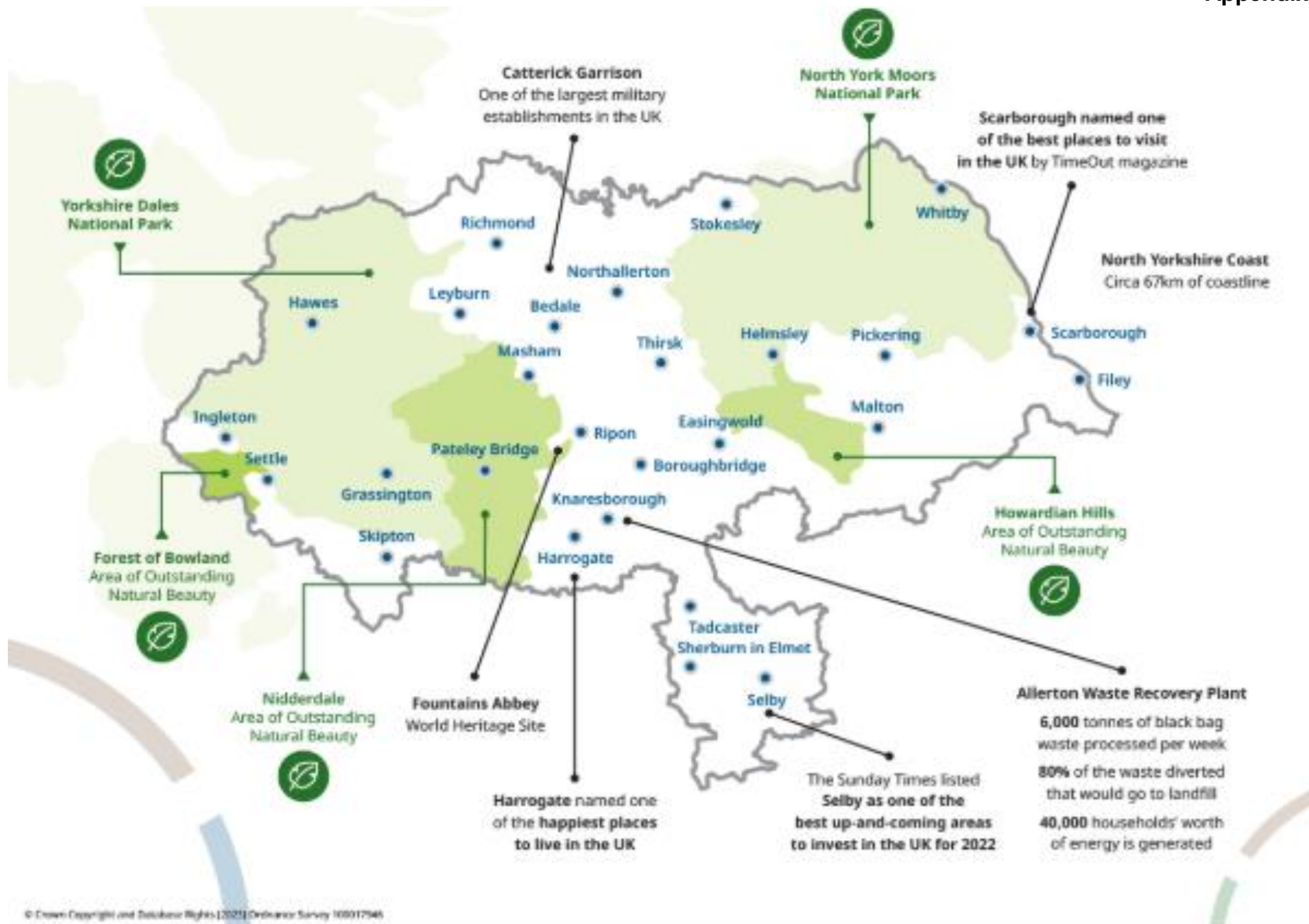
As shown in the above chart, there is a strong and robust team of gardeners within South Cliff Gardens whose main focus is on delivering the actions within this Management and Maintenance Plan. They are supported by the Tree and Woodlands Team, the Commercial Team as required and by the Community Engagement Officer who focusses on South Cliff Gardens. The Apprentice role is considered as and when vacancies arise giving a development opportunity for people to join NYC Parks and Countryside and be given the chance to train up to provide them more experience to apply for a permanent position. As with all roles at NYC training is provided to all staff as and when required or needed.

5.0 The Community

5.1 Local Demographics

North Yorkshire is an attractive place to live, work and visit. The county has an enviable identity with a brand globally renowned for its culture and spectacular landscapes. The county has a varied and vibrant local economy, the lifeblood of which is defined by over 32,000 small and medium enterprises (SMEs) which form 99% of all businesses locally. North Yorkshire Council serves a diverse and dispersed population of an estimated 615,400 people across a geographical area of over 8,000 square kilometres. Large parts of the county sit within two beautiful National Parks. Ninety eight percent of the county is either sparsely (13%) or super-sparsely (85%) populated with just over a third of the population living in these areas. This results in a population density of just 77 people per square kilometre, compared with an England average of 432.





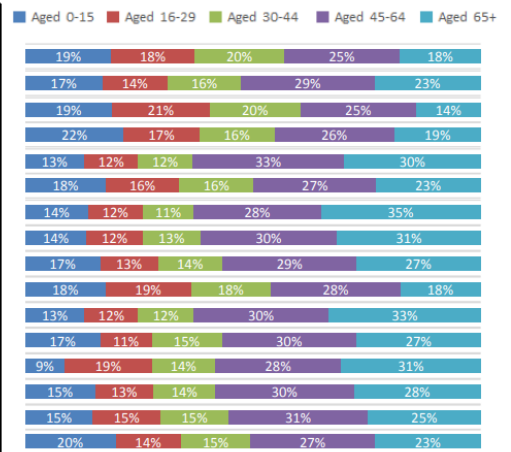
5.2 North Yorkshire Council

South Cliff Gardens are located within the Weaponess and Ramshill Division of North Yorkshire Council. They are also located within the Scarborough Town Council area.

Weaponess and Ramsgill Ward has a total population of 8060 (according to data from the Office for National Statistics 2015 midyear estimates. As shown in the table below over 50% of the population from that ward are aged over 45.

2015 Mid-year population estimates by broad age group - Scarborough

North Yorkshire Ward (Electoral Division)	Total population	Percentage by age group				
		Aged 0-15	Aged 16-29	Aged 30-44	Aged 45-64	Aged 65+
England	54,786,330	19%	18%	20%	25%	18%
North Yorkshire	602,280	17%	14%	16%	29%	23%
Castle	8,710	19%	21%	20%	25%	14%
Eastfield & Osgodby	6,990	22%	17%	16%	26%	19%
Esk Valley	6,200	13%	12%	12%	33%	30%
Falsgrave & Stepney	8,170	18%	16%	16%	27%	23%
Filey	6,620	14%	12%	11%	28%	35%
Hertford and Cayton	7,770	14%	12%	13%	30%	31%
Newby	6,180	17%	13%	14%	29%	27%
Northstead	7,810	18%	19%	18%	28%	18%
Scalby and the Coast	8,320	13%	12%	12%	30%	33%
Seamer & Derwent Valley	9,160	17%	11%	15%	30%	27%
Weaponness & Ramshill	8,060	9%	19%	14%	28%	31%
Whitby/Mayfield cum Mulgrave	8,000	15%	13%	14%	30%	28%
Whitby/Streonshalh	8,440	15%	15%	15%	31%	25%
Woodlands	7,480	20%	14%	15%	27%	23%



Scarborough is a major tourist town attracting almost 4 million visitors annually (2024 tourism data); these visitors are attracted to the amazing coastline in Scarborough as well as the beautiful parks and gardens. Keeping up regular maintenance of these open spaces is vitally important to the economic impact of tourism.

5.3 Friends of South Cliff Gardens

The Friends of South Cliff Gardens is a community group which was established in June 2006 to help look after the public gardens between Filey Road, Ramshill Road, Holbeck Road and the sea. The aims of the group include protecting and enhancing the natural beauty, wildlife, flora and fauna, historical interest and facilities of the Gardens; promoting and raising funds to improve the Gardens and encourage their use; and organising social and educational events & activities in the Gardens. Members receive a regular Newsletter, and hold Open Evenings and events throughout the year. These have included family events and concerts in the gardens, gardeners' question times, organised walks and bird box building days. Every Wednesday morning there are 'Volunteers In Parks' gardening activities and all events are advertised on our noticeboards, in the Newsletters and on our website. All support is welcome whether active or passive.



5.4 Volunteer Activities in South Cliff Gardens

The Friends Group serves as the primary volunteer team dedicated to maintaining and improving the Gardens. Here's an overview of their contributions and activities:

Weekly Volunteering: "Volunteers in Parks" sessions occur every Wednesday from 10:00 am to 12:00 pm. Further information is available in the Action Plan attached.



Ecology & Conservation Efforts: Following the Gardens' restoration, a specialized branch of volunteers focuses on ecological and conservation tasks, meeting biweekly at the Holbeck end of the site.

Social Engagement: The Friends Group also hosts a monthly coffee morning on Tuesdays, generating a modest income (approximately £40) via a donation box.

Achievements and Contributions

The Friends Group has played a pivotal role in:

- Maintaining key areas like the Rose Garden and Shuttleworth Garden.
- Securing funding for South Cliff Gardens.
- Taking full responsibility for new planting areas, with guidance from Doug Stuart and the RHS, to improve sustainability across the site.

Community Involvement

Local schools occasionally visit for litter-picking and planting activities. Businesses like McCain regularly organize work parties, with a recent initiative involving 90 volunteers over three days.

Litter Picks: Litter-picking events take place regularly coordinated by Keep Scarborough Tidy

Partnership with Skills Village The new collaboration with Skills Village in Eastfield is actively:

- Training apprentices in building skills (e.g., steps, walls). Involving volunteer groups such as Andy's Man Club in various construction projects.



6.0 Landscape and Buildings

6.1 Summary of main features

Overall size of the Garden	Approximately 16 hectares not including areas of the Esplanade.
Amenity Grass area	Cut fortnightly
Individual tree population	Key feature trees will be documented moving forwards through this plan
Tree plantation areas	
Slope Stabilisation Works area	See below
Footpaths	Including a variety of surfacing and accessible paths with way markers
Heritage Features	Ghost Paths, Interpretation Boards, fencing style, cliff lift tunnel
Childrens Play Area	See below
Ponds	one small ornamental pond within the Italian Gardens
Wildflower /bramble areas	
Heritage Shelters	14
Historic Buildings on the National Heritage List for England (all Grade II listed)	The Spa Chalet Gates to cliff opposite the Crown Hotel Beach huts and Café George V Memorial Clock Tower (Holbeck Clock Tower) South Cliff Railway Spa Bridge
Other Buildings	Beeforths Hive (Operational Depot and Community Room)

6.2 Environmental Management

South Cliff Gardens include a variety of habitats with high biodiversity. The site itself includes two non-statutory Sites of Importance for Nature Conservation (SINC)s, known as South Cliff Grasslands and Wheatcroft Cliff and South Bay. There are other SINC)s within 2km, but these are distant and well removed from the site. Adjoining the site to the east is the nationally important Cayton, Cornelian and South Bays SSSI. This site is designated for the geological and biological interest of the site, and the citation for the SSSI can be referred to in full on the Natural England website. To the north of the site beyond Scarborough town is a further SSSI, this being North Bay to South Toll House Cliff SSSI.

6.3 Habitats

Reference to Magic maps reveals that the majority of the woodland at South Cliff Gardens (extending from the Cliff Bridge to Holbeck Ravine woodlands) is designated as Woodland and Parkland Priority BAP Habitat. This is further defined as “urban parkland including woodland and open areas”, and as such this is not the typical interpretation of Woodland Parkland Priority Habitat. The woodlands of Holbeck Ravine, including the narrow strip of woodland to the rear of the properties of Esplanade Crescent, are designated as Deciduous Woodland Priority BAP Habitat. The grasslands located on the steep coastal cliffs above the Star Map, are designated as Calcareous Grassland Priority BAP

Data provided by the North Yorkshire Bat Group revealed that there are existing records of common and soprano pipistrelle bats, Daubenton’s bat and Whiskered / Brandt’s bats within the data search area. In terms of roost records, there are known roosts for pipistrelle bat roosts within 300m of the site. There is one bat record for the site itself and this is for a common pipistrelle in flight in the gardens in July 2009. The data provided by NEYEDC revealed the following species records for the site: Common toad and common frog are both recorded, but no great crested newt. Sparrowhawk has been recorded over South Cliff Grasslands. Other birds records are for goldfinch, greenfinch, bluetit, house martin, yellowhammer, robin, swallow, swift, linnnet, pied wagtail, wheatear, house sparrow, tree

sparrow, dunnock, bullfinch, starling, wren, song thrush and associated with the shoreline: fulmar, redshank, turnstone and oystercatcher. In terms of botanical records, for the Wheatcroft Cliff and South Bay SINC, there are records of quaking grass, heather, harebell, carline thistle.

There is only one waterbody at the site, which comprises a small ornamental pond within the Italian Gardens. The pond is considered likely to support the common amphibians frogs and toads, but the pond is considered to have negligible potential to support great crested newts, a European Protected Species.

6.4 Slope Stabilisation Works

The slope stabilisation works involved the implementation of low level piled retaining walls, soil nailing to address shallow seated slope instabilities, retention and reinstatement of existing masonry walls, and associated drainage works. The works also included path improvement works following soil nailing and regrading. Tree and scrub clearance was undertaken prior to commencement of engineering works. Following the completion of the slope stabilisation works a scheme of landscape reinstatement would be implemented.

The main components of the landscape reinstatement scheme include;

- Tree and shrub planting strategically placed to create visual diversity whilst allowing views out.
- Groundcover located to define the routes of historic paths removed during slope stabilisation work to form 'ghost paths'.
- Hydroseeded grassland with wild flora to stabilise the soil cliff face and rapidly provide a green finish.
- Rustic timber balustrade fencing beside footpaths at the tops of steep slopes.
- Rationalised network of macadam footpaths, resurfaced with macadam and edged with timber boards where in poor condition or damaged during construction activities.

6.4 Recreation

Addition of a new children play area specifically designed to be in keeping with the landscape of the gardens and not detract from the views or heritage of the site. It has been thoughtfully designed using natural materials to harmonise with the landscape and echo the gardens history.

Before photos



After photos



This play area is checked for safety on a weekly basis, quarterly operational inspections are undertaken as well as an independent annual inspection.

6.5 Access

A most accessible path has been created running between the Holbeck Clock Tower and the Spa Bridge (the entire length of the gardens) including a newly re-opened tunnel access way under the Spa Cliff Lift which allows direct stepless access through the gardens. In addition, several key shelters including in the Italian Gardens are accessible to wheelchair users for the first time.

6.6 Furniture

Being 16ha in area, a vast number of street furniture elements exist within South Cliff Gardens. These include:

- Benches
- Bins
- Lighting
- Wayfinding signage
- Interpretive signage
- Ephemeral features

Key Bench styles include:

Skeuomorphic Benches

Cast metal benches designed to look like rustic wooden legs/supports may be the earliest surviving bench style within the gardens and are most appropriate to the winding paths and arbours within The North and South Spa Gardens. They also appear to have been the original intended benches when The Spa gardener William Skipsey was employed to lay out the Holbeck Gardens in the 1880s. A couple of originals remain, but there are also surviving examples in Valley Gardens as well as in the Market Place.

Radiate Benches

Slightly later in date than the Skeuomorphic bench is a radiate design, seen on the Italian Steps and Spa terraces by the late 19th century and at least in part replacing some of the skeuomorphic designs in prominent seating positions between the South Cliff Bridge and The Spa. These are an unusual design and while probably not unique to South Cliff Gardens are particularly distinctive to the set piece of the Italian Steps and Terraces.

20th Century post-war Benches

Mostly in various forms of metal strapwork and timber, there are a range of benches across the gardens, mainly along the Esplanade and around the Holbeck Putting Green. Of no particular distinction, these appear to be a product of wider municipal purchases for parks and gardens across

Scarborough. As such they provide little enhancement to historical significance with South Cliff Gardens

7.0 Green Flag Award

We are committed to retaining a Green Flag for the Gardens for a minimum of 10 years. The Green Flag for South Cliff Gardens was originally achieved in 2023. This award highlights their quality, environmental care and visitor services making it a significant achievement. The Green Flag has been retained annually since and post investment we plan to retain a Green Flag Award for at least another seven further years.

7.1 2025 Feedback

South Cliff Gardens is a landmark example of successful heritage-led regeneration, following the completion of a £7 million National Lottery Heritage Fund-supported restoration. The site now presents a beautifully maintained and accessible seafront landscape that combines formal historic gardens, informal wooded slopes, and panoramic coastal views, all enhanced by sensitive conservation and modern visitor infrastructure.

The gardens offer a rich, layered experience — from restored shelters and architectural features to wild glades and nature-friendly planting. The high standard of path surfacing, step-free access, and well-maintained planting makes this site exemplary in balancing heritage and inclusivity. A strong partnership between North Yorkshire Council and the Friends of South Cliff Gardens continues to underpin positive stewardship and community involvement.

There is good evidence of clear site management, sustained public use, and a positive trajectory following restoration. Marketing and communications have also been strengthened, with an attractive online presence, consistent on-site interpretation, and positive press and social media coverage helping to re-establish the gardens as a key Scarborough destination. Looking forward, the key challenge will be to sustain these high standards and ensure that long-term maintenance, inclusive participation, and climate resilience are built into the next chapter of the site's evolution.

With restoration complete, it is critical to avoid any “tailing off” in public investment, maintenance quality, or staffing. Long-term resourcing strategies should be prioritised.

The gardens are large and complex — ongoing attention will be needed to monitor condition, usage, and environmental pressures across different zones.

Opportunities exist to strengthen intergenerational engagement, particularly through targeted outreach to younger people, schools, and newer residents who may not yet feel connected to the site.

As part of Scarborough's wider green infrastructure, South Cliff Gardens could be better linked to other nearby assets via wayfinding trails, coordinated events, or shared branding.

With climate pressures increasing, embedding adaptation strategies into landscape and infrastructure plans (e.g. sustainable drainage, drought-tolerant planting, energy-efficient buildings) will help futureproof the site whilst respecting its heritage character.

7.2 Recommendations

Any recommendations following the annual Green Flag judging will be considered for improvement over the following year as part of the regular management and maintenance.

8.0 Activity Plan and Digital Technology

MONTH	ACTIVITIES
January	Friends Coffee Morning Friends Meeting RSPB Big Garden Bird Watch Community Wellbeing Morning Garden Choir rehearsals Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler
February	Half Term family workshops – Go Wild, nature crafts inspired by the gardens and local area/ Busy Bees, family crafts inspired by history and heritage of the gardens. Adult craft session Friends Coffee Morning Friends Meeting Community Wellbeing Morning Garden Choir rehearsals Love in the Gardens poetry and photos Plan summer promotion in tourist brochures and local publications (digital and print) Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler
March	Friends Coffee Morning Friends Meeting Community Wellbeing Morning Garden Choir rehearsals Poetry Open House Heritage Open Week Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler
April	Easter family workshops: Go Wild Easter and spring themed nature crafts and trail, Busy Bees Easter and spring crafts Friends Coffee Morning Friends Meeting Community Wellbeing Morning Garden Choir rehearsals Poetry Open House Review onsite promotion of activities and events Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler
May	Friends Coffee Morning Friends Meeting Community Wellbeing Morning Garden Choir rehearsals Poetry Open House Half Term family workshops, Go Wild/ Busy Bees Adult craft session Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler
June	Friends Coffee Morning Friends Meeting Community Wellbeing Morning Poetry Open House Garden Choir rehearsals Update events on webpages Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler

July	<p>Family workshops: Go Wild inc Big Butterfly Count/ Busy Bees Friends Coffee Morning Friends Meeting Community Wellbeing Morning Poetry Open House Garden Choir rehearsals Love Parks Week activities National Marine Week activities Outdoor Yoga 2x Adult craft sessions Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler</p>
August	<p>Summer and Insect themed family workshops Friends Coffee Morning Friends summer party Community Wellbeing Morning Music/ poetry in the Gardens Library reading challenge/ National Literacy Trust summer collaboration Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler</p>
September	<p>2x Yoga in the Shuttleworth Gardens Friends Coffee Morning Friends AGM Poetry Open House Community Wellbeing Morning Garden Choir rehearsals 2x Heritage Open Day events Dementia Awareness Walk Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler</p>
October	<p>Half Term family workshops Halloween themed Go Wild/ Busy Bees Ghost Walk in collaboration with Scarborough TEC Friends Coffee Morning Friends Meeting Community Wellbeing Morning Garden Choir rehearsals North Yorkshire Open Studios weekend Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler</p>
November	<p>Friends Coffee Morning Friends Meeting Community Wellbeing Morning Garden Choir rehearsals Talk at YMCA in collaboration with Friends of South Cliff Gardens Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler</p>
December	<p>Friends Coffee Morning Friends Meeting Community Wellbeing Morning Garden Choir rehearsals Christmas craft workshops children and adults Review website updates as required Updates for local events listings inc. Scarborough Spy, Scarborough Mumbler</p>

9.0 Action plan

See appendix one – Monthly Action Plan

10.0 Monitoring and Evaluation Review

To maximise satisfaction with the services provided we will encourage opportunities for positive and open interactions with the local community and visitors. We will use tools such as social media and satisfaction surveys to canvas thoughts and opinions in relation to the services provided, and ensure the inputs are reviewed and actioned where required. In addition to this we will monitor visitor numbers, bookings for the facilities and activities at Beeforth's Hive and other KPIs identified to inform service monitoring and continuous improvement. Key Performance Indicators (service level) include:

- Quarterly Volunteer hour recording
- Annual events records with number of attendees and income generated
- Satisfaction surveys every three years with an action plan to identify improvements required
- Annual Green Flag Award Achievement
- Quarterly Review of Action Plan

These KPI's will be reviewed ongoing and added with targets to the service KPI's for 2026/27 and beyond.

Appendix One

Monthly Action Plan (showing hours)

Area	Action	Responsibility	Frequency	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Ponds	Visual inspection for defects, including pump, hand landscaping etc.	Park team	Monthly	2						2					
	Recording of defects	Park team	Monthly												
	Report defects	Park team	Monthly												
	Remove litter from waters edge	Volunteers	every four weeks	2	2	2	2	2	2	2	2	2	2	2	2
	Remove litter from surrounding area	Park team	Weekly	8	8	10	10	10	10	8	8	8	8	8	8
	Dredging removing of excess leaves and debris	Park team	Annually												8
	Vegetation management	Park team	Annually												
	Carry out repairs to coping, liner and wall surrounds	Parks team & Skills Village	Annually	7			7			7			7		
	Removal of algae build up	Parks Team	Monthly	2	2	2	2	2	2	2	2				
Drainage	Remove litter, leaves, silt and other debris from within path gullies	Park team	Monthly	2	2	2	2	2	2	2	2	2	2	2	2
	Clean out grates and outlets check for damage, report and replace where needed	Parks team	Monthly	2	2	2	2	2	2	2	2	2	2	2	2
	Check caps for boreholes, report defects to Coastal Team	Park team	bi-annually		2						2				

Visual defect check on most accessible path and curbs report all defects and rectify where necessary.	Parks Team	Weekly	8	8	8	10	10	10	10	10	10	8	8	8	8
Blow leaves from most accessible path and curb edges making sure drainage gaps are clear and remove litter	Park team	Daily	8	8	8	10	10	10	10	10	10	8	8	8	8
Remove debris and litter from underneath benches on the most accessible path	Volunteers	Daily	56	56	56	70	70	70	70	56	56	56	56	56	56
Power wash algae growth and dirt from surface of most accessible path	Park team	Twice a year		70					70						
Remove overhanging branches on the most accessible path	Park team	Twice a year			28					28					
Strim 1m grass strip from both sides of the most accessible path	Park team	Monthly	28	28	28	28	28	28	28	28	28	28	28	28	28
Visually check all other paths for defects, report and repair as necessary	Parks team	Monthly	2	2	2	2	2	2	2	2	2	2	2	2	2

	create a phased repair plan for all other paths and review annually	Park team	Annually												35
	blow leaves off other paths and pick up litter	Park team	Monthly	7	7	7	7	7	7	7	7	7	7	7	7
	Edge paths with a half moon	Parks Team	Annually				140								
	Carry out an annual accessibility audit of the paths on site and include the feedback into the phased repair plan.	Parks team &Volunteers	annually												28
Page 59 Play area	Visual defect check, record and rectify of equipment	Park team	Daily	44.0	46.5	44.0	46.5	46.5	44.0	46.5	44.0	46.0	45.0	42.0	45.0
	Visual defect check fencing, record and rectify	Park team	Daily												
	Viual defect check, rectify and record sandpit and rake through	Park team	Daily	30	31	30	31	31	30	31	30	31	31	28	31
	Report defects to supplier to make good where necessary	Park team	Daily												
	Check signage for defects and rectify where necessary	Play team	Monthly	1	1	1	1	1	1	1	1	1	1	1	1
	Cleaned algae from wood and paths	Park team	Twice a year		14					14					
	Remove litter	Park team & volunteers	Daily												

	Remove graffiti	Parks team	As required												
	Recorded visual inspection, moving parts, lubricated	Play team	Fortnightly	2	2	2	3	3	2	2	2	2	2	2	2
	Check surface matting	Play team	Fortnightly	2	2	2	3	3	2	2	2	2	2	2	2
	Independent annual inspection	External contract	Annually												
Entrances and thresholds Page 60	Visual defect checks surface and fixtures	Park team	Daily												
	Recorded defect checks surface, fencing and fixtures and repair where necessary	Park team	Monthly	3	3	3	3	3	3	3	3	3	3	3	3
	Clean entrance signs and way markers	Park team & volunteers	Monthly	4	4	4	4	4	4	4	4	4	4	4	4
	Remove litter and debris	Park team & volunteers	Daily												
	Visual check of all thresholds, record and rectify defects where necessary.	Parks and Property Services	Monthly	4	4	4	4	4	4	4	4	4	4	4	4
Lighting	Check for visual faults and report defects to Asset Management	Park team	Monthly	1	1	1	1	1	1	1	1	1	1	1	1
	H&S check of all lighting and function	Property Services	Twice a year	2	2	2	2	2	2	2	2	2	2	2	2
	Clean lighting columns and glass housing	Property Services	Twice a year.		16				16						
	Repaint columns where necessary	Property Services	Annually			7									

Benches	Visual defect check, record defects to property Services to rectify where necessary	Parks Team and Volunteers	monthly	4	4	4	4	4	4	4	4	4	4	4	4
	Washed clean	volunteers	Twice a Year	42						42					
	Touch up paintwork / treatment as required	Parks & Volunteers	annually		70										
	Remove plaques where leases have ended.	Property Services	as required	7							7				
	Remove dead flowers	Parks Team	weekly	4	4	5	5	5	5	4	4	4	4	4	4
	Bench plinths repoint and repair	Property Services	as and when							70					
	Check benches are securely fixed to the ground	Parks Team	Monthly	2	2	2	2	2	2	2	2	2	2	2	2
Putting Green	Mowing - green 24" cylinder	Park team	Weekly	12	12	12	15	15	15	12	12				
	Mowing - grass surround	Park team	Every 2 Weeks	4	4	4	6	4	6	4	4	4	4	4	4
	Apply moss kill	Park team	Annually	4											
	Apply selective weedkiller including indicator	Park team	Annually	4											
	Apply granular fertiliser	Park team	Annually		4										
	Scarify	Park team	Annually		7										
	Cut after scarifying	Park team	Annually		4										
	Slitting	Park team	Annually		3				3						
	Cut after slitting	Park team	Annually		8				8						
	Top dress	Contractor	Annually			42									

Page 61

	Make good and overseed worn	Park team	Annually						28						
	Edge surrounding paths with half moon tracer / spade	Park team	Annually				28								
	Clear leaves	Park team	8 times a year							8	8				
Formal Grass Page 62	20mm cut - boxed	Park team	35		110	110	110	110	50						
	Remove leaves	Park team	Three per year						14	14	14				
	Selective manual weeding	Park team & Volunteers	Monthly	21	21	21	21	21	21						
	Edge with long handled shears	Park team	Fortnightly	8	10	10	10	8	10	8	8	8	8	8	8
	Edge with half moon tracer / spade	Park team	Annually			42									
	Litter picked and visually checked	Park team	Daily	2	3	2	3	2	2	2	2	2	2	2	2
	Make good damaged or worn areas	Park team	Annually												
Recreational grass areas	50mm cut - let fly	Parks Team	21	84	84	84	84	84	84	84					
	Remove leaves	Park team	4 times a year			7			7			7			7
	Edge with half moon tracer / spade	Park team	Annually			28									
	Litter picked and visually checked	Park team & Volunteers	21	84	84	84	84	84	84	84					
	Make good damaged or worn areas	Park team	Annually	14											
	Slit damp areas	Park team	Annually						14						
Long grass	Litter picked and visually checked	Volunteers	Monthly	7	7	7	7	7	7	7	7	7	7	7	7
	Strim all areas below 45 degrees	Park team	Annually			175									

	slope remove risings														
	<i>Survey species</i>	Volunteers				8	8								
Sunken Garden Meadow	Litter picked and visually checked	Volunteers	Daily	30	31	31	30	31	31	30	31	30	31	31	28
	Strim back and remove the risings. (possibility to collect seeds/spread arisings elsewhere?)	Parks Team	Annually					70							
	Manual removal of weeds and invasive species	Parks Team & Volunteers	every two months		4		4		4						
	<i>Seed collection</i>	Parks Team & Volunteers	annually					40							
Page 33 Trimming	Selective strimming	Park team	Monthly		14		14		14						
	Nettle / weed clearance	Park team	Twice per year												
	Tree bases	Park team	Four per year												
	Walls, post, signs, boreholes, inspection covers, fences	Park team	Twice per year												
Bedding	Litter picked and visually checked	Volunteers	Monthly	7	7	7	12	14	7	7	7	7	7	7	7
	Strip plants / bulbs	Park team	Twice per year		105					105					
	Prepare border - clear debris	Park team	Twice per year												
	Prepare border - incorporate organic matter	Park team	Annually		105					105					
	Prepare border - dig over / deep rotovate	Park team	Twice per year												

Page 64	Prepare border - shape surface / obtain tilth	Park team	Twice per year		21					21					
	Plant	Park team	Twice per year			105					105				
	Irrigate	Park team	twice a year		14					14					
	Apply fertiliser / liquid feed	Park team	Three per year												
	Hoe, weed	Park team	Fortnightly				28	28	8						
	Remove leaves	Park team	Six per year												
	Edge with long handles shears	Park team	Fortnightly												
	Edge with half moon tracer / spade	Park team	Annually												
	Reinstate turf edging / reduce border.	Park team	Annually												
Hedges	Litter picked and visually checked	Park team & Volunteers	Daily												
	Gap up with appropriate species	Park team	Annually						7						
	Cut with powered equipment (formal)	Park team	Annually							70					
	Cut with powered equipment (low informal)	Park team	Annually							70					
	Remove shred and compost arisings	Park team	As required							63					
	Remove alien species	Park team	Annually												
	Weed control	Park team	Three per year												
Shrubs	Litter picked and visually checked	Volunteers	Daily	30	31	31	30	31	31	30	31	30	31	31	28

Page 65	Gap up with appropriate species	Park team	Annually							35					
	Weeding where appropriate	Park team & Volunteers	monthly		8	8	8	8	8	8	8				
	Spot spray herbicide	Park team	Three per year		14		14		14						
	Edge with long handles shears	Park team	Fortnightly												
	Edge with half moon tracer / spade	Park team	Annually												
	Prune as scheduled within species schedule	Park team	As required							210					
	Shred and compost arisings	Park team	As required							35					
	Mulch with composted wood chip / bark	Volunteers	Annually								400				
Herbaceous	Litter picked and visually checked	Parks Team & Volunteers	Monthly	14	14	14	14	14	14	14	14	14	14	14	14
	Hoe weed	Parks Team & Volunteers	Fortnightly	84	84	84	84	84	84	84	84				
	Spot weed herbicide	Parks Team	Fortnightly	8	16	16	16	16	8	8	8	8	8	8	8
	Stake and tie plants	Parks Team & Volunteers	As required		7			7			7			7	
	Irrigate	Parks Team & Volunteers	Six per year	7		7		7		7		7		7	
	Cut back	Parks Team & Volunteers	Annually							210					
	Prune	Parks Team & Volunteers	As required	28	28	28	42	28	28	28					
	Lightly fork	Parks Team & Volunteers	Monthly		84	84	84	84	84	84					
	Remove leaves	Parks Team & Volunteers	Five per year						48	48	48				

	Mulch with soil improver	Parks Team & Volunteers	Annually	350											
	Edge with long handles shears	Parks Team & Volunteers	Fortnightly												
	Edge with half moon tracer / spade	Parks Team & Volunteers	Annually	28											
	Gap up with appropriate species	Parks Team & Volunteers	Annually							140					
Rocks	Litter picked and visually checked	Park team & Volunteers	Daily												
	Strim around	Park team	Fortnightly												
	Remove graffiti	Parks team / Graffiti team	As required	1	1	1	2	2	1	1	1	1	1	1	1
Woodland and tree management	Litter picked and visually checked	Parks Team & Volunteers	Daily												
	Inspect current tree cover in respect of health and safety	Trees & Woodland Team	Annually			14					14				
	Remove deadwood, crown clean and lift (2.5m) trees over footpaths, chip and dispose of arisings	Parks and Trees & Woodland Team	As required				63								
	Remove deadwood, crown clean and lift (5.0m) trees over vehicular service roads, chip and dispose if arisings	Parks and Trees & Woodland Team	As required				63								
	Prune back trees that overhang neighbouring gardens, chip and dispose of arisings	Parks and Trees & Woodland Team	As required												
	Monitor footpath condition for root damage	Park team	Monthly												

Page 67	Removal of epicormic / basal / suckers	Park team	Annually				28							
	Planting of new trees	Parks and Trees & Woodland Team	Annually						42					
	Check and make good damage to newly planted trees and structures	Park team	Monthly									14		
	Irrigate newly planted trees (up to 3 years)	Park team	Four per year	7	7	7	7							
	Formatively prune young trees, chip and dispose of arisings	Trees & Woodland Team	Annually				42							
	Removal of programmed, dead, diseased trees - stump grind, dispose or retain deadwood on site as applicable,	Parks and Trees & Woodland Team	As required							105				
SSP	Cut back bank and rake areas of bank that are less than 40 degrees.	Parks team	Annually						210					
	Cut back the rest of the banks with rope access	Parks Team	Annually						420					
	Selective removal all invasive species such as docks for more difficult weeds in area	Parks Team	Annually				420							

Record species.	Parks Team & Volunteers	Annually		10	10	10	10	10	10					
Wildflower English Heritage Seed Mix planting in selective areas not treated by herbicide.	Parks Team	Annually	140											
Hand Pull Weeds in accessible areas (thistles/docks etc)	Parks Team & Volunteers	Monthly	42	42	42	42	42	42						
Weed drainage gullies	Parks Team	Monthly	7	7	7	7	7	7						
Check wooden railings for damage	Parks Team & Volunteers	Weekly	30	31	30	31	31	30	31	30	31	31	28	31
Check new tree and shrub planting for damage, report and replace	Parks Team & Volunteers	Monthly	7	7	7	7	7	7	7	7	7	7	7	7
Spray off knot weed and check cordon is secure. Write report (including photos) and file.	Parks Team	Monthly	4	4	4	4	4	4	4	4				
Cut back ghost path	Parks Team	Every 6 months	4						4					
Spray ghost path and check trial establishment	Parks Team	Every 6 months	4						4					
Litter pick the site	Parks Team	Every 6 months												
Check lighting condition, report repairs	Parks team & Property Services	Every 6 months												
Clean interpretation and wayfinding signs	Parks Team & Volunteers	Monthly												

	Check condition of the surfaces, steps and edging and carry out any repairs or replacements where necessary.	Parks team & Property Services	Every 6 months												
	Check condition of benches, clean and carry out repairs where necessary	Parks team & Property Services	Every 6 months												
	Cut grass edges back 2m from the paths	Parks Team	Monthly	14	14	14	14	14	14						
Steps	Visual defect checks	Park team	Daily												
	Recorded defect checks	Park team	Monthly												
	Report defects	Park team	Daily												
	Make good defects	Parks team & Property Services	As required												
	Remove debris and litter	Park team & Volunteers	Weekly		2	2	2	2	2	2	2	2			
	Remove / report graffiti	Park team	As required												
Shelters	Visual defect checks	Park team	Daily	88	92	88	92	92	88	92	88	92	92	80	92
	Recorded defect checks	Park team	Monthly												
	Report defects	Park team	Daily												
	Make good defects	Parks team & Property Services	As required	7	7	7	7	7	7	7	7	7	7		
	Remove debris and litter	Park team	Weekly												
	Remove debris from the back of the shelters ensuring no	Parks Team	Monthly		14	14	14	14	14	14					

	earth/plant material is in contact with the wood.														
	Always ensure grass cuttings and soil are washed off the shelters following strimming.	Parks Team	Every two weeks												
	Clean out gutters and drains	Parks Team	Monthly												
	Remove leaves and moss from roof and cut back overhanging branches	Parks team & Property Services	Annually	28							42				
	Remove / report graffiti	Park team	As required				7				7				
Page 70 Ops Buildings external	Check structure and review required repairs	Parks & Asset management	Weekly	4	4	4	5	5	4	5	5	4	4	4	4
	Cleaning of gutters and drainage outlets	Asset management	2 year	8							8				
	Painting of exterior painted areas	Asset management	Every 5 years	8							8				
	Spot painting of exterior	Asset management	As required				4								
	Washing of paintwork / exterior surfaces	Asset management	As required	4							4				
	Floor and steps to be kept brushed down and kept free from growths	Parks team	Weekly	2	2	2	2	2	2	2	2	2	2	2	2
	Shutters to be oiled, eased and maintained as operational	Asset management	Monthly	1	1	1	1	1	1	1	1	1	1	1	1

	Roof windows to be greased occasionally in order to be operational	Asset management	Every 6 months	4						4					
	Roof to be kept clear of debris	Asset management	As required												8
	Cleaning of windows externally	Parks & Volunteers	Four per year	4						4					
	Remove / report graffiti	Parks team	As required					4							
	All accesses building to be kept clear	Parks team	Daily	30	31	30	31	31	30	31	30	31	31	28	31
Page 71 Ops Buildings internal	Empty all waste receptacles	Parks Team & Volunteers	twice a week	16	16	16	20	20	16	20	20	16	16	16	16
	Damp wipe any dust, debris and spillages from all surfaces	Parks Team & Volunteers	twice a week												
	Clean any sanitary waste ware ie sinks, fountains	Parks Team & Volunteers	twice a week												
	Vacuum clean all dust control matting	Parks Team & Volunteers	twice a week												
	Remove stains from carpets as necessary	Parks Team & Volunteers	twice a week												
	Remove all graffiti	Parks Team & Volunteers	twice a week												
	Sweep or vacuum, using dust control methods, all hard surfaces	Parks Team & Volunteers	twice a week												
	Spot clean all hard floor surfaces	Parks Team & Volunteers	twice a week												
	Spot clean internal glass surfaces	Parks Team & Volunteers	twice a week												

Page 72	Litter pick and brush outside main entrances, ramp and external patio areas	Parks Team & Volunteers	twice a week												
	Clean all stainless steel surfaces	Parks Team & Volunteers	twice a week												
	Spot clean all chairs / furniture	Parks Team & Volunteers	twice a week												
	Stairs and hard floors to be mopped / mechanically scrubbed	Parks Team & Volunteers	twice a week												
	Spot paint / fill any damage to walls / surfaces	Parks Team & Volunteers	As required	2	2						2	2	2		
	Clean insides of internal windows	Parks Team & Volunteers	Four per year	24			28			28			24		
Toilets	Empty all waste receptacles except feminine hygiene and nappy bins	Parks team	Daily	15	15.5	15	15.5	15.5	15	15.5	15	15.5	15.5	14	15.5
	Thoroughly clean hand basins, toilet bowls, urinals, showers and all pipe work	Parks team	Daily	90	93	90	93	93	90	93	90	93	93	84	93
	Clean splash backs to hand basin	Parks team	Daily												
	Clean and polish all mirrors	Parks team	Daily												
	Replenish toilet commodities	Parks team	Daily												
	Spot clean walls and toilet partitions	Parks team	Daily												
Remove any graffiti	Parks team	Daily													

Page 73	Thoroughly mop / mechanically scrub all floors	Parks team	Daily												
	Monitor throughout the day	Parks team	Daily												
	Clean all waste receptacles	Parks team	Daily												
	Wash or polish all furniture, ledges. Skirting, pipes and radiators	Parks team	Daily												
	Wash paint work to doors	Parks team	Daily												
	Clean glass to doors, internal windows and circulation	Parks team	Daily												
	Remove marks to walls, internal glass and light switch area	Parks team	Daily												
	Spray clean all hard surfaces	Parks team	Daily												
	De-scale all toilets, except stainless steel.	Parks team	Daily												
	Spot paint / fill any damage to walls / surfaces	Parks team	As required		35										
Holbeck Landslip Area	Remove invasive Crocosmia x crocosmiiflora and the small clumps of montbretia and the single garden escape Japanese rose, as these species is known to	Parks Team	Annually				140								

Page 74	become invasive, particularly in coastal grassland habitats														
	Cut back one half of grassland on the bank and remove the risings.	Parks Team	Annually					140							
	Ensure that ivy does not encroach further through removal of ivy on the top of the slope at the north edge of study area.	Parks Team	annually			14					14				
	Remove young sycamore trees in grassland	Parks Team	Annually												
	Retain current area of gorse and bramble cover however remove any new areas an encroachment	Parks Team	Annually												
Management of invasive species	Monthly treatment of knot weed	Parks Team	Monthly		2	2	2	2	2	2	2	2			
	Check for other invasive species and report	Parks Team	Monthly	2	2	2	2	2	2	2	2				
Waste management and disposal	Remove green waste skip and process	Tractor	Weekly	36	40	40	40	40	40	40	36				
	Create onsite habitat piles	Parks Team & Volunteers	Annually during pruning season							40					
	Review onsite waste disposal annually to	Parks Team	Annually during						7						

	try to reduce carbon footprint		pruning season												
Bins	Daily check and empty of bins	Parks Team	Daily	90	93	90	93	93	90	93	90	93	93	84	93
	Disposal of mixed waste														
	Annual check of bin condition	Parks Team & Volunteers	Annually												
Italian Gardens	Prune foil layer to ensure key views down into the Italian Garden, through the multistemmed trees. Allow for gentle undulation across the height	Parks Team	Annually							105					
	Remove new growth from the base of the multistem trees leaving only mature trunks.	Parks Team	Annually												
	Crown lift the skirts of all trees to allow visual connection through the site	Parks Team	Annually												
	Remove any dead, diseased, dying or crossing branches	Parks Team and Tree & Woodland Team	Annually												
	Lift and divide herbaceous perennials	Parks Team	Annually							28					
	Remove weeds from all borders	Parks Team	Every 2 weeks		28	28	28	28	28	28					
	Mulch and maintain the compost mulch to a minimum of 2	Parks Team	Twice a year		35					35					

Page 76	inches around new planting														
	Monitor newly installed plants and report any losses/damages	Parks Team	Monthly	2	2	2	2	2	2	2	2	2	2	2	2
	Plant urns and wash the outsides	Parks Team	Twice a year												
	Watering	Parks Team & Volunteers	twice a week	16	16	16	16	16	16	16	16				
	Clean down resin surfacing and steps	Parks Team	Annually		21										
	Clear out drainage	Parks Team	Twice a year												
	Check walls for damage/movement and repair/report where necessary	Parks Team & Asset Management	Twice a year												
	Repaint colonnade and check trellising for damage, repair where necessary.	Parks and Skills village	Annually		112										
Rose Garden	Cut grass edges	Parks Team	Once every 2 weeks	2	2	2	2	2	2	2	2				
	Cut grass	Parks Team	Once every 2 weeks	16	16	16	16	16	16	16	16				
	Feed roses	Parks Team	In spring and summer												
	Dead head roses	Parks Team	Every 2 weeks	4	4	4	4	4	4	4	4				
	Prune roses	Parks Team	Annually								102				
	Mulch roses	Parks Team	Annually									175			

	Weed borders	Parks Team	Once every 2 weeks		14	14	14	14	14						
	Spray for pests	Parks Team	As required			7			7						
Signage, wayfinding and interpretation	Check signs for damage and repair/report where needed.	Parks & Volunteers	Weekly												
	Wash down signs	Parks Team & Volunteers	Weekly	28	35	35	35	35	35	35	28	28	28	28	28
	Makes sure no grass cuttings are stuck to the signs following strimming.	Parks Team	Every two weeks.	10	10	10	10	10	10	10	10				
Railings	Check all metal railings across site for damage, report, photograph, repair and replace where necessary	Parks Team & Asset Management	Every 6 months		35						35				
	Clean sap off handrails on well used steps	Parks Team & Volunteers	Monthly	7	7	7	7	7	7	7	7	7	7	7	7
	Lightly sand and repaint all black painted railings across site	Volunteers	Annually	200						200					
	Check all wooden railings for damage, repair and replace where necessary ensuring cross detail is maintained.	Asset Management	Every 6 months												

Bore holes	Clean away grass and other debris from around the bore hole.	Parks Team	Monthly												
-------------------	--	------------	---------	--	--	--	--	--	--	--	--	--	--	--	--

Initial equality impact assessment screening form This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Environment		
Service area	Parks and Grounds		
Proposal being screened	Final Report for South Cliff Gardens including Business Plan & Management and Maintenance Plan		
Officer(s) carrying out screening	Kate Dawson		
What are you proposing to do?	South Cliff Gardens has undergone a large transformation using internal budgets as well as £4.66m from National Lottery Heritage Fund (NLHF). The final report being submitted is to demonstrate all requirements have been met in relation to the funding grant. A Business Plan has been written to demonstrate how income could be generated for the gardens to enable to increased level of maintenance shown in the Management and Maintenance Plan. The report also seeks approval to submit the final grant claim to NLHF.		
Why are you proposing this? What are the desired outcomes?	Director approval of the Business Plan Director approval of the Management and Maintenance Plan Director approval to submit the final grant claim to NLHF		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No – the resources are the same as we have in place now; the Management and Maintenance Plan details how we will continue to manage the improved site whilst the Business Plan will increase income to spend on the site as required.		
<p>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics</p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.</p>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	

Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	Scarborough is an area of deprivation when compared to other areas in North Yorkshire. All proposed changes are comparable to all other NYC sites in Scarborough. Access to the gardens has already been improved through the project with much better and more accessible pathways and facilities (buildings and toilets)		
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	The proposal will not have a significant effect on how other organisations operate.		
Decision (Please tick one option)	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:
Reason for decision	The proposal/report will not have any detrimental impact in terms of EIA		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	14/01/2026		

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Version 2: amended 11 August 2021

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	South Cliff Gardens Final grant claim approval report
Brief description of proposal	South Cliff Gardens, Scarborough has undergone a large transformation using internal budgets as well as £4.66m from National Lottery Heritage Fund (NLHF). The final report being submitted is to demonstrate all requirements have been met in relation to the funding grant. A Business Plan has been written to demonstrate how income could be generated for the gardens to enable to increased level of maintenance shown in the Management and Maintenance Plan. The report also seeks approval to submit the final grant claim to NLHF.
Directorate	Environment
Service area	Parks and Grounds
Lead officer	Kate Dawson, Community Assets and Engagement Manager
Names and roles of other people involved in carrying out the impact assessment	
Date impact assessment started	20/08/2025

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

N/A

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

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

Cost neutral

Former Scarborough Borough Council secured a National Lottery Heritage Fund Grant (NLHF) of £4.66m to improve the gardens following other intensive slope stabilisation works on site. The project comes to a close officially on 30th October 2025 and the report being submitted is to have the site Management & Maintenance Plan and the Business Plan approved (the business plan aims to bring in some money to offset any additional outlay as part of the improvement works) as well as approve the final draw down of the remaining NLHF grant.

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel		X		There are no specific changes to how people will travel to site;		
	Emissions from construction		X		Very little emissions from construction work on site considering it mainly relates to parks and grounds improvements		
	Emissions from running of buildings		X		Only new building on site is built to higher quality eco spec but this also limits travel by gardeners as now have mini depot on site		
	Emissions from data storage		X		N/A		
	Other						
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		X		Main waste relates to Garden waste which is sent for composting.			
<p>Reduce water consumption</p>		X		N/A – new building has low flush toilet, and water butts to collect rainwater outside to use to water the plants.			

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> Changes over and above business as usual Evidence or measurement of effect Figures for CO₂e Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise pollution (including air, land, water, light and noise)</p>		X		<p>Electric vehicle is used on site by gardening team</p>		
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		X		<p>Mitigation still in place; seating in shaded areas for high weather periods, improved shelters in relation to wet weather conditions, planting schemes have not changed dramatically but consideration has taken place in relation to more tolerant species, additional water butt provision where practicable.</p>		
<p>Enhance conservation and wildlife</p>	X			<p>Additional planting relates more to appropriate native species and an increase in wildflower meadow areas on site. Additional shelter provision for wildlife including feeding stations.</p>		

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>	<p>X</p>			<p>As the overall project was funded via National Lottery Heritage Fund many heritage features have been improved. These features are listed within the Management & Maintenance plan and will be retained and maintained moving forwards.</p>		
<p>Other (please state below)</p>	<p>X</p>			<p>Increased accessible footpaths allow wider accessibility for all within the gardens.</p>		

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The improvements at South Cliff Gardens have a positive impact on Climate Change and will continue to be managed and maintained in this way due to the supporting Management and Maintenance plan required as part of the NLHF grant.

Sign off section

This climate change impact assessment was completed by:

Name	Kate Dawson
Job title	Community Assets and Engagement Manager
Service area	Parks and Grounds
Directorate	Environment
Signature	
Completion date	20/08/2025

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

Date: 14/01/2026

North Yorkshire Council

Environment Executive Members

Procurement of a New Contract for Design, Supply and Installation of Traffic Signals Equipment

23 January 2026

Report of the Assistant Director – Highways and Infrastructure

1.0 PURPOSE OF REPORT

- 1.1 For the Corporate Director - Environment, in consultation with the Executive Member - Highways and Transportation, to authorise officers to procure a contract for the design, supply and installation of traffic signals equipment in North Yorkshire, including upgrades to existing sites and installation of new sites.

2.0 BACKGROUND

- 2.1 The Council manages a network of 322 traffic signals sites across the County. This includes 211 pedestrian crossing facilities and 111 signalised junctions. There is a need to ensure that these sites function in a safe manner and that they also maximise the efficiency and safety of the highway network.
- 2.2 There is an existing contract in place for day-to-day maintenance and repair of signals sites. This includes small scale repairs, call outs to rectify faults etc. Any capital funded refurbishment, renewal or new installation is managed through small scale procurement exercises for specific sites / schemes.
- 2.3 The current base budget for capital upgrades is circa £300K per annum. This is funded from the highway's capital programme. This is supplemented by other funding sources such as Local transport Grant (LTG) and other grants such as the Traffic Signals Obsolescence Grant (TSOG).
- 2.4 With longer term funding opportunities such as LTG, alongside potential further increases in Highway Maintenance block funding (HMB) there is likely to be a significant upturn in available funding for capital improvements over the next four to five years.

3.0 SUMMARY OF THE CONTRACTS

- 3.1 Traffic Signals Capital works are generally split by the following asset types
- Pedestrian crossing facilities
 - Signalised Junctions
- 3.2 For each of these asset types, the following capital funded activities are carried out
- Asset upgrade and refurbishment
 - Installation of new assets
- 3.3 Design work is currently carried out in house by the Council, external consultants or by traffic signals contractors.

4.0 PROPOSED WAY FORWARD

- 4.1 It is proposed to procure pedestrian crossing facilities and signalised junctions services as two smaller contracts to encourage SMEs and local suppliers. Suppliers will be given the opportunity to bid for either one or both contracts. Each supplier will be evaluated based on both their price and quality.
- 4.2 This approach does not guarantee a set amount of work each for each lot per year. Call off orders will be raised by the Council as required. The award will be made to the highest scoring supplier in each lot. If the highest scoring supplier is not able to carry out the required works, the next highest scoring supplier will be awarded the order. This approach helps to ensure resilience within the supply chain.
- 4.3 Within each lot, there will be the facility for the Council to obtain any of the following services per scheme:
- Supply of equipment
 - Supply and install of equipment
 - Scheme design, supply and install of equipment.
- 4.4 Contract Management and associated works orders will be carried out by the Council's traffic signals team.

5.0 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Utilising an existing external framework was considered, however this would require a further competition exercise to be carried out for each new scheme / block of schemes. Procuring our own contract, provides improved efficiency compared to existing external frameworks.
- 5.2 Additionally establishing our own contract allows the specifications and terms of the contracts to be more aligned to the requirements of North Yorkshire. It also ensures that we can achieve best value and the relevant price / quality split for assessment meets the requirements of North Yorkshire.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The anticipated maximum expenditure per year will be in the region of £2,500,000. The total whole life costs for the contract are estimated to be in the region of £10M over the proposed four-year term.
- 6.2 All expenditure within the contract will be accounted for within the highway maintenance block allocation and / or other funding sources such as LTG and developer funded works. Any new schemes identified will be included in future reports to Executive for approval.

7.0 LEGAL IMPLICATIONS

- 7.1 The proposed procurement process for a new contract will be carried out compliantly in accordance with the Public Contracts Regulations 2023. Legal Services will draft documentation for the proposed new contract as needed.

8.0 EQUALITIES IMPLICATIONS

- 8.1 An initial equality impact assessment screening has been completed. This has identified that a full equalities impact assessment is not required as the proposals within this report do not negatively impact any individuals or groups with protected characteristics. (Appendix A).

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 A climate change impact assessment has been completed. This has identified that the new contract should be beneficial as it will enable new traffic signals upgrades to be delivered which will help to improve network efficiency. This will result in reduced emissions and increased usage of more sustainable modes of transport. (Appendix B).

10.0 REASONS FOR RECOMMENDATIONS

10.1 The recommendations will enable a procurement exercise to be carried out to ensure that NYC is able to upgrade its existing and install new, traffic signal sites.

11.0 RECOMMENDATION

11.1 It is recommended that, the Corporate Director - Environment, in consultation with the Executive Member - Highways and Transportation authorises the procurement of a new contract for design, supply & installation of traffic signals equipment from 2026-2030.

APPENDICES: Appendix A – Initial Equality Impact Assessment Screening Form
Appendix B – Climate change impact assessment

BACKGROUND DOCUMENTS: None

Barrie Mason
Assistant Director - Highways and Infrastructure
County Hall
Northallerton

Report Author – James Gilroy Team Leader Highways Asset Management
Presenter of Report – James Gilroy, Team Leader Highways Asset Management

This page is intentionally left blank

Initial equality impact assessment screening form			
This form records the equality screening process to determine the relevance of equality to a proposal, and a decision whether a full EIA would be appropriate or proportionate.			
Directorate	Environment		
Service area	Highways and Infrastructure		
Proposal being screened	Procurement of contracts for design, supply and installation of traffic signals		
Officer(s) carrying out screening	James Gilroy		
What are you proposing to do?	Establish a framework contract for the design, supply & installation of traffic signals equipment in North Yorkshire		
Why are you proposing this? What are the desired outcomes?	To ensure that the Council is in a position to upgrade existing and install new traffic signals infrastructure in North Yorkshire		
Does the proposal involve a significant commitment or removal of resources? Please give details.	The current proposal will not lead to a reduction in planned resources but will aim to gain more efficient processes.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> • To what extent is this service used by groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality Rep for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		x	
Disability		x	
Sex		x	
Race		x	
Sexual orientation		x	
Gender reassignment		x	
Religion or belief		x	
Pregnancy or maternity		x	
Marriage or civil partnership		x	
NYCC additional characteristics			
People in rural areas		x	
People on a low income		x	
Carer (unpaid family or friend)		x	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g.,	Upgrades to traffic signal sites will potentially help to improve access for disabled people. Updated		

disabled people's access to public transport)? Please give details.	technology and facilities can make it easier for disabled people to use traffic signals facilities.		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	N/A		
Decision (Please tick one option)	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:
Reason for decision	The services provided through the relevant contracts help to enhance of service delivery in North Yorkshire and do not adversely impact any groups / individuals with protected characteristics		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	07/01/2026		

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision-making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance, please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Highways Capital Programme
Brief description of proposal	For the Corporate Director Environment, in consultation with the Executive Member Highways and Transportation to authorise officers. Procurement of a new contract for design, supply & installation of traffic signals equipment from 2026-2030
Directorate	Environment
Service area	Highways and Infrastructure
Lead officer	James Gilroy
Names and roles of other people involved in carrying out the impact assessment	
Date impact assessment started	02 January 2026

Options appraisal
 Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

Utilising an existing procurement framework was considered, however it was felt that an NYC specific procurement exercise would be more suitable as it allows the specifications and terms of the contracts to be more aligned to the requirements of North Yorkshire. It also ensures that we can achieve best value and the relevant price / quality split for assessment meets the requirements of North Yorkshire.

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

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

We anticipate that the contacts will be in line with existing cost and as such will not involve a cost increase above inflation.

Page 94

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> Changes over and above business as usual Evidence or measurement of effect Figures for CO₂e Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.	
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing	Emissions from travel	x			More efficient operation of traffic signals sites to improve network efficiency.		
from travel, increasing	Emissions from construction		x				

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where)	No impact (Place a X in the box below where)	Negative impact (Place a X in the box below where)	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
energy efficiencies etc.	Emissions from running of buildings		x				
	Other	x			Improved energy efficiency of traffic signals, helping to reduced energy consumption – consequently a reduction in emissions.		
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic			x				
Reduce water consumption			x				
Minimise pollution (including air, land, water, light and noise)		x			More efficient operation of traffic signals sites to improve network efficiency and support for non-motorised vehicle use.		
Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers			x				
Enhance conservation and wildlife			x				

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		<p>x</p>				
<p>Other (please state below)</p>		<p>x</p>				

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

<p>Summary: Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.</p> <p>The procurement of these contracts will help maintain and improve the existing level of service. It will also support improved network efficiency planning, which can help reduce emissions and encourage the use of non-motorised modes of transport.</p>
--

Sign off section

This climate change impact assessment was completed by:

Name	James Gilroy
Job title	Team Leader Highway Asset Management
Service area	Highways and Transport
Directorate	Environment
Signature	J Gilroy
Completion date	02 January 2026

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 07/01/2026

This page is intentionally left blank

North Yorkshire Council

Environment Executive Members

23 January 2026

Report to Seek Formal Approval to Vary the Existing North Yorkshire Permit Scheme following Statutory Consultation

Report of the Assistant Director – Highways and Infrastructure

1.0 PURPOSE OF REPORT

- 1.1 This report seeks formal approval from the Corporate Director for Environment, in consultation with the Executive Member for Highways and Transportation, to implement a variation to the North Yorkshire Permit Scheme following completion of the required four-week statutory consultation.
- 1.2 A full Consultation Report has been prepared, setting out all stakeholder responses received during the consultation period together with detailed officer responses. The consultation feedback has been reviewed in full, and no amendments to the proposed fee uplift or the updated scheme documentation are required as a result.
- 1.3 Approval is therefore sought to:
- Implement the varied Permit Scheme documentation as consulted upon.
 - Introduce the revised fee structure, increasing permit fees to the maximum levels allowable by the Department for Transport (DfT), and reducing the discount for collaborative working from 50% to 30%.

2.0 SUMMARY

- 2.1 The Council undertook statutory consultation between 27 October and 24 November 2025 on the proposed modifications to the Permit Scheme.
- 2.2 Only one formal consultation response was received (Openreach). Their comments and suggested amendments have been fully addressed.
- 2.3 No amendments are required to the proposals and the consultation does not impact the fee uplift or revised documentation.

3.0 CONSULTATION OUTCOME

- 3.1 The consultation was carried out in accordance with the Traffic Management Permit Scheme (England) Regulations 2007 (as amended) (“the 2007 Regulations”).
- 3.2 Stakeholders were invited to comment on the updated scheme documentation and proposed fee uplift.
- 3.3 Openreach submitted several comments on wording, inflation, inspection units and process alignment.

- 3.4 Openreach's comments have been carefully reviewed and Officer responses are provided in the Consultation Report. The authority is unable to comment on how other highway authorities operate or cost their permit schemes. However, it is worth noting that the majority of regional authorities implemented their permit schemes at the maximum fee levels permitted by the DfT. North Yorkshire initially implemented its permit fees at a more conservative level.
- 3.5 Rising operational and staffing costs have now resulted in the scheme moving away from a cost-neutral position. The proposed fee uplift has therefore been calculated in accordance with DfT permit scheme guidance to restore cost neutrality and reflects allowable overheads associated with administering, operating and enforcing the scheme. These costs are consistent with those used in comparable schemes and remain within the parameters approved by the Secretary of State. As such, while Openreach's comments have been noted and responded to, no amendments to the scheme documentation are required.

4.0 IMPLICATIONS OF THE CONSULTATION AND NEXT STEPS

- 4.1 The consultation confirms the proposed variances remain justified.
- 4.2 Minor wording clarifications will be incorporated where appropriate:
- 4.3 No consultation feedback alters the proposed implementation.
- 4.4 If approved, the Council will make the Order, publish the updated scheme and introduce the revised fees.
- 4.5 Recruitment of additional posts will proceed as outlined in the original report which can be found in the background documentation.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The North Yorkshire Permit Scheme is required to operate on a cost-neutral basis in accordance with Department for Transport's Permit schemes: Statutory Guidance for Highway Authorities 2025.
- 5.2 The most recent Permit Scheme evaluation reports which cover years four to six, identify losses in excess of £375,000, with a further loss forecast if the current fee structure remains unchanged. These losses reflect increased operating costs, inflationary pressures and rising application volumes.
- 5.3 The proposed uplift of permit fees to the maximum levels permitted by the Department for Transport is necessary to recover operating costs, address ongoing inflationary pressures and support the recruitment of additional staff required to deliver the scheme effectively.
- 5.4 Consultation responses do not alter the financial justification for the proposed fee uplift. No evidence has been presented that would justify a departure from the proposed fee levels, and implementation of the revised fees remains necessary to ensure the scheme's future operation is a balanced financial position.

6.0 LEGAL IMPLICATIONS

- 6.1 When introducing, operating or varying a street works permit scheme, the Highway Authority must comply with the Traffic Management Act 2007 and the Traffic Management Permit Scheme (England) Regulations 2007 (as amended) and the New Roads and Street Works Act 1991. The Highway Authority must have regard to the Government's statutory guidance on Permit Schemes and the Permit Scheme National Conditions issued in December 2025, which came into force on 05 January 2026.
- 6.2 Before making an Order giving effect to a variation of the Scheme the Highway Authority must comply with the Regulations, and one of the requirements is to carry out a consultation and to provide at least four weeks' notice to statutory undertakers before a scheme variation comes into effect. The consultation of stakeholders has been carried out in accordance with the Regulations.

7.0 EQUALITIES IMPLICATIONS

- 7.1 An initial assessment was carried out at the outset, and it has been reviewed and it is considered that there are no equalities implications foreseen (Appendix D).

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 An initial assessment was carried out at the outset, and it has been reviewed and it is considered that there are no changes to the initial assessment and no Climate change implications foreseen (Appendix E).

9.0 REASONS FOR RECOMMENDATIONS

- 9.1 Subject to approval of this report, the Authority will look to publish the amended North Yorkshire Permit Scheme documentation and undertake recruitment.

10.0 RECOMMENDATIONS

- 10.1 That the Corporate Director for Environment in consultation with the Executive Member for Highways and Transportation approves the following:
- i. Implement the varied Permit Scheme documentation as consulted upon
 - ii. Introduce the revised fee structure, increasing permit fees to the maximum levels allowable by the Department for Transport (DfT), and reducing the discount for collaborative working from 50% to 30%

APPENDICES:

- Appendix A – Consultation Responses Report
Appendix B – North Yorkshire Modified Permit Scheme
Appendix C – Fee Structure
Appendix D – Equalities Impact Assessment
Appendix E – Climate Change Impact Assessment

BACKGROUND DOCUMENTS:

[North Yorkshire Council](#) – Report to seek Formal Approval to Modify the Existing North Yorkshire Permit Scheme (pre -consultation)

[The North Yorkshire Streetworks Permit Scheme - Year 1 Permit Scheme Evaluation Report December 2022](#)

[North Yorkshire Permit Scheme Year 2 Evaluation Report](#)

[North Yorkshire Permit Scheme Year 3 Evaluation Report](#)

[The North Yorkshire Streetworks Permit Scheme - Years 4, 5 and 6 Permit Scheme Evaluation Report - September 2024](#)

Barrie Mason
Assistant Director – Highways and Infrastructure
County Hall
Northallerton

Report Author: Alexandra Hollifield, Team Leader, Network Information and Compliance.
Report Presenter: Alexandra Hollifield, Team Leader, Network Information and Compliance.

Permit Scheme Modification Consultation Report

Title: Proposed Permit Scheme Modification Consultation Report
Project: North Yorkshire Permit Scheme Modification Project
Date: 09 December 2025
To: Alex Hollifield, Team Leader, Network Information and Compliance
Author(s): Permit Scheme Modification Consultant

Introduction

The formal consultation regarding the proposed modification to the North Yorkshire Permit Scheme (NYPS) ran for a period of 4 weeks beginning on the 27 October 2025. The deadline for receipt of responses was no later than 5pm on 24 November 2025.

It was stated in the consultation documents that 'all responses received by the 24 November 2025 will be taken into consideration.

Documentation and an accompanying covering letter was issued via email directly to stakeholder organisations, including local neighboring Highway Authorities, Utilities, road user representative groups, current IT suppliers and non-government organisations. Some organisations had a number of consultees within them and if known those individuals were contacted directly.

Any additional comments from consultants or legal representatives etc. have been added to the comment list so there is transparency regarding all changes to the scheme document.

A list of comments received, and responses or amendments are provided in this document.

List of Consultees who responded by the deadline

Openreach

Comments from Consultees

Org	Suggested amendment / clarification / comment / question	Response / reply / recommendation
Openreach	<p>Openreach welcomes the opportunity to consult on North Yorkshire Council Permit scheme and permit scheme fees proposals and thanks North Yorkshire Council (NYC) for providing this. Openreach is committed to maintaining a strong, collaborative relationship with local authorities and supporting national and local infrastructure.</p> <p>We have reviewed the documents submitted as part of this consultation and have set out below our key concerns and reasons for opposition.</p>	Thank you for considering the proposals.
Openreach	<p>5.1 Activities requiring a Permit</p> <p>5.1.1 - This section has references to a code of practice that we do not believe exist- Please elaborate on what the code of practice for permits is and where you believe a chapter 9 to contain this information. This appears to be a mix up between regulation 9 of the TMA permitting regulations, which does not specify which works are registerable, this is done via the noticing regulations and then by the specified works in a scheme which need to align correctly with the regulations.</p>	<p>This was the original Code of Practice for Permits 2008 as referenced and is in many permit scheme documents and used here for consistency regarding Registerable Activities.</p> <p>Chapter 9 of the 2008 code related to Registerable Activities and defined the types of activities on the public highway requiring a permit, including street works, works for road purposes, and other activities introduced under future regulations.</p> <p>Under the Traffic Management Permit Scheme (England) Regulations 2007, 6. (1) A permit scheme shall specify the works (or types of works) which that permit scheme is designed to control (which shall be the</p>

		<p>“specified works” for the purposes of that permit scheme).</p> <p>(2) The specified works described in a permit scheme shall comprise both street works and works for road purposes.</p> <p>(3) Specified works for a permit scheme shall not include works executed in a street pursuant to a street works licence issued under section 50 of the 1991 Act (street works licences).</p>
Openreach	<p><i>7.8.2 only the Permit application made by the Primary Promoter will need to show the number of estimated inspection units.</i></p> <p>Inspection units are no longer estimated; inspection units are now allocated to works automatically based on the works duration.</p>	<p>We will remove the word ‘estimated’ from 7.8.2</p>
Openreach	<p>2.4 Unit of inspection</p> <p>The calculation of the sample size for each undertaker, and the identification of particular works to be inspected, are based upon the duration of the works, in working days. Works carried out in their entirety on non-working days, that is weekends and any public holidays will accrue a single inspection unit. Where works are carried out on working and non-working days, the non-working days worked will not contribute to the total duration. A unit of inspection is defined in the 2022 regulations as;</p> <ul style="list-style-type: none"> • works of 15 working days or less duration = 1 inspection unit • works of 16 to 30 working days duration = 2 units of inspection • works of a duration greater than 30 working days = 3 units of inspection <p>Only street works that include a reinstatement registrable under section 71 NRSWA on a publicly maintainable highway will attract an inspection unit.</p> <p>9. Works Classes – This is the wrong definition; it should be work categories/categorization of works</p>	<p>Section 9 refers to ‘Permit – Classes’ as the Permit requirement relates to the works class.</p> <p>Regulation 9(7) provides for permit schemes to provide for different classes of permit to be required in relation to different circumstances. The intention is for these classes to mirror the approach defined in the Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007 as amended so four classes of permits should apply reflecting the work</p>

		categories in these regulations.		
Openreach	<i>9.5.2 Given the nature of immediate activities, work may commence without a Permit. However, where it is necessary to carry out excavation in the Highway, Promoters of such activities must contact the Permit Authority by telephone immediately if identified on the NSG.</i>	This is only required if specifically identified on the NSG. This is not a standard requirement.		
Openreach	<p>Openreach are unaware of any standard requirement to contact the permit authority by telephone for excavation works on immediate works, the requirement only applies to streets designated with the following as per the code of practice for Co-ordination of Streetworks, please could this be amended to make the requirement clearer.</p> <table border="1"> <tr> <td>Streets subject to early notification of immediate activities</td> <td>Conditional designation that enables street to designate Streets that are particularly vulnerable to traffic disruption. Thus, this requires promoters provide early warning of activities by telephone to street authority immediately after the activity commenced.</td> </tr> </table> <p><i>12.7.2 In the case of the suspension of a parking bay being required, an application by the Promoter must be made to the Highway or Permit Authority as Parking Authority. This must be separate from any Permit application and evidence of the agreement by the relevant Parking Authority must be included in the Permit application</i></p>	Streets subject to early notification of immediate activities	Conditional designation that enables street to designate Streets that are particularly vulnerable to traffic disruption. Thus, this requires promoters provide early warning of activities by telephone to street authority immediately after the activity commenced.	The requirement is correct and it is agreed, the two should work simultaneously but are separate.
Streets subject to early notification of immediate activities	Conditional designation that enables street to designate Streets that are particularly vulnerable to traffic disruption. Thus, this requires promoters provide early warning of activities by telephone to street authority immediately after the activity commenced.			
	<p>In practice this can be challenging when trying to finalise permit dates, Openreach could obtain approval from the parking authority for certain dates that are not suitable for the permit to be granted by the authority. Openreach understand the requirement for parking suspension approval but believe it should not be a pre requirement for a permit to be granted, the two should work simultaneously.</p> <p><i>12.10 Inspection units – This is no longer how inspection units are calculated, Street manager now does this automatically depending on the duration of</i></p>	This process may now be automatic, but the Promoter is still required to indicate the number of inspection units appropriate to the activity in accordance with the rules laid down in The Street Works (Inspection Fees) (England) Regulations 2022. An edit is required here to update the text.		

	works, this section is referring to the old method in the previous outdated inspections code of practice. (same as previous comment on 7.8.2)	Suggested new text. 'The Promoter is required to indicate the number of inspection units appropriate to the activity in accordance with the regulations laid down in the Street Works (Inspection Fees) (England) Regulations 2022.																																
	In the North Yorkshire permit scheme evaluation report years 4,5,6 September 2024 page 5 it states under the staff sub section that the permit scheme staffing levels have been maintained. If the staffing levels have been maintained and not increased how has there been an increase in staffing costs of £378,374 from year 4-6. This seems way above the inflationary pressures on cost of 24% since 2021. Can we have a breakdown of costs.	The last evaluation report was up to March 2024 so approaching 2 years ago and inflationary pressures have continued. By March 2024 cumulative losses were in excess of £375,000. Losses are expected to continue in the following years, increasing this amount. The Permit Authority is required to operate the permit scheme on a cost neutral basis. These fee increases are required to bring the permit scheme in to a balanced position.																																
	<p>TABLE 54 AM 11 ALLOCATED COSTS</p> <table border="1" data-bbox="375 1518 1050 1771"> <thead> <tr> <th>Operational Cost</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> </tr> </thead> <tbody> <tr> <td>KPIs</td> <td>£50,000</td> <td>£50,000</td> <td>£50,000</td> </tr> <tr> <td>Invoicing</td> <td>£150,000</td> <td>£160,000</td> <td>£170,000</td> </tr> <tr> <td>IT support</td> <td>£50,000</td> <td>£50,000</td> <td>£50,000</td> </tr> <tr> <td>Unauthorised/Abandoned works</td> <td>£60,000</td> <td>£70,000</td> <td>£80,000</td> </tr> <tr> <td>Management Overhead</td> <td>£800,000</td> <td>£800,000</td> <td>£800,000</td> </tr> <tr> <td>Staff</td> <td>£535,462</td> <td>£831,473</td> <td>£913,836</td> </tr> <tr> <td>Totals</td> <td>£1,645,462</td> <td>£1,961,473</td> <td>£2,063,836</td> </tr> </tbody> </table> <p>In the conclusions sub section page 7 it states the following, Income is expected to be lower than scheme operational costs in future years. Additional staff may be required to manage increases in application volumes and Utility undertakes.</p>	Operational Cost	Year 4	Year 5	Year 6	KPIs	£50,000	£50,000	£50,000	Invoicing	£150,000	£160,000	£170,000	IT support	£50,000	£50,000	£50,000	Unauthorised/Abandoned works	£60,000	£70,000	£80,000	Management Overhead	£800,000	£800,000	£800,000	Staff	£535,462	£831,473	£913,836	Totals	£1,645,462	£1,961,473	£2,063,836	These are important points to note. However, these fee increase are required to bring the permit scheme in to a balanced position as a loss has been reported.
Operational Cost	Year 4	Year 5	Year 6																															
KPIs	£50,000	£50,000	£50,000																															
Invoicing	£150,000	£160,000	£170,000																															
IT support	£50,000	£50,000	£50,000																															
Unauthorised/Abandoned works	£60,000	£70,000	£80,000																															
Management Overhead	£800,000	£800,000	£800,000																															
Staff	£535,462	£831,473	£913,836																															
Totals	£1,645,462	£1,961,473	£2,063,836																															

	<p>Therefore, there is a need to consider an adjustment (increase) in fee rates to ensure costs and income are balanced over the coming several years. This is speculative and fees should increase as and when needed and not based around expectations.</p>	
	<p>As previously highlighted that inflationary pressures have increased 24% since 2021 then permit fees should reflect that increase and nothing more. The increase in fees highlighted in the table of proposed new fees represent an above inflation rise of more than 24% since 2021. Other Local Authorities have increased permit fees in line with inflation at 24%, why is NYC going above this metric. The level of costs imposed across all road category types should align with the DfT advice.</p>	<p>We cannot comment on other schemes, however, previous reported losses and a requirement to deliver a balanced position into the future is the reason for these increase fees.</p>

**The North Yorkshire
Permit Scheme
2025**

Traffic Management Act 2004

October 2025

APPENDIX 2
North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Date:	October 2025
Project Name:	Modified North Yorkshire Permit Scheme (NYPS)
Service Area:	North Yorkshire Council
Directorate:	Network Information and Compliance
Author:	Alex Hollifield, Team Leader
Version:	POST CONSULTATION FINAL VERSION

CONTENTS

<u>1</u>	<u>FOREWORD</u>	3
<u>2</u>	<u>THE PERMIT SCHEME</u>	3
<u>3</u>	<u>OBJECTIVES OF THE NORTH YORKSHIRE PERMIT SCHEME</u>	5
<u>4</u>	<u>SCOPE OF THE PERMIT SCHEME</u>	6
<u>5</u>	<u>ACTIVITIES COVERED BY THE PERMIT SCHEME</u>	6
<u>6</u>	<u>EXEMPT ACTIVITIES</u>	7
<u>7</u>	<u>PERMITS – GENERAL</u>	8
<u>8</u>	<u>PERMITS - TYPES</u>	11
<u>9</u>	<u>PERMITS – CLASSES</u>	12
<u>10</u>	<u>PERMIT APPLICATIONS</u>	13
<u>11</u>	<u>INFORMATION REQUIRED IN A PERMIT APPLICATION</u>	16
<u>12</u>	<u>USRN</u>	16
<u>13</u>	<u>PERMIT CONDITIONS</u>	18
<u>14</u>	<u>GRANTING OF PERMITS</u>	20
<u>15</u>	<u>CANCELLATION OF A PERMIT</u>	24
<u>16</u>	<u>FEES</u>	24
<u>17</u>	<u>SANCTIONS</u>	25
<u>18</u>	<u>DISPUTE RESOLUTION</u>	26
<u>19</u>	<u>REGISTERS</u>	27
<u>20</u>	<u>PERMIT SCHEME MONITORING</u>	27
<u>21</u>	<u>APPENDIX A: DEFINITION OF TERMS</u>	30
<u>22</u>	<u>APPENDIX B: PERMIT FEES</u>	36

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Foreword

The North Yorkshire Permit Scheme is a Single Permit Scheme for the purposes of Part 3 of the Traffic Management Act 2004 (TMA) and the Traffic Management Permit Scheme (England) Regulations 2007 as amended (the Permit Regulations).

The Permit Scheme

Background

Part 3 of the Traffic Management Act 2004 (TMA) introduced Permit Schemes as a new way in which activities in the public highway could be better managed and to improve Authorities' abilities to minimise disruption from street and road works.

The Permit Scheme

This Permit Scheme, to be known as the **North Yorkshire Permit Scheme (NYPS)**, and hereinafter referred to as the 'Permit Scheme', is made under on Part 3 of the TMA and has been prepared in accordance with the Traffic Management Permit Scheme (England) Regulations 2007 as amended, (the Regulations), and has been prepared with regard to the Statutory Guidance issued by the Secretary of State to assist Highway Authorities wishing to become Permit Authorities and in accordance with the requirements set out in the Regulations.

The Deregulation Act 2015 (the 2015 Act) received Royal Assent on the 26 March. The 2015 Act provides that a scheme previously given by a Statutory Instrument (SI) made by the Secretary of State is to be treated as if it had been given effect by an Order made by the Highway Authority under the amended Traffic Management Act. From 30th June 2015 authorities making or varying a scheme will do so by Order.

The Permit Scheme will be operated solely by North Yorkshire Council as a Single Permit Scheme.

Promoters should make themselves aware of Part 3 of the Traffic Management Act 2004 ("TMA") (Sections 32 to 39) and the Traffic Management Permit Scheme (England) Regulations 2007 ("the 2007 Regulations"), Statutory Instrument 2007 No. 3372 made on 28 November 2007, as amended by the Traffic Management Permit Scheme (England) (Amendment) Regulations 2015, Statutory Instrument 2015 No. 958 made on 26 March 2015 ("the Amendment Regulations"). All current NRSWA and TMA legislation, codes of practice, etc. and any future amendments to that legislation, that may apply to this Permit Scheme.

The Permit Scheme has taken into account and will support, wherever possible, UK national infrastructure projects including:

- Airport expansion.
- High speed rail.
- Nationwide full fibre broadband by 2033.
- Half of the UK's power provided by renewables by 2030.
- Three quarters of plastic packaging recycled by 2030.
- Preparing for 100 per cent electric vehicle sales by 2030.
- Ensuring resilience to extreme drought; and
- A national standard of flood resilience for all communities by 2050.

The Permit Authority

The Permit Scheme will be operated as a Single Permit Scheme by North Yorkshire Council, as the Highway Authority for North Yorkshire, hereinafter referred to as the 'Permit Authority'.

Activities

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

For consistency, the generic term ‘activities’ has been used rather than “works” to reflect the fact that the Scheme may eventually cover more than street and road works in subsequent Regulations. These are the specified works as set out in the Regulations.

The term ‘Promoters’ will be used for both Statutory Undertakers (including Utility companies) and the Highway Authority.

A glossary of the main terms contained within this document is provided in Appendix A.

Relationship to NRSWA

Permit Schemes provide an alternative to the existing notification system of the New Roads and Street Works Act 1991 (NRSWA), whereby instead of informing a Highway Authority about its intention to carry out works in its area, a Statutory Undertaker has to book time on the highway by obtaining a Permit from the Permit Authority.

Under a Permit Scheme, the activities undertaken by the Highway Authority, its partners or agents are also treated in exactly the same way as a Statutory Undertaker.

The Permit Authority may apply conditions which impose constraints on the dates and times of activities and the way that work is carried out can be attached to Permits.

The Permit Authority’s control over variations to Permit conditions, particularly time extensions, gives a greater incentive to complete activities on time.

A Highway Authority may choose to implement a Permit Scheme on all or some of the roads under its control.

Equivalent definitions

As the Permit Scheme will operate alongside NRSWA, the same or equivalent definitions and requirements are used as in the NRSWA notice system, namely:

Registerable activities/works

Categories of activities/works, (major, standard, minor and immediate activities/works)

Street gazetteers, including street referencing by means of a Unique Street Reference Number (USRN) and Associated Street Data (ASD)

Street reinstatement categories as defined in the NRSWA Reinstatement Specification

The distinction between main roads and minor roads where such distinctions are relevant.

Streets designated as Protected Streets, streets having Special Engineering Difficulties, (SED), or a Traffic Sensitive Street

Changes to NRSWA legislation

Where it is implemented on the specified streets, (*See 0 below*), and in accordance with the Regulations, the Permit Scheme will result in the disapplication and modification of the following sections of the NRSWA:

Sections of NRSWA disappplied: s53; s54; s55; s56; s57; s66

Sections of NRSWA modified: s58; s58A; s64; s69; s73A; s74; s88; s89; s90; s93; s105; Schedule 3A

Regulations modified: The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007 SI 2007/1951

Changes to Section 58 (restrictions on works following substantial road works) and Section 74 (charges for occupation of the highway where works are unreasonably prolonged) apply only to Statutory Undertakers activities.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

The Permit Scheme makes arrangements so that similar procedures are followed for Highway Authority Promoter activities in relation to timing and duration, in order to facilitate the operation of the Permit Scheme.

To ensure parity of treatment for all Promoters, reports will be produced for both Statutory Undertakers and Highways Authority works so direct comparisons of applied procedures can be made.

Before varying or revoking the Permit Scheme, the Permit Authority shall consult the persons referred to in regulation 3(1).

Objectives of the North Yorkshire Permit Scheme

The NYLRS seeks to limit the amount of disruption to North Yorkshire roads by co-ordinating all works as effectively as possible.

All activities on highways can reduce the width of the street available to traffic, pedestrians and other users and can also inconvenience businesses and local residents. The scale of disruption caused is relative to the type of activities being undertaken and the capacity of the street. Activities where the traffic flow is close to, or exceeds, the physical capacity of the street will have the potential to cause congestion, disruption and delays.

The objective of the North Yorkshire Permit Scheme is to improve the strategic and operational management of the highway network through better co-ordinating, planning, scheduling and management of activities to minimise disruption to all highway users.

The North Yorkshire Permit Scheme will enable better co-ordination of activities throughout the highway network, ensuring those competing for space or time in the street, including traffic, to be resolved in a positive and constructive way.

The objectives and benefits of the North Yorkshire Permit Scheme are:

- Reduced disruption on the road network
- Improvements to overall network management
- A reduction in delays to the travelling public
- A reduction in costs to businesses caused by delays.
- Promotion of sustainable communities and businesses
- Promotion of a safer environment
- Reduced carbon emissions

The Permit Scheme objective will be facilitated by improving performance in line with the Authorities' Network Management Duty in relation to the following key factors:

- Enhanced co-ordination and co-operation
- Encouragement of partnership working between the Permit Authority, all Promoters and key stakeholders
- Provision of more accurate and timely information to be communicated between all stakeholders including members of the public
- Promotion and encouragement of collaborative working
- Improvement in timing and duration of activities particularly in relation to the busiest streets within the network

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

- Promotion of dialogue with regard to the way activities are to be carried out.
- Enhanced programming of activities and better forward planning by all Promoters

Scope of the Permit Scheme

Area covered by The Permit Scheme

The Permit Scheme applies within the Council boundaries of North Yorkshire.

Definition of the term “Street”

For the purposes of the Permit Scheme, the term “street” refers to that length of road associated with a single Unique Street Reference Number (USRN). Where a single street on the ground has more than one USRN, separate Permits will be required for each USRN to which an activity relates (activities being the specified works as set out in the Regulations).

Streets covered by the Permit Scheme

The Permit Scheme will apply to all streets identified on the National Street Gazetteer (NSG).

The Permit Authority will create, maintain and publish the Street Gazetteer to Level 3.

The Street Gazetteer will be available to all Promoters via the National Street Gazetteer Concessionaire’s website.

Motorways and Trunk Roads

Motorways and trunk roads in North Yorkshire for which National Highways is the Highway Authority are excluded from the Permit Scheme.

Non-maintainable highways

Privately maintained streets and other roads not maintained by National Highways are not included in the scheme but will be added if they are subsequently adopted by the Highway Authority and shown as such in the Street Gazetteer.

Streets to be adopted as a maintainable highway.

Where a street is expected to become a maintainable highway, controls on specified activities under the Permit Scheme will only apply after the street has become a maintainable highway.

Activities Covered by the Permit Scheme

Activities requiring a Permit.

The Permit Scheme controls the following activities undertaken on the public highway and as defined as Registerable Activities in Chapter 9 of The Code of Practice for Permits 2008:

- i. Street works as in Part 3 of NRSWA, as defined by s48, except for works by licensees under section 50 of NRSWA.
- ii. Works for road purposes as defined by section 86 of NRSWA – maintenance and improvement works to the road itself, carried out by, or on behalf of, the Highways Authority
- iii. Major Highway Works (including Developer activities under Section 278 of the Highways Act 1980)
- iv. Other activities that may be introduced under future regulations

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

The following activities defined in the Regulations as specified works are Registerable for all Promoters and information related to them has to be recorded on the register (See *section 0*):

- i. Involve the breaking up or resurfacing any street (including tunnelling and boring under the street) (see below for pole testing and coring involving excavation).
- ii. Involve opening the carriageway or cycleway of traffic-sensitive streets at traffic-sensitive times.
- iii. Reduce the lanes available on a carriageway of three or more lanes.
- iv. Require a temporary traffic regulation order or notice, or the suspension of pedestrian facilities.
- v. Require a reduction in the width of the existing carriageway of a traffic-sensitive street at a traffic-sensitive time.

Works for Road Purposes

The requirements of the Permit Scheme apply equally to both works undertaken by the Highway Authority and Statutory Undertakers with the one exception that fees will not be charged for Permits issued for the Highway Authority's own works for road purposes.

To demonstrate parity of treatment for all Promoters, particularly between the Highway Authority and Statutory Undertakers, Key Performance Indicators will be used.

Highway Authorities and Promoters of works for road purposes must ensure that they have followed the equivalent PAA and Permit application processes for activities and declare that they have fulfilled these requirements in their applications.

Street lighting

The definition of works for road purposes may include some works carried out by Undertakers, such as street lighting. It is for Promoters to ensure that Permit applications for such activities are made, and that the activity is registered, as appropriate.

Exempt Activities

Certain types of activities are exempt from requiring a Permit.

Non-Registerable activities

The following activities are non-Registerable and do not require a Permit:

Traffic Census Surveys

- Traffic census surveys have deliberately not been included as disclosure of this information prior to a census taking place can encourage a change to the normal pattern of traffic flows.

Pole testing

- Pole testing involving excavation requires registration and therefore needs a permit; as would be the case with other excavations, when one or more of rules 2 – 6 above apply. However, in all circumstances the work must be registered using section 70 (3) under NRSWA for the purpose of reinstatement inspections within 10 days of completion.

Fire service vehicles

- Fire service vehicles occasionally need to be parked adjacent to fire hydrants when these are being tested. These operations are exempt from the

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

requirement to obtain a Permit, provided the work is done outside traffic-sensitive periods.

Other activities that do not require a Permit:

Replacing manhole or chamber covers - that do not involve breaking up the street
Replacing poles, lamps, columns or signs in the same location where that does not involve breaking up the street
Bar holes

Activities not requiring a Permit before they start

Immediate activities do require a Permit but as such works are concerned with emergency or urgent situations, a Promoter can start work before applying for a Permit provided, they apply for a Permit within 2 hours of the works commencing.

If the work commences out of working hours, then a Permit must be applied for by 10am the next working day (*See section 0*)

Activities for which no Permit is required

Activities executed in a street pursuant to a street works licence issued under section 50 of the NRSWA are not included in the Permit Scheme but will have to follow the normal NRSWA procedures.

Permits – General

Requirement to obtain a Permit

Any Promoter of specified activities who wishes to carry out such an activity on a specified street **must** obtain a Permit from the Permit Authority. The Permit will allow the Promoter to:

Carry out the specified activity
At the specified location
Between the dates shown and for the duration shown
Subject to any conditions that may be attached or required

Application requirements

Each application for a Permit must include the information indicated in section 0.

Activities covering several streets

An application can only be for one street.

Where the specified activity involves a number of specified streets, a separate PAA or Permit will be required for each street.

Permit applications for specified activities covering more than one specified street shall be cross-referenced to all related applications.

Fees for specified activities which involve several Permits will be discounted where the applications are submitted together on the same day.

Phasing of Activities

One permit can only relate to one phase of an activity. A phase of an activity is a period of continuous occupation of the street (whether or not work is taking place for the whole time) between the start and completion of the works, for example a separate permit would be required for interim, permanent and remedial reinstatements.

The dates given in a permit application and in the issued permit will denote the dates for that phase. A phase can end only when all the plant, equipment and materials, including

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

any signing, lighting and guarding have been removed from the site and the highway is returned to full use.

A Promoter must clarify when an activity is to be carried out in phases on the application. Each phase will require a separate permit and, if a major activity involving asset activity also a PAA, which will be cross referenced to the other permits.

Phased activities must relate to the same works, with applications submitted using the same works reference.

Linked activities

Linked activities carried out at separate locations in the same street must be treated as belonging to the same set of works.

If an activity involving more than one street forms part of one project in management and contractual terms, separate Permits and Provisional Advance Authorisations must be obtained for each street.

Customer connections associated with the installation of a new main or cable run, or the replacement or renewal of existing assets will be considered to be linked activities when the work is completed as a single occupancy of a single street. If an activity relating to the installation of customer connections is undertaken at a later date, then the Promoter shall apply for a separate Permit.

Interrupted activities

In the event of an activity being interrupted and delayed, for instance due to damage to a third party's plant or while missing apparatus is acquired. It is the responsibility of the Promoter to contact the Permit Authority to agree what action should be taken.

Where the Permit Authority is satisfied that the excavation can remain open while the repairs are implemented or the equipment obtained, then a variation will be required and an extension to the Permit will be granted.

However, where the Permit Authority considers that the opening should be reinstated, and the road returned to full traffic use then the Promoter will need to apply for a further Permit to complete the work at a later date. A Permit fee may be charged for the new Permit.

Cross Boundary Activities

Where a project with activities in more than one street straddles the boundary between the Permit Authority and an adjacent Permit Authority, separate Permit applications, including any PAA, should be submitted to both Authorities.

If a cross-boundary project involves activities on a street of a Street Authority operating a notice system under NRSWA, then the Permit application to the Permit Authority must identify the activity in the other Authority area so that the Permit Authority can liaise with them.

A single project reference should be included on applications and all notices so that both Authorities can consider the impact and co-ordinate the activities together.

Collaborative working

The Permit Authority encourages collaborative working between Promoters for both street works and works for road purposes. It is accepted that there are often issues in such arrangements, particularly contractual complications. Nevertheless, every opportunity should be sought to minimise the disruption to users of the highway.

Where two or more Promoters decide to enter into such arrangements, one must take on the role of the Primary Promoter with the overall responsibility for the activities and will be the point of contact with the Permit Authority. While the Secondary Promoter(s)

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

will be required to make a Permit application for the activity for which they are responsible, only the Permit application made by the Primary Promoter will need to show the number of inspection units.

The Primary Promoter's Permit application must give details of the other Promoter(s) involved and the extent of the collaborative working.

The Primary Promoter must also ensure that the estimates of works duration are agreed and confirmed with the Secondary Promoter(s) when submitting the PAA and/or Permit applications. This is necessary in order to comply with the overrun charging requirements in the Permit and NRSWA Regulations.

While the Permit Authority will issue Permits to all the Promoters involved, not just the Primary Promoter, the fees will be discounted to reflect the collaborative approach.

The Primary Promoter will backfill and reinstate the trench unless it has previously been agreed with the Permit Authority and the Secondary Promoter(s) that the Secondary Promoter(s) will carry out the reinstatement. In which case, the responsibility for the reinstatement will rest with the Promoter who undertook this work; however, the primary promoter will still be required to submit all the Notices for the works, including Registration of the reinstatement details.

Remedial works

In the event of remedial works being required after the expiry of a Permit, an application must be made for a new Permit. This Permit must be cross referenced to the Permit using the Works Reference Number for the original activity.

Start and end dates

In relation to category 0, 1, 2, and traffic-sensitive streets the planned commencement date and finishing date for the activity are the start date and end dates respectively on the permit. The permit will not be valid before the start date on the permit and will cease to be valid once the end date has passed unless a variation is granted.

In category 3 and 4 streets that are not traffic-sensitive, the permit will be issued with a start and end date and duration for the activity which is set as a condition. The start date of the permit will be the proposed start date of the activity. However, because both competition for space and the expected level of disruption is likely to be lower on less busy streets, there will be flexibility on the start of the activity - a "starting window" - equivalent to the validity period on a NRSWA notice. The starting windows are:

- i. 5 days for major and standard activities
- ii. 2 days for minor activities

The permit end date will therefore allow for the set duration to be completed if the activity starts on the last day of the starting window.

Early start

The Permit Authority will consider a Promoter's request for an early start before or after applying for a Provisional Advance Authorisation or a Permit application.

Where this is agreed, the Promoter shall submit a variation to a Permit, or in the case of a Provisional Advance Authorisation, include the revised dates on the application for the Permit. If the Permit has already been granted or deemed, a variation charge will apply.

A reference number will be issued by the Permit Authority and must be quoted on the Permit application or Permit variation application.

Requests for early starts may or may not be agreed by the Permit Authority at their discretion but will not be unreasonably refused, and it is the responsibility of the

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Promoter to satisfy the Permit Authority as to the necessity for any proposed early start.

Charges for over running street works

Charges for over running street works, under section 74 of the NRSWA, will be made alongside the Permit Scheme although these regulations are modified to incorporate the process of setting and modifying the duration of the activity through the Permit application, approval and variation processes.

Working without a Permit

It is an offence for a Statutory Undertaker, or a person contracted to act on its behalf to undertake activities without a Permit, except to the extent that the Permit Scheme provides that this requirement does not apply.

Where it is believed that such an offence is being committed, the Permit Authority may impose a fixed penalty notice and require the party concerned to remove the works and return the street to full use.

Permits - Types

Types covered by the Permit Scheme

There are two types of Permit covered by the Permit Scheme: Provisional Advance Authorisation (PAA) and Permits.

Provisional Advance Authorisation (PAA)

A PAA replaces the Advance Notice under section 54 of NRSWA.

PAAs are a means of enabling Major activities to be identified, co-ordinated and programmed in advance by allowing activities to be provisionally reserved by the Permit Authority pending the Authority's subsequent decision on whether, and with what conditions, to issue a Permit for the activities.

A Promoter who wishes to undertake Major activities, on a specified street **must** apply for a PAA at least 3 months in advance of those activities starting on the highway, or as agreed with the Permit Authority.

Subsequent applications for Permits for Major activities that have not been preceded by a PAA, will not, except in exceptional circumstances, be accepted by the Permit Authority.

Each application for a PAA will be limited to one street.

An application for a PAA must include a full description of the activity and specify start and end dates, although the start date may be considered as provisional and can be amended in the application for a final Permit.

A fee will be charged for the granting of a PAA in addition to the fee which is charged for the granting of the Permit.

The granting of a PAA does not prevent the Permit Authority from subsequently refusing to grant a Permit to which the PAA relates.

A copy of each application for a PAA is to be provided by the applicant upon request by a relevant Authority and by any person having apparatus in the street to which the application relates.

Permits

These are full Permits with complete details of the Registerable activities on a specified street.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

The information required to support an application for a PAA should be equivalent to, but should not exceed, that required in support of an application for a Permit.

The timing of Permit applications to the Permit Authority will depend on the proposed activity.

A copy of each application for a Permit is to be provided by the applicant upon request by a relevant Authority and by any person having apparatus in the street to which the application relates.

Permits – Classes

Classes covered by the Permit Scheme

There are four classes of Permit covered by the Permit Scheme: Major, Standard, Minor and Immediate.

Permits for Major Activities

Major activities are those which:

- i. Other than immediate activities, require a temporary traffic regulation order, (i.e. not a temporary traffic notice), under the Road Traffic Regulation Act 1984 for any other activities

Major activities are split into 3 sub-categories:

- a) Over 10 days and all major works requiring a temporary traffic regulation order
- b) Works 4 to 10 days and meeting the requirement detailed in 9.2.1 above
- c) Up to 3 days and meeting the requirement detailed in 9.2.1 above

Major Activity Permits are required for the most significant activities on the Highway and require the Promoter to obtain a Provisional Advance Authorisation as part of the application process for a Major Activity Permit. (See 0 above)

An application for a Major Activity Permit shall be submitted to the Permit Authority in accordance with the timescales given in Table 1 (*section 0* below) and must include a description of the proposed activity together with the proposed start and end dates of the activity. Where these differ from those given in the PAA application, the applicant must explain the reasons for any variation.

Major activities will be subject to conditions.

Permits for Standard Activities

Standard Activities are those activities that have a planned duration of between 4 and 10 days inclusive. Activities lasting less than 10 days but which require a traffic regulation order, such as a temporary road closure, will be classified as a Major Activity and will be subject to the requirements in 0 above.

An application for a Standard Activity Permit shall be submitted to the Permit Authority in accordance with the timescales given in Table 1 (*section 0*) below and must include a description of the proposed activity together with the proposed start and end dates of the activity.

Standard activities will be subject to conditions.

Permits for Minor Activities

Minor Activities are those activities, where the planned working is 3 days or less. Activities lasting less than 3 days but which require a traffic regulation order, such as a temporary road closure, will be classified as a Major Activity and will be subject to the requirements in 0 above.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

An application for a Minor Activity Permit shall be submitted to the Permit Authority in accordance with the timescales given in Table 1 (*section 0 below*) and must include a description of the proposed activity together with the proposed start and end dates of the activity.

Minor activities will be subject to conditions.

Permits for Immediate Activities

Immediate Activities are either:

- i. Emergency works as defined in section 52 of NRSWA; or
- ii. Urgent Activities,
 - a. (not being emergency works), whose execution at the time they are executed is required, (or which the person responsible for the works believes on reasonable grounds to be required)
 - b. To prevent or put an end to an unplanned interruption of any supply or service provided by the Promoter
 - c. To avoid substantial loss to the Promoter in relation to an existing service
 - d. To reconnect supplies or services where the Promoter would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period
 - e. Including works that cannot reasonably be separated or severed from such works

Given the nature of immediate activities, work may commence without a Permit. However, where it is necessary to carry out excavation in the Highway, Promoters of such activities must contact the Permit Authority by telephone immediately if identified on the NSG.

Where the activity is identified within the normal working day (i.e. after 08.00 hours and before 16.30 hours), a Permit application must be made as soon as reasonably practicable and in any event, within two hours of the activity starting.

If work starts outside of working hours, an application for a Permit must be submitted by 10am the next working day.

If the Permit Authority disputes whether an activity, or part of an activity, is immediate, the Promoter must demonstrate conclusively that it is.

Immediate activities will be subject to conditions.

Permit Applications

Application Timing and Response Times

The timing of applications for Permits and PAAs and the Permit Authority's response will vary according to the proposed activity. The **minimum** times are given in Table 1 Section 10.7 below and Promoters should give as much notice as possible to ensure that the co-ordination process can be facilitated effectively.

Where the activity is dependent on a Temporary Traffic Regulation Order (TTRO), temporary traffic signal approval, or the suspension of parking regulations, the relevant timescales should be taken into account by the Promoter, and applicants are advised

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

to submit their requests for TTROs and/or temporary traffic signal approval when applying for a PAA.

The application process will begin at the time of receipt of the application by the Permit Authority. The Street Manager system will provide an auditable record of when an application was received.

The Permit Scheme sets down the application and response times for dealing with Permit applications and variation applications in Table 1 below.

In all cases given in Table 1 Section 10.7 below, the time period is measured from the time of receipt of the application by the Permit Authority.

A “response” means a decision to grant, refuse or request a modification to a Permit. Where there are reasons why the Permit cannot be granted in the terms applied for, the response indicating that a Permit will not be granted in those terms will explain the reasons to the applicant.

Submitting an application

Permit and PAA applications must be made electronically, complying with the required system for electronic information sharing and data collection, that is, Street Manager.

System failure

In the event of a system failure, Promoters shall adopt the following procedure:

- i. Where after three attempts to give an application or a notice by Street Manager (duly recorded by the person serving the application or notice), the application or notice cannot be given, notification should be given by telephone, email or fax for immediate activities with formal Street Manager application or notice following as soon as reasonably practicable
- ii. Other applications or notices may be given by other electronic means, (e.g. e-mail or fax), or may be sent by post or delivered by any other method agreed with the Permit Authority
- iii. Following recovery of the service a copy of the application or notice should be sent through Street Manager to ensure information on the works is correctly recorded in the register
- iv. Where applications or notices are sent by post, Promoters should take into account that there is no guarantee that they will be delivered to the Permit Authority the next day
- v. A delivery mechanism that includes a delivery receipt is recommended

In regards to variations during a system failure, Promoters should make contact with the Permit Authority by telephone.

The Permit Authority will issue an individual reference number. This number must be included in the electronic application through Street Manager following recovery of service to ensure correct cross-referencing.

Notification to interested parties

Where the NSG indicates other interested parties, Permit applications will be copied to those parties by the Permit Authority.

Promoters are required to check whether any parties have registered such an interest prior to submitting an application for a Permit or PAA.

Consultation requirements

Promoters must carry out the necessary consultations as set down in sections 88, 89 and 93 (as amended) and sections 90 and 91 of the NRSWA.

APPENDIX 2
North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Table 1 – Application timings

Activity Type	Minimum application periods ahead of proposed start date		Minimum period before Permit expires for application for variation (including extension)	Response times for issuing a Permit or seeking further information or discussion		Response times for responding to applications for Permit variations
	Provisional Advance Authorisation	Application		Provisional Advance Authorisation	Application	
Major	3 months	10 days	2 days or 20% of the original duration whichever is the longer	28 calendar days	5 days	2 days
Standard	N/A	10 days		N/A	5 days	
Minor	N/A	3 days		N/A	2 days	
Immediate	N/A	2 hours after		N/A	2 days	

Refusal of application

Whilst the Permit Authority cannot refuse legitimate activities the Permit Authority reserves the right to refuse or request a modification to an application for a Permit or PAA where it considers that elements of the application (e.g. timing, location or conditions) are not acceptable. Grounds for refusal are detailed below at section 14.4.

If the Permit Authority decides to refuse the application or request a modification, it will contact the Promoter within the response time given in Table 1 above to explain why the application is not satisfactory and what amendments are needed in order to achieve a successful application.

Restrictions on further activities

Where a Promoter wishes to apply for a Permit to carry out specified activities on a specified street where a Section 58 or 58A Notice under NRSWA is in force, and the activities are not covered by the specific exemptions of that notice, the Promoter must make an application for the Permit Authority’s consent specifying the grounds on which the consent is sought.

Error correction

Where the Permit Authority identifies an error in data recorded in, or submitted for recording in, the Permit register, it will contact the Promoter to discuss and agree the corrections to be made.

Where the Promoter identifies an error, they will contact the Permit Authority to discuss and agree the corrections to be made. If an error has been identified on an application, the Promoter shall submit a Permit variation request by the end of the next working day following the agreement of the correction.

This Permit variation request should include the corrected data and the name of the person in the Permit Authority who agreed that the correction should be made.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

The error correction process is described in Street Manager.

This procedure cannot be used without the prior agreement of both parties.

A variation fee will be payable where the identified error has been caused by the Promoter.

Information Required in a Permit Application

Permit Authority requirements

To enable the Permit Authority to determine the granting of a Permit and any conditions that may be attached to the Permit, Promoters may be required to supply the following information which is covered in more detail below:

- Contact details
- USRN
- Description of activity
- Location
- Timing and duration
- Illustration
- Technique to be used for underground activities
- Traffic management and traffic regulation orders
- Depth
- Reinstatement type
- Inspection units

Regulation 9(3A) of the 2007 permit regulations requires permit schemes to specify that applicants provide such supplementary information as is known by the applicant as part of the permit application, when it is initially made. This supplementary information should cover activities the applicant is aware of and which are ancillary to the works to which the permit application relates, and which it would be helpful for the authority to be aware of for network management and coordination purposes. National condition (NCT03 activities ancillary to those permitted - supplementary information will apply if there are changes to ancillary activities (that is, related to the works permitted) that become known about within the duration of the permit. In these cases, the authority must be notified of changes via Street Manager.

In the case of Provisional Advance Authorisation applications, the Promoter should provide the most accurate information available at the time of making the application.

Quality of the information provided will allow the Permit Authority to make an informed decision and co-ordinate the activity effectively.

Contact person

All Permit applications must include the contact details, if different from the normal contact number, of the person appointed by the Promoter to deal with any problems that may occur during the activity, including any provision made for out-of-hours contact of the Promoter.

This must include details for Secondary Promoters if collaborative working is in place.

USRN

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Where a single street has more than one Unique Street Reference Number (USRN), separate Permit applications will be required for each USRN to which an activity relates.

Description of activity

A sufficiently detailed description of the activity, in plain English, must be provided to allow the Permit Authority to assess the impact of the activity.

In regards to collaborative working, all Promoters must be identified and details of the scheme must be provided.

Location

The Promoter must give an accurate location based on National Grid References, (NGR).

In the case of Major works, start and end NGRs must be supplied as a minimum. If the proposed works deviates from a straight line, for example, follow the curvature of a street, a poly line (line centre of site) will be preferred.

For Standard, Minor and Immediate works, a centre point NGR must be supplied as a minimum. As with Major works, a poly line will be preferred when:

- i. The activity or trenches are expected to be over 10 metres in length
- ii. Activity locations on the application in the same street are separated
- iii. Activity areas or trenches deviate from a straight line

In addition, and if required, dimensions should be given of the space that will be taken up by the activity in the street including space for the storage of materials, working space, safety zone, provision for pedestrians and traffic management.

Timing and duration

Each Permit application must include the proposed start and end dates of the activity and the times of the day when the activity is to be carried out. The applicant must also indicate if it is intended for work to continue over weekends and bank holidays and if night working is required.

Illustration

It is particularly important that an illustration is provided for Provisional Advance Authorisation applications and Major Activity Permit applications.

Illustration(s) of the works should include details of the activity and the extent of Highway occupancy. The illustration will comprise plans, sections, digital photographs and similar material as appropriate.

Illustrations must also be submitted with the application for standard and minor activities where the activity is significant in terms of potential disruption due to the position and size of the activity, or where the Permit Authority consider an illustration is necessary.

Technique to be used for activities

Details of the planned techniques, including open cut, trench share, minimum dig technique or no dig must be provided. This information should be provided in Street Manager.

Traffic management and Traffic Regulation Orders

The Promoter must supply full details of their traffic management proposals including any requirement for action by the Highway Authority such as the need for Temporary Traffic Regulation Orders (TTROs) and approval for portable light signals. Evidence of application/agreement for a TTRO must be provided with the PAA/Permit application.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

In the case of the suspension of a parking bay being required, an application by the Promoter must be made to the Highway or Permit Authority as Parking Authority. This must be separate from any Permit application and evidence of the agreement by the relevant Parking Authority must be included in the Permit application.

Applicants should be aware that such action by the Highway Authority may involve additional costs and Promoters should familiarise themselves with the timescales relating to TTRO and parking applications.

Depth

Promoters must provide their best estimate of the excavation depth of the activity. This may be expressed as a range where appropriate.

Reinstatement type

Where the activity is completed with an interim reinstatement, a separate Permit application will be required for the permanent reinstatement where this is to be undertaken outside the duration of the Permit.

Inspection units

The Promoter is required to indicate the provisional number of inspection units appropriate to the activity in accordance with the rules laid down in the Inspections Code of Practice and in The Street Works (Inspection Fees) (England)(Amendment) Regulations 2004.

Where there is trench sharing, only the Primary Promoter is required to give the inspection units.

Permit Conditions

Applying Conditions

The Permit Scheme allows for the attaching of conditions to Permits. These will be specified in detail on the Permit and will reflect any constraints on the original application.

Not all types of conditions will necessarily be applied to all Permits or PAA's.

In general, conditions will be varied for each Permit, as each set of circumstances will be different. The detailed 'Standard' wording of all conditions will be made available to all Promoters as a separate document.

However, the Permit Authority can define conditions that will be applied to all Permits.

The Promoter should endeavour to have a copy, either electronic or hard copy, of the current Permit on site for inspection.

The types of conditions which the Permit Authority may attach are;

- i. days on which permit works may not be carried out
- ii. times of day during which permit works may not be carried out.
- iii. the area (including areas not forming part of the street) which may be occupied in connection with the permit works
- iv. the prohibition or restriction of traffic pursuant to orders or notices under section 14 of the Road Traffic Regulation Act 1984 (temporary prohibition or restriction on roads) (a)
- v. traffic management arrangements to be made in connection with the permit works (including arrangements for the particular benefit of persons with a disability)
- vi. the manner in which the specified works are to be carried out

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

- vii. consultation and publicity in relation to the specified works, including the display of information at the location of those works; and
- viii. notification of progress in relation to the specified works

Conditions applied to ALL Permits

North Yorkshire Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time.

Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes but will inform stakeholders of their implementation date for use within our permit scheme.

It must be noted that a Permit cannot be varied after it has expired (passed the permit end date). The activity promoter may be working illegally during this period.

Requirements for Immediate Activities

Promoters of such activities must contact the Permit Authority by telephone immediately if identified in the NSG.

The Promoter shall submit an application for a Permit within two hours of beginning work. If work starts outside of working hours, an application for a Permit must be submitted by 10am the next working day.

A full description of works being carried out must justify why the activity has been categorised as immediate works.

The Permit Authority may impose further conditions prior to the granting of a Permit where this is required. Imposing such conditions will be in discussion with the Promoter of the activity and will be included in the subsequent granted Permit.

The promoter must submit an amended application with the required conditions, which can then be granted.

Once granted, the Permit reference number must be prominently displayed on the site information board for each set of works.

Breach of conditions

If the Permit Authority considers that a Promoter is failing to comply with the conditions of a Permit, then it may revoke the Permit. Before revoking a Permit, the Permit Authority will contact the Promoter to warn them of its intention and allow the situation to be discussed.

Where it appears to the Permit Authority that a condition has been breached and that the Promoter or a person contracted to act on its behalf has therefore committed an offence it will take action as described in 0.

Avoidance of conflict with other legislation

The Promoter should bring such conflicts to the attention of the Permit Authority who will then be responsible for resolving the issue with the other legislative bodies or groups that may be involved and amending the Permit conditions accordingly.

If the Promoter has safety concerns about conditions set by the Permit Authority it should raise these concerns with the Permit Authority and if necessary, challenge the condition.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

It is a criminal offence for a Statutory Undertaker, or a person contracted to act on its behalf to breach a Permit Condition.

Any person guilty of an offence under this Regulation is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Granting of Permits

Timing of Permit issue

Where an application for a Permit meets the relevant requirements of the Permit Scheme, the Permit Authority shall grant the permit.

Where the Permit Authority is content with the proposal and the application meets the requirements of the scheme it will grant a Permit within the response times detailed in Table 1 Section 10.7 above via Street Manager.

Issuing of Permit

A Granted Permit will be issued electronically in accordance with the formats given in the Technical Specification for Street Manager with the details placed on the Permit register and copies supplied to any Promoter, Authority or other relevant body that has asked to be informed about activities on a particular street.

The Permit will specify in detail the activity it allows and its duration. The start and end dates will be in calendar days to prevent any ambiguity over the duration of the Permit.

Permit refusal

If, after careful consideration, the Permit Authority decides to refuse the PAA or Permit application, the refusal will be issued electronically via Street Manager and where possible using sector agreed refusal codes as approved by HAUC England and will comply with relevant national guidance. An explanation of refusal will be given and discussions with the Promoter may be held regarding amendment to the application.

Grounds of Refusal

The following are non-exhaustive examples of matters that are likely to lead to applications being refused or subject to requests for further information or modification to address them.

Overlapping Activities; Where other activities are scheduled to take place in the same street, or other streets affected by the proposed activity, at the same time, the Authority may refuse a Permit for the period requested but propose to grant it for different times. Information about some other activities is available to the Promoter through the Permit register, so in such situations the Promoter must contact the Authority to discuss acceptable options before applying for a Permit.

Timing and Duration; An activity Promoter must ensure when making an application for a Permit that the proposed duration of the activity takes into account both his legitimate need to complete the activity in an efficient and economic manner and the legitimate interests of other users of the highway.

The Permit Authority may query the proposed duration, for example on the grounds that:

- i. it can be completed more speedily or, that realistically, not enough time has been allowed; or,
- ii. that the specific dates and times proposed may clash with other proposed activities or events which occupy road space, in such a way as to be likely to cause an unacceptable level of disruption.

Location of Activity; A Permit must specify the location where the activity is to take place. The Permit Authority may refuse to issue a Permit due to the proposed location of the

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

activity. This is a similar power to that under Section 56A of NRSWA i.e. where the location of a proposed activity is unacceptable to the Authority because the street in which the works are proposed is already heavily congested with underground services, or has an important traffic function, yet does not warrant protected street status.

Refusals on this basis would only apply;

- i. in relation to the installation of new apparatus - it cannot be used to require existing apparatus to be moved, or
- ii. where disruption would be reduced by installing the apparatus in an alternative street where it is reasonable to use the alternative street or a different location within the same street.

Right of appeal

The Promoter has a right of appeal, in accordance with the Dispute Resolution process set down in Section 0 if it is unable to reach agreement with the Permit Authority over the terms it requested or the conditions attached. In the case of immediate activities, it may be that the work has to stop, subject to safety and legal considerations, such as Health and Safety legislation, until the issues are resolved.

Permit application deemed to be approved

If the Permit Authority fails to reply to an application for a Permit or PAA within the designated response times, the Permit or PAA is deemed to be granted under the terms of the application.

The proposed start and end dates, description, location, duration, traffic management, etc, will be included in the Permit and associated conditions for the activity. This detail will then be binding on the Promoter as it would have had the Permit been issued within the timescale. Breaching the conditions will constitute an offence.

No fee will apply to deemed Permits.

Review, Variation and Revocation of Permits and Permit Conditions

Once a Permit has been issued, the Promoter should have reasonable confidence that the road space will be available for them. However, circumstances beyond the Permit Authority's control may occur which may cause the Authority to review the Permit and as a result, may lead to the conclusion that the Permit or its conditions need to be changed or revoked.

The Permit Authority's policy is to avoid making such changes other than in exceptional circumstances which could not reasonably have been predicted or where the impact is significant. Such events may include floods and other adverse weather conditions, burst mains, dangerous buildings, etc. which may result in traffic being diverted onto the road where the activity was underway or about to start.

As soon as the Permit Authority is aware that it may be necessary to vary or revoke a Permit, it will contact the Promoter to discuss the best way of dealing with the situation.

Where a granted Permit is revoked by the Permit Authority, a refund will be given if the revocation is not the fault of the Permit holder.

Permit Authority powers

Within the Permit Scheme, the Permit Authority has the power, under Regulation 15 of the Traffic Management Permit Scheme (England) Regulations 2007, to review, vary or revoke Permits and Permit conditions on its own or a Promoter's initiative. However, the Permit Authority is under no obligation to let activities run beyond the Permitted period.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Any activities that exceed the Permitted duration will be committing an offence and could be subject to section 74 overrun charges.

Promoter Revocation

If a Promoter wishes to cancel a Permit or withdraw a Permit application for which they have no further use or seeks a revocation of a Permit condition, they should use the voluntary cancellation notice detailed within Street Manager.

Changes to a Provisional Advance Authorisation

A PAA cannot be varied once granted.

Where a PAA has been given but a full Permit has not been issued and the proposals change, the Promoter must inform the Permit Authority immediately of the proposed changes and a revised application for a PAA or Permit should be made.

Changes to Permits

If the Permit Authority considers a variation necessary, then it should contact the Promoter to discuss the best way of dealing with the situation whilst meeting the co-ordination duties and other Statutory Requirements of those involved. Good co-ordination and co-operation between Promoter and the Permit Authority will minimise the time that the Authority needs to vary Permits or their conditions. This will be in the interests of all parties.

This discussion may lead to an agreement on the variation required. In that case, the Permit Authority will then issue a revised Permit on those terms unless, by agreement, the Promoter applies for a Permit variation. The latter may be more appropriate if the Promoter needs to reconsider elements of its plans within the parameters agreed with the Permit Authority.

Any application must include, in all cases, the proposed dates and duration and any other conditions of the activity.

Avoidance of criminal offence

Variations should be sought as soon as changes are identified to avoid a criminal offence being committed by work being undertaken without a Permit or outside of the conditions associated with that Permit.

Suspending or Postponing an activity

If a Promoter would like to start an activity at a later date after a Permit has been approved, a Permit variation will need to be applied for and a new Permit be issued, unless the promoter can still complete the activity by the existing permit end date. There is no option to suspend or postpone an activity.

Review of Permit by Permit Authority due to circumstances outside its control

The Permit Authority may review the Permit and associated conditions in the event of circumstances beyond its control having a significant disruptive effect at the location of the activity.

No fee will apply for Permit variations initiated by the Permit Authority unless, at the same time, the Promoter applies for variations which are not the result of the circumstances causing the Permit Authority's action.

Timing of variations

Applications for variations may be made a minimum of two days before the permit end date and the Promoter must telephone before submission of a variation if after that date.

If a variation is to be made a minimum of two days before the permit end date, the Promoter is encouraged to telephone the Permit Authority to discuss prior to submitting a variation and only apply, again electronically, if the Authority is so prepared.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Variations for Immediate Activities

In the event of immediate activities requiring a series of fault-finding excavations or openings, for example locating a gas leak, the following procedure shall apply where it is necessary to undertake works beyond the initial excavation or opening covered by the first application.

As they are immediate works, the Promoter will submit the first Permit application within two hours of starting work. That first application will contain the location of the initial excavation or opening:

- i. For any further excavations or openings on the same street within 50 metres of the original hole, the Promoter is encouraged to telephone the Permit Authority with the new location. No Permit variation will be needed, and no variation charge will apply
- ii. The Promoter will have to apply for a Permit variation for the first excavation in each new 50 metre band away from the original hole in the same street, i.e. 50-100 metres, 100-150 metres, etc. Standard variation charges will apply, however the Permit Authority may use their discretion to waive these charges.
- iii. For additional excavations within each band, the Promoter is encouraged to telephone the Permit Authority with the new location. No Permit variation will be needed and no variation charge will apply
- iv. If the search carries into a different street or a new USRN, (including if the street changes to a different Authority), then a separate Permit application will be needed

Conditions for these activities may be varied to take into account the fact that a new location, even within the permissive bands, can be more disruptive

Information required for variation applications

Applications for Permit variations must contain the following information as applicable:

- i. The Works reference number
- ii. The revised timescale
- iii. Any change to the description of the activity
- iv. A revised illustration
- v. Any change to the method of excavation
- vi. Any variation to the depth of the excavation
- vii. Any changes to the reinstatement method
- viii. Any changes to the conditions
- ix. Any changes to Traffic Management including TTROs

If an Agreement cannot be made

If agreement cannot be reached regarding a variation, the Permit Authority may refuse the variation application and, if appropriate, issue an Authority imposed variation on the terms it considers reasonable. If the Promoter disagrees with the decision, it will have the option to invoke the dispute resolution procedure (See Section 0)

Review of Permit due to non-compliance by the Promoter

If the Permit Authority considers that a Promoter is failing to comply with the conditions of a Permit, then it may revoke the Permit or issue a Fixed Penalty Notice (FPN).

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Before revoking a Permit, the Permit Authority will contact the Promoter to warn them of its intention and allow the situation to be discussed.

Working after a Permit has been revoked

A Promoter will be committing an offence if it continues to work after a Permit has been revoked.

Cancellation of a Permit

Cancellation Notice

If a Promoter wishes to cancel a Permit for which it has no further use, or to cancel or withdraw an application that has been submitted but for which a Permit has not yet been granted, it should use the cancellation notice containing the relevant Permit number. There is no fee payable for this process, however Permits already granted will still be charged.

Fees

Permit Authority power to charge fees

To meet the additional costs of introducing and operating the Scheme, Regulation 30 gives the Permit Authority the power to charge a fee in respect of the following:

- i. The application for a PAA in respect of Major activities.
- ii. The issuing of a Permit.
- iii. Each occasion where there is a variation of a Permit or the conditions attached.
- iv. Where a Permit variation would move an activity into a higher category, the Promoter will be required to pay the difference between the Permit fee for the two categories as well as the Permit variation fee.

See Appendix B for fee details.

Fee Policy

The Permit Authority will charge Statutory Undertakers for the actions detailed in 0.

Fees will not be payable in the following circumstances:

- i. By the Highway Authority in respect of its own works for road purposes, however a record of the Permit and fee will be used for reporting purposes and fee reviews.
- ii. Any work undertaken on a fire hydrant.
- iii. Where a Permit is deemed to be granted because the Permit Authority failed to respond to an application within the time set down in Table 1 section 10.7 above.
- iv. Where a permit is granted but subsequently revoked by the Permit Authority before commencement of the specified works, the Permit Authority shall refund in full any fee charged in accordance with the regulations, provided the revocation is not the fault of the permit holder.
- v. Where a Promoter wishes to cancel a Permit for which it has no further use, or to cancel or withdraw an application that has been submitted but for which a Permit has not yet been granted.

Fee discounts will be given in the following circumstances:

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

- i. Where several Permit applications for works that are of part of the same project but which are carried out on more than one street, but on a scale comparative to one street, are submitted at the same time.
- ii. Where several Promoters are working within the same site and submit applications on the same day. Where the Highway Authority Promoter is collaborating with Statutory Undertakers, those Undertakers will be eligible for the discount.
- iii. Where works are undertaken wholly outside of traffic sensitive times on Traffic Sensitive Streets.

Rate of discount

A discount of **30%** will be applied in the above circumstances.

Option to waive or reduce fees

The Permit Authority retains the option to waive or reduce fees at its discretion.

Approved scale of fees

The current approved scale of fees is included in the order made by North Yorkshire Council for the Permit Authority to operate the Permit Scheme.

Processing of fees

Monthly invoices will be issued to each Promoter with all Permits referenced.

A summary may be issued to each Promoter every two weeks so amounts can be confirmed prior to the invoice being raised.

Sanctions

Permit Authority's Policy

The Permit Authority's policy of how it will employ sanctions is as follows:

Undertaking activities without a Permit

It is a criminal offence for a Statutory Undertaker, or a person contracted to act on its behalf, to undertake specified activities in a specified street in the absence of a Permit, except as set down in section 0.

Any person guilty of an offence under this Regulation is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Action by Permit Authority

Where a Statutory Undertaker or a person contracted to act on its behalf undertakes without a Permit, works for which a Permit is required, or breaches a Permit condition, the Permit Authority may take one or more of the following courses of action depending on the seriousness and persistence of the offences:

- i. Serve a notice requiring that Statutory Undertaker to take such reasonable steps as detailed in the notice to remedy the situation within a specified timescale
- ii. Where a Statutory Undertaker fails to comply with the requirements of such a notice within the timescale the Permit Authority may undertake the specified steps and recover the costs that are reasonably incurred from the Statutory Undertaker
- iii. Issue an FPN against the Statutory Undertaker
- iv. Prosecute the Statutory Undertaker

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Remedial action could include the removal of the activity; rectify the breach of conditions or discontinuing any obstruction.

In the event that the Permit Authority subsequently considers that an FPN which has been given ought not to have been given, it shall give to the person to whom that notice was given a notice withdrawing the FPN.

Any offences which run alongside to the Permit Scheme under NRSWA will still apply and action will be taken.

Dispute Resolution

Introduction

In order to achieve its objectives for the North Yorkshire Permit Scheme and its wider network management duty, North Yorkshire Council will operate its Permit Scheme in a manner that will encourage dialogue between the Permit Authority and Promoters.

In many cases this will lead to the setting of terms of Permits and conditions by agreement, but at times this may be at North Yorkshire Council's direction.

North Yorkshire Council recognises that on occasions there will be disagreements.

North Yorkshire Council as Permit Authority will always use their best endeavours to resolve disputes without having to refer them to a formal appeals procedure.

Incidence of Dispute Resolution

The dispute resolution procedures described below will be used where there are disagreements that cannot be resolved by informal discussion over requirements of the North Yorkshire Permit Scheme, including the need for a Permit, the terms of a Permit or the Conditions attached to a Permit. This could be in relation to an application for a Permit (including a PAA) or a Permit variation (whether initiated by the Promoter or North Yorkshire Council) and could arise before a Permit is issued, when the terms and conditions are still proposed, or after the Permit has been issued.

Appeals Procedure

If agreement cannot be reached locally on any matter arising in relation to the North Yorkshire Permit Scheme, the dispute will be referred for review on the following basis:

Straightforward issues

Where North Yorkshire Council and the Promoter(s) consider that the issues involved in the dispute are relatively straightforward, the matter will be referred to impartial members of the local regional HAUC (that is those not representing parties directly involved in the dispute) for review. That review should take place within five working days from the date of referral. North Yorkshire Council will accept the result as binding.

Complex issues

If North Yorkshire Council and the Promoter(s) involved in the dispute think the issues are particularly complex, HAUC (UK) will be asked to set up a review panel of four members - two Utilities and two Street Authorities. One of the four persons will be appointed as Chair of the panel by the HAUC (UK) joint chairs.

Each party must make all relevant financial, technical and other information available to the review panel.

The review would normally take place within ten working days from the date on which the issue is referred to HAUC (UK). North Yorkshire Council will accept the conclusions of the review panel as binding.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Adjudication

If agreement cannot be reached by the procedure above, the dispute can be referred to independent adjudication.

Adjudication within the North Yorkshire Permit Scheme will only be used if North Yorkshire Council and the Promoter(s) agree in relation to the matter under dispute, that

- a) the decision of the adjudicator is deemed to be final; and
- b) the costs of adjudication will be borne equally unless the adjudicator considers that one party has presented a frivolous case, in which case costs may be awarded against them.

Where the adjudication route is followed, North Yorkshire Council and the Promoter(s) will apply to the joint chairs of HAUC (UK), who will select and appoint the independent adjudicator from a suitable recognised professional body.

Registers

Register of Permits

The Permit Authority will maintain a register of Permits in connection with the Permit Scheme and in accordance with regulation 33 and 34, Part 7 of the Regulations.

The register will contain information about current and planned activities and will be available electronically to Promoters to assist them in planning and co-ordinating their own works at the earliest possible stage

Referencing of information

All information held in the register of Permits will be referenced to the USRN and the Permit register will be Geographic Information System (GIS) based.

Permit Scheme Monitoring

Monitoring and Evaluating the Permit Scheme

The Permit Authority will monitor the Permit Scheme to ensure that it demonstrates parity of treatment for all Promoters, particularly between Statutory Undertakers and the Highway Authority's own Promoters.

An internal evaluation of the scheme will take place after each of the first 3 years, then 3-yearly after that.

The evaluation will include actual data compared to the data used in the Cost Benefit Analysis.

The evaluations will be made available within 3 months of the anniversary of the Permit Scheme.

Use of Key Performance Indicators

Parity will be measured through Key Performance Indicators (KPIs). The following KPIs are mandatory and in addition, the Permit Authority will produce an annual set of KPIs identifying the treatment of individual Promoters.

As experience with operating the Permit Scheme is obtained, these additional KPIs will be developed in conjunction with the monitoring group referred to in 0

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Mandatory KPIs

KPI 1
<i>The number of Permit and Permit variation applications received, the number granted and the number refused</i>
This will be measured by Promoter and shown as: <ul style="list-style-type: none">• the total number of Permit and Permit variation applications received, excluding any applications that are subsequently withdrawn• the number granted as a percentage of the total applications made• the number refused as a percentage of the total applications made.

KPI 2
<i>The number of conditions applied by condition type</i>
This will be measured by Promoter and shown as: <ul style="list-style-type: none">• the number of Permits issued• the number of conditions applied, broken down into condition types. The number of each type being shown as a percentage of the total Permits issued.

Additional KPI's

KPI 3
<i>The number of approved extensions</i>
This will be measured by promoter and shown as: <ul style="list-style-type: none">• the total number of permits issued• the number of requests for extensions shown as a percentage of permits issued• the number of agreed extensions as a percentage of extensions applied for.

KPI 7
<i>Number of inspections carried out to monitor conditions</i>
This will be broken down by promoter and shown as: <ul style="list-style-type: none">• the number of sample permit condition checks carried out as a percentage of the number of permits issued• the percentage of sample inspections by promoter should also be shown.

Presentation of KPIs to co-ordination meetings

The KPIs will be discussed at the local co-ordination meetings and at other meetings with Promoters. In addition, the KPIs will be made available to any other person on request or via the Authority's website.

The Permit Scheme will be evaluated after each of the first 3 years, then 3-yearly after that. Evaluations must be made available within 3 months of the of the date on which the Permit Scheme came into effect. The evaluation shall include consideration of:

- (i) whether the fee structure needs to be changed in light of any surplus or deficit.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

- (ii) the costs and benefits (whether or not financial) of operating the scheme; and
- (iii) whether the permit scheme is meeting key performance indicators where these are set out in the Guidance.
- (iv) The outcome of each evaluation shall be made available to the persons referred to in regulation 3(1) within three months of the relevant anniversary.

APPENDIX 2
North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Appendix A: Definition of terms

Activity	Any works undertaken by Statutory Undertakers and the Highway Authority (or their agents/contractors), and any other works that maybe covered in future regulations.
Additional Street Data	Additional Street Data (ASD) refers to other information about streets held on the NSG concessionaire's website alongside the NSG
Apparatus	As defined in section 105(1) of NRSWA "apparatus includes any structure for the lodging therein of apparatus or for gaining access to apparatus"
Appeal	If there is an unresolved disagreement between the Promoter and the Permit Authority about the terms and conditions of the Permit or PAA, the Promoter may appeal against the Permit Authority's decision to either NW HAUC or HAUC (UK).
Bank Holiday	As defined in section 98(3) of NRSWA, "Bank Holiday means a day which is a Bank Holiday under the Banking and Financial Dealings Act 1971 in the locality in which the street in question is situated"
Bar holes	Bar holes are used to detect and monitor gas leaks.
Breaking up (the street)	Any disturbance to the surface of the street (other than opening the street)
Bridge	As provided in section 88(1)(a) of NRSWA, "references to a bridge include so much of any street as gives access to the bridge and any embankment, retaining wall or other work or substance supporting or protecting that part of the street"
Bridge Authority	As defined in section 88(1)(b) of NRSWA, "Bridge Authority means the Authority, body or person in whom a bridge is vested"
Carriageway	As defined in section 329 of HA 1980, "carriageway means a way constituting or comprised in a Highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles"
Code of Practice for Permits	As published by the Department for Transport March 2008
Collaborative working	Includes trench sharing, multi-utility working, utility/works for road purposes situations and compliance testing.
Cycle track	As defined in section 329 of the HA 1980, "cycle track means a way constituting or comprised in a Highway, being a way over which the public have the following, but not other, rights of way, that is to say, a right of way on pedal cycles (other than pedal cycles which are motor vehicles within the meaning of [the Road Traffic Act 1972) with or without a right of way on foot"
Day	A calendar day, unless explicitly stated otherwise
DfT	Department for Transport

APPENDIX 2
North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Emergency works	As defined in section 52 of NRSWA, "emergency works means works whose execution at the time when they are executed is required in order to put an end to, or to prevent the occurrence of, circumstances then existing or imminent (or which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property"
Excavation	"Breaking up" (as defined above)
Fixed Penalty Notice	As defined in s95A, schedule 4B to NRSWA, "fixed penalty notice means a notice offering a person the opportunity of discharging any liability to conviction for a fixed penalty offence by payment of a penalty"
Footway	As defined in section 329 of the HA 1980, "footway means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only"
Geographical Information system (GIS)	A computer system for capturing, storing, checking, integrating, manipulating, analysing and displaying data related to positions on the Earth's surface
HA 1980	The Highways Act 1980
Highway	As defined in section 328 of the HA 1980, "Highway means the whole or part of a highway other than a ferry or waterway"
Highway Authority	As defined in sections 1 and 329 of the HA 1980
Highway works	"Works for road purposes" or "major highway works"
Immediate activities	As stated in section 8.5, immediate activities are either emergency works as defined in section 52 of NRSWA or urgent works as defined in <i>The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007</i>
In	As defined in section 105(1) of NRSWA, "in, in a context referring to works, apparatus or other property in a street or other place includes a reference to works, apparatus or other property under, over, across, along or upon it"
Local Authority	As defined in section 270(1) of the Local Government Act 1972(a) and includes the Common Council of the City of London.
Local Highway Authority	As defined in section 329 of HA 1980, "Local Highway Authority means a Highway Authority other than the Minister"
Main roads	All streets in reinstatement categories 0, 1 and 2 and those streets in categories 3 and 4 which are traffic sensitive for all or part of the time
Maintainable Highway at the Public Expense	As defined in section 329 of HA 1980, a "Highway maintainable at the public expense means a highway which by virtue of section 36 above or of any other enactment (whether contained in this Act or not) is a highway which for the purposes of this Act is a highway maintainable at the public expense"

APPENDIX 2
North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Maintenance	As defined in section 329 of HA 1980, "maintenance includes repair, and "maintain" and "maintainable" are to be construed accordingly"
Major activities	As stated in section 9.2, Major activities are those which: <ul style="list-style-type: none"> • Other than immediate activities, require a temporary traffic regulation order, (i.e. not a temporary traffic notice), under the Road Traffic Regulation Act 1984 for any other activities • Other than immediate activities, have a duration of 11 working days or more
Major Highway works	As defined in section 86(3) of NRSWA, "major highway works means works of any of the following descriptions executed by the Highway Authority in relation to a highway which consists of or includes a carriageway – <ol style="list-style-type: none"> a) a reconstruction or widening of the highway; b) works carried out in exercise of the powers conferred by section 64 of the Highways Act 1980 (dual carriageways and roundabouts); c) substantial alteration of the level of the highway; d) provision, alteration of the position or width, or substantial alteration in the level of a carriageway, footway or cycle track in the Highway; e) the construction or removal of a road hump within the meaning of section 90F of the Highways Act 1980; f) works carried out in exercise of the powers conferred by section 184 of the Highways Act 1980 (vehicle crossings over footways and verges); g) provision of a cattle-grid in the highway or works ancillary thereto; or h) tunnelling or boring under the highway"
Minor activities	As stated in section 9.4, minor activities are those activities other than immediate activities where the planned duration is 3 days or less.
Minor roads	Streets in reinstatement categories 3 and 4 which are not traffic sensitive at any time.
National grid reference	Location reference using nationally defined eastings and northings.
Nationally consistent Street gazetteer (NSG)	A database defined as an "index of streets and their geographical locations created and maintained by the local Highway Authorities" based on BS 7666 standard.
NRSWA	New Roads and Street Works Act 1991.
NSG Concessionaire	The body appointed to manage the NSG on behalf of the local Highway Authorities.
Opening (the street)	Removing a lid or cover to a manhole, inspection chamber, meter box or other structure embedded in the street without any "breaking up" of the street.

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

Permit	The approval of a Permit Authority for a Promoter to carry out activity in the highway subject to conditions.
Permit application	See Section 10. The application that is made by a Promoter to the Authority to carry out an activity in the highway. It is equivalent to the notice of proposed start of works (section 55 of NRSWA) given under the Co-ordination regime.
Permit Authority	See Section 1.4. A local Authority or other “Highway Authority” which has been given approval by Order to operate a Permit Scheme on all or some of its road network.
Permit Scheme	See Section 1. A Scheme approved by Order under which Permits for activities are sought and given.
Promoter	A person or organisation responsible for commissioning activities in the streets covered by the Permit Scheme. The Promoter will usually be a Statutory Undertaker or the Highway or Traffic Authority.
Protected Street	See Section 1.6. A street that has been designated as a protected street. It serves a specific strategic major traffic need and therefore needs to be protected from unnecessary excavation and works and providing there is a reasonable alternative route in which Statutory Undertakers can place the equipment that would otherwise lawfully have been placed in the protected street.
Provisional Advance Authorisation	See Section 8.2. The early approval of activities in the highway, equivalent to the advance notice given under s 54 of NRSWA.
Registerable activities	See Section 5.1. Registerable activities correspond to specified works in the regulations.
Reinstatement	As defined in section 105(1) of NRSWA, "reinstatement includes making good".
Relevant Authority	As defined in section 49(6) of NRSWA, "references in this Part to the relevant Authorities in relation to any works in a street are to the Highway Authority and also: a) where the works include the breaking up or opening of a public sewer in the street, the Sewer Authority; b) where the street is carried or crossed by a bridge vested in a Transport Authority, or crosses or is crossed by any other property held or used for the purposes of a Transport Authority, that Authority; and c) where in any other case the street is carried or crossed by a bridge, the Bridge Authority"
Remedial work	Remedial works are those required to put right defects identified and in accordance with the provisions of the Code of Practice for Inspections and regulations.
Road	See "Street".
Road Categories: <ul style="list-style-type: none"> • Type 0 	Roads carrying over: <ul style="list-style-type: none"> • 30 to 125 msa*

APPENDIX 2
North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

<ul style="list-style-type: none"> • Type 1 • Type 2 • Type 3 • Type 4 	<ul style="list-style-type: none"> • 10 to 30 msa • 2.5 to 10 msa • 0.5 to 2.5 msa • Up to 0.5 msa <p>*millions of standard axles</p>
Road works	See “Works for road purposes” definition below.
Special Engineering Difficulties (SED)	See Section 1.6. By virtue of section 63 of NRSWA, the term special engineering difficulties relates to streets or, more commonly, parts of streets associated with structures, or streets of extraordinary construction where street works must be carefully planned and executed in order to avoid damage to, or failure of, the street itself or the associated structure with attendant danger to person or property.
Specified Area	That geographical area to which the Permit Scheme applies.
Specified Street	Those streets to which the Permit Scheme applies.
SROH	Specification for Reinstatement of Openings in the Highway.
Standard activities	Standard activities are those activities, other than immediate activities, that have a planned duration of between 4 and 10 days inclusive.
Statutory Undertaker	As defined in section 48(4) of NRSWA, "undertaker in relation to street works means the person by whom the relevant statutory right is exercisable (in the capacity in which it is exercisable by him) or the licensee under the relevant street works licence, as the case may be".
Street	As defined in section 48(1) of NRSWA, "street means the whole or any part of any of the following, irrespective of whether it is a thoroughfare: a) any highway, road, lane, footway, alley or passage; b) any square or court; c) any land laid out as a way whether it is for the time being formed as a way or not".
Street Authority	As defined in section 49(1) of NRSWA, "the Street Authority in relation to a street means, subject to the following provisions: a) if the street is a maintainable highway, the Highway Authority, and b) if the street is not a maintainable highway, the street managers".
Street Manager	The Department for Transport's (DfT) digital service for planning, managing and communicating street and road works.
Street works	As defined in section 48(3) of NRSWA, "street works means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence: a) placing apparatus; or

APPENDIX 2

North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

	b) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street".
Street works licence	As stated in section 50(1) of NRSWA, "the Street Authority may grant a licence (a "street works licence") Permitting a person: a) to place, or to retain, apparatus in the street, and b) thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it, and to execute for those purposes any works required for or incidental to such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street).
TMA	The Traffic Management Act 2004.
Traffic	As defined in section 105(1) of NRSWA, "traffic includes pedestrians and animals"
Traffic control	Any of the five methods of controlling traffic detailed in the Code of Practice "Safety at Street Works and Road Works"
Traffic regulation order	This means an order made under section 1, 6 or 9 of the Road Traffic Regulation Act 1984.
Traffic-Sensitive Street	See section 1.6. This means a street designated by a Highway Authority as traffic sensitive pursuant to section 64 of NRSWA.
Transport Authority	As defined in section 91(1)(a) of NRSWA, "Transport Authority means the Authority, body or person having the control or management of a transport undertaking".
Temporary Traffic Regulation Order (TTRO)	This means an order made under section 14 of the Road Traffic Regulation Act 1984.
Trunk road	As defined in section 329 of the HA 1980, "trunk road means a highway, or a proposed highway, which is a trunk road by virtue of section 10(1) or section 19 above or by virtue of an order or direction under section 10 above or an order granting development consent under the Planning Act 2008 or under any other enactment".
Unique Street Reference Number (USRN)	As defined in the British Standard BS7666.
Urgent activities	Urgent activities are: a) activities (not being emergency activities) whose execution at the time they are executed is required (or which the person responsible for the activity believes on reasonable grounds to be required)

APPENDIX 2
North Yorkshire Permit Scheme Document 2025 – FINAL VERSION

	<ul style="list-style-type: none"> (i) to prevent or put an end to an unplanned interruption of any supply or service provided by the undertaker; (ii) to avoid substantial loss to the undertaker in relation to an existing service; or (iii) to reconnect supplies or services where the undertaker would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and <p>b) Includes activity that cannot reasonably be separated or severed from such activities.</p>
Working day	As defined in section 98(2) of NRSWA, "for the purposes of this Part a working day means a day other than a Saturday, Sunday, Christmas Day, Good Friday or a Bank Holiday; and a notice given after 4.30 p.m. on a working day shall be treated as given on the next working day".
Works	Street works or Works for road purposes.
Works for road purposes	As defined in section 86(2) of NRSWA, "works for road purposes means works of any of the following descriptions executed in relation to a highway: <ul style="list-style-type: none"> a) works for the maintenance of the highway; b) any works under powers conferred by Part V of the Highways Act 1980 (improvement); c) the erection, maintenance, alteration or removal of traffic signs on or near the highway; or d) the construction of a crossing for vehicles across a footway or grass verge or the strengthening or adaptation of a footway for use as a crossing for vehicles".

Appendix B: Permit Fees

Please see the North Yorkshire Permit Scheme 2025 Fees Table.

North Yorkshire Modified Permit Scheme Fees Table - July 2025

FEES

Regulation 30 of the Traffic Management Permit Scheme (England) Regulations 2007 gives the Permit Authority the power to charge a fee in respect of the following:

- i. The application for a PAA in respect of Major activities
- ii. The issuing of a Permit
- iii. Each occasion where there is a variation of a Permit or the conditions attached
- iv. Where a Permit variation would move an activity into a higher category, the Promoter will be required to pay the difference between the Permit fee for the two categories as well as the Permit variation fee

FEE POLICY

Fees will **not** be payable in the following circumstances:

- i. By the Highway Authority in respect of its own works for road purposes, however a record of the Permit and fee will be used for reporting purposes and fee reviews.
- ii. Any work undertaken on a fire hydrant.
- iii. Where a Permit is deemed to be granted because the Permit Authority failed to respond to an application within the time set down in Section 10 of the North Yorkshire scheme document.
- iv. If a Permit variation is initiated by the Permit Authority or the Authority has to revoke a Permit through no fault of the Promoter.
- v. Where a Promoter wishes to cancel a Permit for which it has no further use, or to cancel or withdraw an application that has been submitted but for which a Permit has not yet been granted.

Lower fees or discounted fees will be given in the following circumstances:

- i. Where several Permit applications for works that are of part of the same project but which are carried out on more than one street, but on a scale comparative to one street, are submitted at the same time.
- ii. Where several Promoters are working within the same site submit applications at the same time. Where the Highway Authority Promoter is collaborating with Statutory Undertakers, those Undertakers will be eligible for the discount.
- iii. Where works are undertaken wholly outside of Traffic-Sensitive times on Traffic-Sensitive streets.
- iv. A discount may be applied where it is demonstrated that an activity provides significant economic benefit to the local authority or Council. For instance, supplies for a new development, or where it is demonstrated that a network investment programme is being undertaken to meet customer demand.

DISCOUNT RATE

A discount of 30% will be applied in the above circumstances.

OPTION TO WAIVE OR REDUCE FEES

The Permit Authority retains the option to waive or reduce fees at its discretion. For example; to support an investment in infrastructure such as a Broadband rollout programme.

REVIEW OF FEES

The Permit Authority will review its scale of fees annually to ensure that the overall fee income does not exceed the allowable costs over a number of years.

The outcome of the annual fee reviews will be published and open to public scrutiny.

As far as possible the fees and costs should be matched over a financial year. However, it is recognised that estimating the fee levels will involve incorporating the effect of various factors that will inevitably have a degree of uncertainty around them. In the event that fees and costs do not match the actual outturn for the year in question, adjustments may be made to fee levels for the subsequent years so that across a number of years fees do not exceed the allowable costs.

	Main Roads			Minor Roads
	0, 1 and 2	3 and 4		3 and 4
Reinstatement category of street	0, 1 and 2	3 and 4		3 and 4
Street designated as Traffic-Sensitive or not	All streets	Traffic-Sensitive at some times/locations		Non Traffic-Sensitive at any time or location
Time and location of activity	Any time and location	Any part within Traffic-Sensitive times / locations	Wholly within non Traffic-Sensitive times / locations	Any time and location
Provisional Advance Authorisation	£105*	£105	£73.50	£75
Major Works – over 10 days <u>and</u> all major works requiring a traffic regulation order	£240*	£240	£168	£150
Major works – 4 to 10 days	£130*	£130	£91	£75
Major works – up to 3 days	£65*	£65	£45.50	£45
Standard Activity	£130*	£130	£91	£75
Minor Activity	£65*	£65	£45.50	£45
Immediate Activity	£60*	£60	£42	£40

* A discount will be applied where works are undertaken wholly outside of Traffic-Sensitive times on Traffic-Sensitive streets. See Above. Note: That in line with the Permit Authorities policies and procedures, the above fees will be reviewed on an annual basis.

PERMIT VARIATION FEES

£45 for activities on category 0, 1 & 2 streets, and on 3 & 4 Traffic-Sensitive streets.

£35 for activities on category 3 and 4 non Traffic-Sensitive streets.

If a Permit variation moves an activity into a higher fee category, the Promoter will be required to pay the difference in Permit fee.

No fee is payable if a Permit variation is initiated by the Permit Authority.

The review will take into account the on-going Scheme costs and inflationary rates. The fees will not exceed the maximum charges as set by the DFT. All Promoters will be notified of any changes to the fees.

This page is intentionally left blank

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process. If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Seeking approval to undertake a formal consultation for a Lane Rental Scheme
Brief description of proposal	To implement the modified North Yorkshire Permit Scheme following statutory consultation.
Directorate	Environment
Service area	Network Strategy
Lead officer	Alex Hollifield
Names and roles of other people involved in carrying out the impact assessment	

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following.

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact, then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	X	Continue to full CCIA:	
Reason for decision	The proposal to amend the North Yorkshire Permit scheme should have no Environmental Impact			
Signed (Assistant Director or equivalent)	Barrie Mason			
Date	09/01/2026			

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process. If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Seeking approval to undertake a formal consultation for a Lane Rental Scheme
Brief description of proposal	To implement the modified North Yorkshire Permit Scheme following statutory consultation.
Directorate	Environment
Service area	Network Strategy
Lead officer	Alex Hollifield
Names and roles of other people involved in carrying out the impact assessment	

Page 151

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following.

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact, then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	X	Continue to full CCIA:	
Reason for decision	The proposal to amend the North Yorkshire Permit scheme should have no Environmental Impact			
Signed (Assistant Director or equivalent)	Barrie Mason			
Date	09/01/2026			

North Yorkshire Council

Environment Executive Members

23 January 2026

Highways Capital Programme

Report of the Assistant Director – Highways and Infrastructure

1.0 PURPOSE OF REPORT

- 1.1 To seek agreement from the Corporate Director – Environment, in consultation with the Executive Member - Highways and Transportation, to authorise additions to the Highways Capital Forward Programme (HCFP) for Structural Highway Maintenance identified since the last Highways Capital Programme report dated 26 September 2025.

2.0 SUMMARY

- 2.1 This report identifies schemes that are being added to the Highways Capital Forward Programme (HCFP) for future delivery.

3.0 BACKGROUND

- 3.1 The Highways Capital Programme is made up of four specific elements; these are Street Lighting; Bridges and Structures; Integrated Transport and Structural Highway Maintenance. Each of these elements is subject to prioritisation methods based upon an assessment of the required outcomes.
- 3.2 The Corporate Director and Environment Executive Member will be aware that usual practice is to present three main reports per year; one in the Spring outlining expected headline allocations for the following year, one in the summer identifying schemes to be added to the HCFP; followed by a report in Autumn confirming the schemes to be delivered in the following year's annual programme.
- 3.3 In line with 3.2 above, the report was considered at the Environment Executive Member meeting held on 26 September 2025 outlining schemes to be added to the HCFP with a further report planned for February 2026 confirming schemes to be delivered in 2025/26.
- 3.4 Although advanced planning is maximised through the implementation of a three-year rolling capital works programme, there are occasions when it is necessary, for sound operational reasons, to introduce new schemes into the forward programme.

4.0 SCHEMES ADDED TO THE HCFP

- 4.1 It is proposed to add two new schemes, with a combined value of £90,000 to the Highways Capital Forward Programme. As discussed at the Environment Executive Member Meeting on 26 September 2025, entry on to the forward programme does not guarantee delivery in a specific year. However, if a scheme is linked to improvements to ensure the safety of specific asset(s), delivery may commence in the remainder of this financial year.

4.2 The proposed schemes were identified through ongoing asset condition and engineering assessments carried out since the forward programme was approved on 26 September 2025. Details of the schemes are provided in Appendix A. Both schemes involve repairs to highway structures that are required to ensure the safety of the highway network. Delivery of the scheme at Coniston Bridge has already taken place, due to urgent safety requirements. This report is seeking retrospective addition to the Highways Capital Forward programme.

5.0 FINANCIAL IMPLICATIONS

5.1 Any additional costs associated with implementation of the schemes named in Appendix A will be accounted for as part of the routine strategic management of the Highways Capital Works Annual Programme for the year in which the schemes are added to.

5.2 The programme is kept under regular review to ensure that total annual expenditure is within the limits of available grant funding for that year plus a drawing down of up to £2m from the following year's grant allocation as arranged with the Corporate Director of Resources. The contents of this report do not adversely impact upon that position

6.0 LEGAL IMPLICATIONS

6.1 The Council, in its capacity as the Local Highway Authority, Street Authority and Local Traffic Authority must act in accordance with a wide range of statutory powers and duties imposed by legislation.

6.2 The proposed schemes to be added to the HCFP have been developed and prioritised in line with the relevant legislation such as the Highways Act 1980, the New Roads and Street Works Act 1991, the Road Traffic Regulation Act 1984, the Transport Act 2000, the Traffic Management Act 2004 and the Flood and Water Management Act 2010.

7.0 EQUALITIES IMPLICATIONS

7.1 Consideration has been given to the potential for any adverse equality impacts arising from the recommendations. The principles and documents discussed in this report are recommended for use in the Well-managed Highway Infrastructure Code of Practice. Officers consider that there are no adverse impacts arising from the recommendations in this report.

7.2 A copy of the Equalities Impact Assessment Screening Form is attached as Appendix B.

8.0 CLIMATE CHANGE IMPLICATIONS

8.1 A climate change impact assessment has been carried out, see Appendix C. This has identified that the development of a forward programme will help to improve efficiency of delivery, reducing waste and emissions through improved coordination and planning of works.

9.0 REASONS FOR RECOMMENDATIONS

9.1 The recommendations will enable Council officers, working alongside NYH and partner organisations to finalise designs and deliver the schemes listed in Appendix A with expected delivery start dates within 2025/26 financial year.

10.0 RECOMMENDATION(S)

- 10.1 It is recommended that the Corporate Director – Environment, in consultation with the Executive Member - Highways & Transportation authorises the additions to the Highways Capital Forward Programme for Structural Highway Maintenance identified since the last Highways Capital Programme report dated 26 September 2025.

Appendices

Appendix A – List of schemes

Appendix B – Equalities impact assessment screening

Appendix C – Climate change impact assessment

BACKGROUND DOCUMENTS: N/A

Barrie Mason
Assistant Director - Highways and Infrastructure
County Hall
Northallerton

Report Author: James Gilroy, Team Leader Highways Asset Management
Presenter of Report: James Gilroy, Team Leader Highways Asset Management

This page is intentionally left blank

Schemes to be added to Highways Capital Forward Programme

Area	Link & Section	Scheme name	Town / Village	Scheme Cost
5	A6068/1/15	A6068 Cock Hall Scar Bridge	Cowling	£50,000
5	A65/4/70	A65 Coniston Cold Bridge	Coniston Cold	£40,000

This page is intentionally left blank

Equalities Impact Assessment Screening Form

Equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Environment		
Service area	H&T		
Proposal being screened	Environment Executive Member Report – Highways Capital Programme January 2026		
Officer(s) carrying out screening	James Gilroy		
What are you proposing to do?	Agree additions to the Highways Capital Programme in advance of the next scheduled capital programme Environment Executive Member report.		
Why are you proposing this? What are the desired outcomes?	Minimise the duration between scheme identification and agreement for inclusion on the agreed capital programme.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No, the proposal will result in reprioritisation of the current allocations to enable the additional schemes to be delivered.		
Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics? As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Yes	No	Don't know/No info available
Age		✓	
Disability		✓	
Sex (Gender)		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
NYC additional characteristic			
People in rural areas		✓	

People on a low income		✓	
Carer (unpaid family or friend)		✓	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No. The report focuses on the overarching capital maintenance funding position.		
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:
Reason for decision	The allocation of funding is based on the "Manage, Maintain and Improve" (MMI) hierarchy set out in Local Transport Plan 4, which has been the subject of an Equality Impact Assessment (EIA). This concluded that the introduction of fewer improvement schemes may have a greater impact on people with mobility difficulties or without access to a private vehicle as there will be fewer new facilities provided e.g. pedestrian crossings, dropped kerbs, bus stop accessibility improvements; however, it is also considered that prioritising maintenance, particularly for footways, through the MMI hierarchy is likely to produce a net benefit for people with the same protected characteristics; particularly in terms of age and disability.		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	09/01/2026		

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Addition of schemes to the Highways Capital Forward Programme
Brief description of proposal	Authorises the additions to the Highways Capital Forward Programme for Structural Highway Maintenance contained in Appendix A identified since the last Highways Capital Programme report dated 26 September 2025
Directorate	Environment
Service area	Highways and Transportation
Lead officer	James Gilroy
Names and roles of other people involved in carrying out the impact assessment	
Date impact assessment started	06.01.2026

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

The other option that was considered was to plan based on a lower value of DfT funding at £40M

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

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The points raised in respect of profiling the capital programme enable scheme delivery to match available DfT funding. The proposal is cost neutral

Page 162

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	<p>Emissions from travel</p>	<p>x</p>		<p>Repairs to existing infrastructure</p>		
	<p>Emissions from construction</p>		<p>x</p>	<p>Some emissions from construction vehicles</p> <p>Emissions associated with construction materials etc</p>	<p>Where possible – ensure that vehicle mileage is reduced by planning vehicle movements / diversion routes etc</p>	

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
						Look to use more recycled material in construction and through the selection of lower carbon techniques	
	Emissions from running of buildings		x				
	Other		x				
	Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic	x			Establish the use of more sustainable construction techniques		Look to use more recycled material in construction and through the selection of lower carbon techniques
	Reduce water consumption		x				

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
Minimise pollution (including air, land, water, light and noise)		x				
Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers	x			Delivery of landslip remedial based schemes to help reduce severance issues		
Enhance conservation and wildlife		x				
Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape		x				
Other (please state below)		x				

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

N/A

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Steps will be taken to ensure that construction emissions are reduced as far as possible.

Sign off section

This climate change impact assessment was completed by:

Name	James Gilroy
Job title	Team Leader Highway Asset Management
Service area	Highways and Transport
Directorate	Environment
Signature	J Gilroy
Completion date	06.01.2025

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 09/01/2026

This page is intentionally left blank

North Yorkshire Council

Environment Executive Members

23 January 2026

Opposed Definitive Map Modification Order – Restricted Byway No. 20.75/58 Reeth, Fremington and Healaugh & 20.42/9 Marrick, Fremington Edge Modification Order 2025

Report of the Assistant Director – Highways & Infrastructure

1.0 PURPOSE OF THE REPORT

- 1.1 To advise the Corporate Director (Environment) of the proposed submission to the Secretary of State (SoS) of an opposed Definitive Map Modification Order (DMMO). A location plan is attached to this report as Plan 1 in Appendix A. The Order route is shown in Plan two in Appendix A.
- 1.2 An Order Making Authority (OMA) cannot confirm a DMMO where there are outstanding unresolved objections; the Order must be forwarded to the SoS for determination on whether or not it should be confirmed.
- 1.3 To request the Corporate Director, in consultation with the Local Member and Executive Member for Highways & Transportation, to decide what stance North Yorkshire Council (NYC) will take in its submission of the opposed Order to the SoS.

2.0 SUMMARY

- 2.1 Following receipt of an application under S53(2) of the Wildlife and Countryside Act 1981 on 23 July 2020 to upgrade to Restricted Byway Footpaths No. 20.75/58 and 20.42/9 at Fremington Edge near Reeth, an informal consultation was conducted by the OMA which returned three objections. It was felt that none of these were based on evidence relating to what public rights exist on the route. After this was made clear to the objectors two of the objections were withdrawn (see Appendix A section eight).
- 2.2 Thorough analysis of the evidence submitted by the applicant was subsequently undertaken by the OMA. The evidence included two Inclosure Awards that set out public carriageway rights on the application route by statutory legal process and no evidence has been provided to suggest these rights were subsequently extinguished (see Appendix A section six).
- 2.3 As the application route was not subject to any exceptions to the Natural Environment and Rural Communities Act 2006 (NERCA) a Definitive Map Modification Order was made to upgrade the Footpath to Restricted Byway. The resulting formal confirmation returned two objections. Some limited evidence was submitted in support of the objections however, this was addressed by the OMA and further evidence was requested. No further supporting evidence was forthcoming and the OMA requested the objections be withdrawn. One objector declined and no response was received from the other (See section four below).
- 2.4 As there are outstanding objections, the Order must be referred to the SoS for decision. Officers are recommending that NYC supports confirmation of the Order, as it is felt that the evidence is sufficient to meet the legal test for confirmation.

3.0 BACKGROUND

- 3.1 The application for an Order under S53(2) of the Wildlife and Countryside Act 1981 was submitted to the Council on 23 July 2020 to upgrade to Restricted Byway Footpaths No. 20.75/58 and 20.42/9 at Fremington Edge near Reeth, as shown by A-D on Plan two of the attached AD report at Appendix A.
- 3.2 The application was supported by:
- C Greenwoods Map of the County of York 1817
 - Cary's Maps of the Counties of England 1817 to 1834
 - Charles Fowler's Map of Yorkshire 1834
 - Franks Map of North Riding Yorkshire 1840
 - Ordnance Survey Maps: six-inch 1857, 1 inch First Edition 1858-61
 - Enclosure Award and Plan Fremington Edge or Moor 1778
 - Enclosure Award and Plan Marrick Moor 1841
 - Tithe Map and Apportionment for Reeth 1841
 - Tithe Map for Marrick 1851
 - Finance Act 1910 Maps and Records
- 3.3 On the basis of the evidence submitted, officers believed that the relevant evidential standard had been met for the making of an Order i.e. that on the balance of probabilities public Restricted Byway rights subsist along Footpaths No. 20.75/58 and 20.42/9 at Fremington Edge near Reeth.
- 3.4 Attached to this report as Appendix A is a copy of the report submitted to the Assistant Director - Highways and Infrastructure on 10 June 2025 recommending that based on the evidence an Order should be made.
- 3.5 The report was approved by the Assistant Director and the DMMO was subsequently made and advertised, attracting two duly made objections which remain outstanding. The Council cannot confirm a DMMO where there are outstanding objections; the Order must be forwarded to the Secretary of State for resolution.
- 3.6 In accordance with the constitution requirements protocol for reports to the Environment Directorate - Corporate Director and Executive Member for Highways & Transportation, the relevant local Member, Yvonne Peacock, has been provided with access to a copy of this report and has been invited to the meeting on 23 January 2026.

4.0 CURRENT DECISION TO BE MADE

- 4.1 The evidential test to be met for the confirmation of a Definitive Map Modification Order is whether the evidence shows that on the balance of probabilities the public rights exist, and the Order should be confirmed. However, the Council cannot confirm a DMMO where there are outstanding duly made objections; the Order must be forwarded to the Secretary of State for resolution.
- 4.2 In submitting an opposed Order to the SoS the Council needs to express whether, on the basis of the available evidence, it:
- supports confirmation of the Order,
 - believes the Order should not be confirmed, or
 - considers the evidence is either so finely balanced or is particularly unclear and wishes to take a neutral stance.
- 4.3 The current decision to be made is which stance the Council is to take within its submission of this opposed DMMO to the SoS.

4.4 The following is a summary of, and comment on, the evidence presented to date:

4.5 Evidence Supporting Confirmation of the Order:

- The evidence supporting confirmation of the Order is set out fully in the report submitted to the Assistant Director - Highways and Infrastructure on 10 June 2025 at Appendix A. It rests primarily on two Inclosure Awards. The 1778 Fremington Edge or Moor Inclosure Award, which sets out a 'Public Carriage Road or a Highway forty feet in Breadth' with a route description and depiction on the accompanying map that match the application route. The 1841 Marrick Moor Inclosure Award sets out a 'public carriage road of the width of thirty-three feet' with a route description and depiction on the accompanying map that match the application route. While the name of the application route in each Inclosure Award differs - the 1778 award calls it Richmond Road while the 1835 award calls it Fell End road - the descriptions and depictions of the route in the associated maps clearly show the application route is the subject of both awards.
- The Inclosure awards provide primary evidence that public vehicular rights were established on the application route by statutory legal process. They are supported by a series of commercial maps from the 18 and 19 century including Greenwoods 1817 map, Charles Fowlers 1834 map and Franks 1840 Map of the North Riding, which all show the route as a 'Cross road' while Cary's 1832 map shows it as a 'Parochial Road'. In each case the route is shown in same manner as other current day public roads in the area and linking up with the wider road network, which suggests it was considered to be a public carriage road at this time.
- The Ordnance Survey mapping is less supportive of the existence of the full route along Fremington Edge. The 1857, 1891, and 1954 six-inch maps all show the route as a doubled dashed track but only between points A and C. This suggests the northwestern section of the route may have become less used by vehicular and equestrian traffic from the middle of the 19 centuries onwards, but once a highway has been established by legal process it can only be extinguished by legal process. The Inclosure Awards strongly suggest public carriageway rights were established along the route in 1778 and 1841 and there appears to be no evidence of any legal process to extinguish these rights.

4.6 Objections to the Sealed Order and Evidence Against Confirmation of the Order:

- An objection to the sealed Order was received from the Agent acting on behalf of one of the affected landowners. The objection initially focussed on technical points concerning the drafting of the Order, which were addressed by the Definitive Map Officer and subsequently retracted by the objector. Further claims were then made by the objector, that the map evidence is not conclusive, the Inclosure Awards set out private rather than public rights and expressing concern over the effect on the countryside if the Order was confirmed. These points have also been addressed by the Definitive Map Officer who referred to the sections of the Inclosure Awards that specifically set out the route as a Public Carriage Road and asked the objector to submit evidence to support their claim that only private rights subsisted on the route. On the final point relating to the effect on the countryside, the officer advised that the legislation does not allow issues such as suitability to be considered when investigating Definitive Map Modification Orders. Officers requested the objection be withdrawn; however, no response or further correspondence was received from the objector.

- Marrick Parish Council objected on grounds that in 1998 the 'Parish Paths Partnership' financed improvements to the route by installing stiles which they were informed in a letter from the NYCC Public rights of Way department would be considered 'in law as part of the public right of way.' The Parish Council argued that as they prevented use on horseback, cycles, and non-mechanically driven vehicles the installation of the stiles indicated the route was a footpath and not a restricted byway. The Parish Council also claimed historically the path was used by lead-mining workers and was not a path open to the public. Officers advised the work on the stiles in 1998 and the current limitation on use did not prejudice the existence of higher rights existing on the route. Officers also requested any evidence the Parish Council held of private rights existing for the lead miners to be submitted and if none was available, asked whether the Parish Council be prepared to withdraw their objection. No evidence relating to the lead miners' usage has been forthcoming and the request to withdraw the objection was declined.

5.0 LOCAL MEMBER ENGAGEMENT

- 5.1 Councillor Yvonne Peacock, Upper Dales Division, was consulted both as part of the pre-Order informal consultation and the Sealed Order consultation. Cllr Peacock did not submit any comments in response to either consultation.

6.0 ALTERNATIVE OPTIONS CONSIDERED

- 6.1 The options available to the Council are as set out in paragraph 4.2 above, i.e. the stance the Council will take when submitting the opposed Order to the Secretary of State, and this decision must be based on the evidence available. The legislation does not allow the Council to abandon or not continue with an opposed DMMO; if the Order is opposed it must be submitted to the Secretary of State for decision on whether or not it should be confirmed.

7.0 LEGAL IMPLICATIONS

- 7.1 An Order Making Authority cannot confirm a DMMO where there are outstanding unresolved objections; the Order must be forwarded to the Secretary of State for determination on whether or not it should be confirmed. Determination is by way of either a Public Inquiry, Local Hearing or written representations.

8.0 FINANCIAL IMPLICATIONS

- 8.1 As the Authority is obliged to refer all opposed DMMOs to the Secretary of State there would be a cost to the Authority in preparing a submission to the Secretary of State and responding to any queries raised, and these costs would be for officer time which would be met by the respective staffing budgets. If the Inspector representing the Secretary of State chose to hold a Public Inquiry or Local Hearing, the costs of arranging, hosting and supporting the Inquiry/Hearing would unavoidably fall to the Council, which excluding any external advocacy, would be unlikely to exceed £1,000. Any such costs would be met from existing service budgets. If a Public Inquiry were to be held the Authority would be likely to appoint external advocacy in this instance. In cases where the Authority appoints external advocacy to represent it in any proceedings, the associated cost implications are estimated to be around £5,000 for a typical two-day inquiry, which would be met from existing service budgets.

9.0 EQUALITIES IMPLICATIONS

9.1 There is a statutory requirement to investigate applications for Definitive Map Modification Orders, regardless as to whether the outcome would benefit or prejudice owners, occupiers or members of the general public, and as such, following an initial EIA screening, it is considered that equality and diversity issues are not relevant to the outcome of the process. In any event it is considered that there are no significant equalities implications arising from this report.

10.0 CLIMATE CHANGE IMPLICATIONS

10.1 This decision would have no positive or negative impact on climate change.

11.0 CONCLUSION & REASON FOR RECOMMENDATION

11.1 The evidence, especially the Inclosure documentary evidence, strongly supports that the Order route carries public carriageway rights, and that this meets the legal 'balance of probabilities' test. Although claims have been made by objectors that carriageway rights do not exist, or are purely private rights, no evidence has been submitted to support this.

11.2 Overall, it is considered that there is sufficient evidence to conclude that the Definitive Map should be amended in accordance with the current Order, and therefore that, of the options outlined in paragraph 4.2, in this instance, the Council should support confirmation of the Order.

12.0 RECOMMENDATION

12.1 It is recommended that the Corporate Director, in consultation with the Local Member and Executive Member for Highways & Transportation support confirmation of the Order in its submission to the SoS.

APPENDICES:

Appendix A - Report to the Assistant Director - Highways and Infrastructure

BACKGROUND DOCUMENTS: File Ref: RICH/2020/13/DMMO

Barrie Mason
Assistant Director - Highways and Infrastructure
County Hall
Northallerton

Report Author: Robert Light - Definitive Map Officer
Presenter of Report: Beth Brown - Principal Definitive Map Officer

This page is intentionally left blank

The North Yorkshire Council

Environment Directorate

10 June 2025

Application for a Definitive Map Modification Order to upgrade to Restricted Byway Footpaths No. 20.75/58 and 20.42/9 at Fremington Edge, Reeth

Report to the Assistant Director – Highways and Infrastructure

1.0	PURPOSE OF REPORT
1.1	To advise the Assistant Director of an application for a Definitive Map Modification Order: RICH/2020/13/DMMO to upgrade to Restricted Byway Footpaths No. 20.75/58 and 20.42/9 at Fremington Edge near Reeth.
1.2	To request the Assistant Director to authorise the making of a Definitive Map Modification Order to record as Restricted Byway Footpaths No. 20.75/58 and 20.42/9 at Fremington Edge near Reeth.

2.0 SCHEME OF DELEGATION

- 2.1 Within the Council's scheme of delegation, it is delegated to the Assistant Director - Highways and Infrastructure to exercise the functions of the Council under Part III of the Wildlife and Countryside Act 1981 in relation to the power to make and advertise Definitive Map Modification Orders, including where an objection has been received from any person or body.

3.0 THE APPLICATION

Applicant:	British Horse Society (Caroline Bradley)
Date of application:	23/07/2020
Type of Application	Definitive Map Modification Order
Parish:	Marrick / Reeth, Fremington and Healaugh
Local Member:	Cllr Yvonne Peacock
Application supported by:	C Greenwoods Map of the County of York 1817 Cary's Maps of the Counties of England 1817 to 1834 Charles Fowler's Map of Yorkshire 1834 Franks Map of North Riding Yorkshire 1840 Ordnance Survey Maps: 6 inch 1857, 1 inch First Edition 1858-61 Enclosure Award and Plan Fremington Edge or Moor 1778 Enclosure Award and Plan Marrick Moor 1841 Tithe Map and Apportionment for Reeth 1841 Tithe Map for Marrick 1851 Finance Act 1910 Maps and Records
Applicant's grounds for making the application:	The applicant submitted evidence which she claims demonstrates that footpaths No. 20.78/58 and 20.42/9 have restricted byway rights on the route along Fremington Edge and should be recorded as Restricted Byway.

4.0 GENERAL DESCRIPTION OF ROUTE

- 4.1 The location of the application routes is shown on Plan 2 attached. It begins at the junction between footpath 20.42/9 and the C109 at grid reference SE0675 9909, point A on plan 2, and runs westwards along Fremington Edge to the parish boundary between Marrick and Reeth, Fremington and Healaugh at point B, grid reference SE0596 9938, from where it continues running west as Footpath 20.75/58 to the junction with Footpath 20.75/10, grid reference NZ0495 0011 at point C, before continuing to its termination at the junction between Footpath 20.78/58 and bridleway 20.75/15, grid reference NZ0310 0218 at point D.
- 4.2 The current status of the application route from Point A – B – C - D is Public Footpath.
- 4.3 (Taken from aerial photos) The first approx. 300 metres of section A to B is a grassed track across fields. The route then becomes a stoned track across open moorland for further approx. 1.6 Km, the remainder of section A to B and the first part of section B to C, then the route becomes a path through a mix of open grassland and moorland for the remaining 2.9 Km of the route terminating at point D.

5.0 RELEVANT LEGAL CRITERIA

- 5.1 In deciding whether to make a Modification Order, the Council must be satisfied that, in accordance with Section 53 of the Wildlife and Countryside Act 1981, the evidence discovered by the Council, when taken into consideration with all other relevant evidence, is sufficient to show that a public right of way subsists or is reasonably alleged to subsist along the claimed route. For routes which are already recorded on the Definitive Map and Statement, but where the application is to amend the status of the route, the evidence required must meet the higher “balance of probabilities” test.
- 5.2 As the application relates to possible carriageway rights, if such rights are shown to exist, consideration must be given to the effect of the Natural Environment and Rural Communities Act 2006 (NERCA). This Act extinguished unrecorded rights for mechanically propelled vehicles (MPVs) and restricted the ability to create new rights of way for MPVs on the basis of historic use by horse and cart. Extinguishment is subject to a number of exceptions, set out in Sections 67(2) and 67(3) of NERCA, broadly covering routes for which an application or determination was made prior to the NERCA cut-off date of 20th January 2005, and routes that were expressly created for MPVs or form part of the ‘ordinary road network’ i.e. routes recorded on the List of Streets (highways maintainable at public expense) or where the main public use is by MPV.

6.0 OFFICER COMMENTS ON THE HISTORIC DOCUMENTARY EVIDENCE

- 6.1 A route running across Marrick Moor in the same area as the application route but not on the exact line is shown as an ‘Open Road’ joining up with other ‘Open Roads’ at either end on Jeffries 1771 map. According to the applicant, this establishes that a route existed in the approximate area of the application route at this time and was part of the wider road network. The full application route is shown from point A to D as a ‘Cross Road’ on Greenwoods 1817 map and Charles Fowlers 1834 map and as a ‘Parochial Road’ on Cary’s 1832 map. Franks 1840 Map of the North Riding also shows a ‘Cross Road’ roughly running on the line of the application route. In each case the route is shown in same manner as other current day public roads in the area and linking up with the wider road network, which the applicant argues suggests it was considered to be a public carriage road at this time.

- 6.2 The six-inch Ordnance Survey Maps published in 1857 shows the application route as part single and part double dashed line running from point A to point C but no further. The first edition one inch to one-mile 1858 – 61 OS map shows the route as a double dashed line also running from point A to point C but no further. Although not submitted by the applicant the six inch 1891 OS map published 1895 and six inch Revised 1950 OS map published in 1954 show the route as a double dashed line running from point A to point C but no further.
- 6.3 The 1778 Fremington Edge or Moor Inclosure Award states that a 'Public Carriage Road or a Highway forty feet in Breadth between the Ditches as the same is now Marked and staked out leading Westward from the said Moor Stones at the North East Corner of Fremington Edge to the Boundary Stones next East of Arkman Cragg and to within Eighty Yards of the Northwest Corner of the Seventh Allotment hereinafter made to the said Thomas Elliott which said Road we shall hereafter refer to and call by the Name of Richmond Road.' This description corresponds with a double dashed lane marked on the Award map which follows the application route in full, from point A to point D and is named as 'Richmond Road'.
- 6.4 The Marrick Enclosure Award and Map of 1841 includes an instruction to set out 'Fell End Road: One other public carriage road of the width of thirty three feet called Fell End Road leading Northward out of Richmond and Reeth road over the said Marrick Moor into a road in the Manor of Fremington at or near a Boundary mark called the three Mere Stones'. The award plan, which has an unusual orientation of southwest to north east, shows a double solid line following the line of the application route named 'Fell End Road 33 feet in width'.
- 6.5 The 1839 Tithe map for Reeth in the Parish of Grinton shows the application route as a double dashed line from point B, which was at that time the Township of Reeth in the parish of Grinton parish boundary with Marrick Parish, to point D. There is no apportionment number on any section of the route which indicates no tithe was assessable as was common with highways as they had no economic value. There is also an allowance of 70 acres 3 roods 12 perches for Roads, Rivers and Wastes in the Award documentation on page 62, although no indication of the location of this land is provided.
- 6.6 The 1851 Tithe Map for Marrick shows the eastern section of the application route running from its junction with the present day C109 to point C near Copperthwaite lead mines where the map ends and as the applicant points out the line of the route is left open indicating that it continues onwards. There is no apportionment number on the route. The applicant claims this indicates that no tithe was assessable, and the depiction of the application route is consistent with a public vehicular highway. No accompanying documentation showing details of apportionments and tithe payments has been submitted.

7.0 SUMMARY OF EVIDENCE

- 7.1 When taken together the evidence offers strong support for public vehicular rights existing on the application route. Two documents provide primary evidence that these rights were established by statutory legal process. The Fremington Edge or Moor Inclosure Award indicates the route was established as a public highway with carriageway rights at a width of forty feet by statutory legal process in 1778. These rights were then established for a second time by statutory legal process in 1841 by the Marrick Moor Inclosure Award at a width of 33 feet which surpassed the statutory width for cartways of 20 feet set out in the 1835 Highways Act. While the name of the application route in each Inclosure Award differs - the 1778 award calls it Richmond Road while the 1835 award calls it Fell End road - the descriptions and depictions of the route on the awards and associated maps clearly show the application route is the subject of both the awards.
- 7.2 In addition to this primary evidence, secondary evidence has also been submitted that supports the existence of public vehicular rights on the route. Both the Reeth and Marrick Tithe award plans show sections of the route which continue beyond the parish boundaries

and are without apportionment numbers, which suggests they were viewed as un-tithable highways which linked with the wider road network. The commercial maps support that the application route was a highway of some significance around the time of the two Inclosure Awards and while the Jeffries and Franks maps depict a route following a different line to that of the application route they show that a highway across Marrick Moor existed from at least 1771. The Greenwood, Fowler and Cary maps all show the application route following its current line as a Cross Road or Parochial Road between 1817 and 1832.

- 7.3 The Ordnance Survey mapping is less supportive of the existence of the full route along Fremington Edge. The 1857, 1891, and 1954 six-inch maps all show the route as a doubled dashed track but only between points A and C. This suggests the northwestern section of the route may have become less used by vehicular and equestrian traffic from the middle of the 19th century onwards, but once a highway has been established by legal process it can only be extinguished by legal process. The Inclosure Awards strongly suggest public carriageway rights were established along the route in 1778 and 1841 and there appears to be no evidence of any legal process to extinguish these rights.

8.0 OBJECTIONS TO THE APPLICATION

- 8.1 The standard informal consultation for the application was carried out in February 2025. Various responses, including three objections were received. The responses were from two landowners, one Parish Council, Richmond Ramblers, the Green Lane Association and the Byways and Bridleways Trust.
- 8.2 Marrick Parish Council objected on the grounds they saw no reason for non-mechanically propelled vehicles to be able to access this land. NYC Officer comment we are unable to take into account issues such as desirability, safety and suitability at this stage. The legislation only allows us to take into consideration the evidence relating to what public rights exist.
- 8.3 Preston Readman Solicitors objected on behalf of their client, landowner Richard Grosvenor Plunkett-Ernie-Erle-Drax. However, after being provided with extended time to review the evidence and submit evidence supporting their objection, it was withdrawn.
- 8.4 Farmoor Services objected on behalf of their client, landowner Dale Ltd. However, after being provided with extended time review the evidence and submit evidence supporting their objection, it was withdrawn.

9.0 OTHER RESPONSES TO THE APPLICATION

- 9.1 Richmond Ramblers broadly offered their support for the application but asked that appropriate arrangements be made to improve and protect the surface from new and more intensive use, and that at the connections the route has with many other public footpaths it is made clear that such footpaths are for pedestrian use only. The Byways and Bridleways Trust also expressed their support for the application.
- 9.2 The Green Lane Association submitted a representation stating they would like consideration to be made of exemptions to the extinguishment of motor vehicle rights on the route under NERC which they believe can be argued under subsections 67(2)(a) and 67(2)(e) of the Act. They claim to have strong anecdotal evidence of use by motor vehicles which pre-dates the NERC Act. However, GLASS have been unable to provide any written user evidence to support their claim and have subsequently withdrawn their representation.

10.0 REPRESENTATION MADE BY THE LOCAL MEMBER - CLLR YVONNE PEACOCK

- 10.1 No comments have been received from the local member.

11.0 LEGAL IMPLICATIONS

- 11.1 The Council as an Order Making Authority has a legal duty under section 53 of the Wildlife & Countryside Act 1981 to keep the Definitive Map and Statement under continuous review. In doing so it shall modify the Definitive Map and Statement by means of legal Orders because of certain prescribed events which are set out in section 53 of the Act.
- 11.2 In the event an Order made by the Council is opposed, the decision on whether the Order will be confirmed rests with the Secretary of State to consider the evidence and decide, by way of either a Public Inquiry, Local Hearing or written representations.

12.0 FINANCIAL IMPLICATIONS

- 12.1 In the event that an Order were to be made and was then opposed, there would be financial implications for the Authority in covering the costs associated with referring the opposed Order to the Secretary of State. There would be a cost to the Authority in preparing a submission to the Secretary of State and responding to any queries raised, and these costs would be for officer time which would be met by the respective staffing budgets. If the Inspector representing the Secretary of State chose to hold a Public Inquiry or Local Hearing, the costs of arranging, hosting and supporting the Inquiry/Hearing would unavoidably fall to the Council, which excluding any external advocacy, would be unlikely to exceed £1,000. Any such costs would be met from existing service budgets.
- 12.2 If an Inquiry were to be held the Authority would be likely to appoint external advocacy in this instance. In cases where the authority appoints external advocacy to represent it in any proceedings, the associated cost implications are estimated to be no more than £3,000 for an average two day public inquiry, which would be met from existing service budgets.

13.0 EQUALITIES IMPLICATIONS

- 13.1 There is a statutory requirement to investigate applications for Definitive Map Modification Orders, regardless as to whether the outcome would benefit or prejudice owners, occupiers or members of the general public, and as such it is considered that equality and diversity issues are not relevant to the outcome of the process. In any event it is considered that there are no significant equalities implications arising from this report.

14.0 CLIMATE CHANGE IMPLICATIONS

- 14.1 There are no significant climate change implications arising from this report.

15.0 CONCLUSIONS

- 15.1 The current decision to be made is whether an Order should be made to alter the status of the route.
- 15.2 The evidence submitted with the application points towards the route having carriageway rights and the OMA believes that this evidence meets the “balance of probabilities” test.
- 15.3 Although there were claims of use of the application route by motorised vehicles, no evidence was submitted to support this. The route does not appear to meet any of the NERCA exceptions, and therefore rights for motor vehicles can be assumed to have been extinguished. It is therefore appropriate to record the route as Restricted Byway.

16.0 RECOMMENDATION

16.1 It is therefore recommended that:the Assistant Director - Highways and Infrastructure authorises the making of a Definitive Map Modification Order to record as Restricted Byway Footpaths No. 20.75/58 and 20.42/9 at Fremington Edge near Reeth.

Author of Report: Robert Light

Background Documents: RICH/2020/13/DMMO

The North Yorkshire Council

Report to the Assistant Director - Highways and Infrastructure

10 June 2025

**Application for a Definitive Map Modification Order
to upgrade to Restricted Byway Footpaths No. 20.75/58 and 20.42/9 at
Fremington Edge, Reeth**

Authorisation

I approve / ~~do not approve~~ the recommendation set out above.

.....

ANY ADDITIONAL RECOMMENDATION or COMMENT:

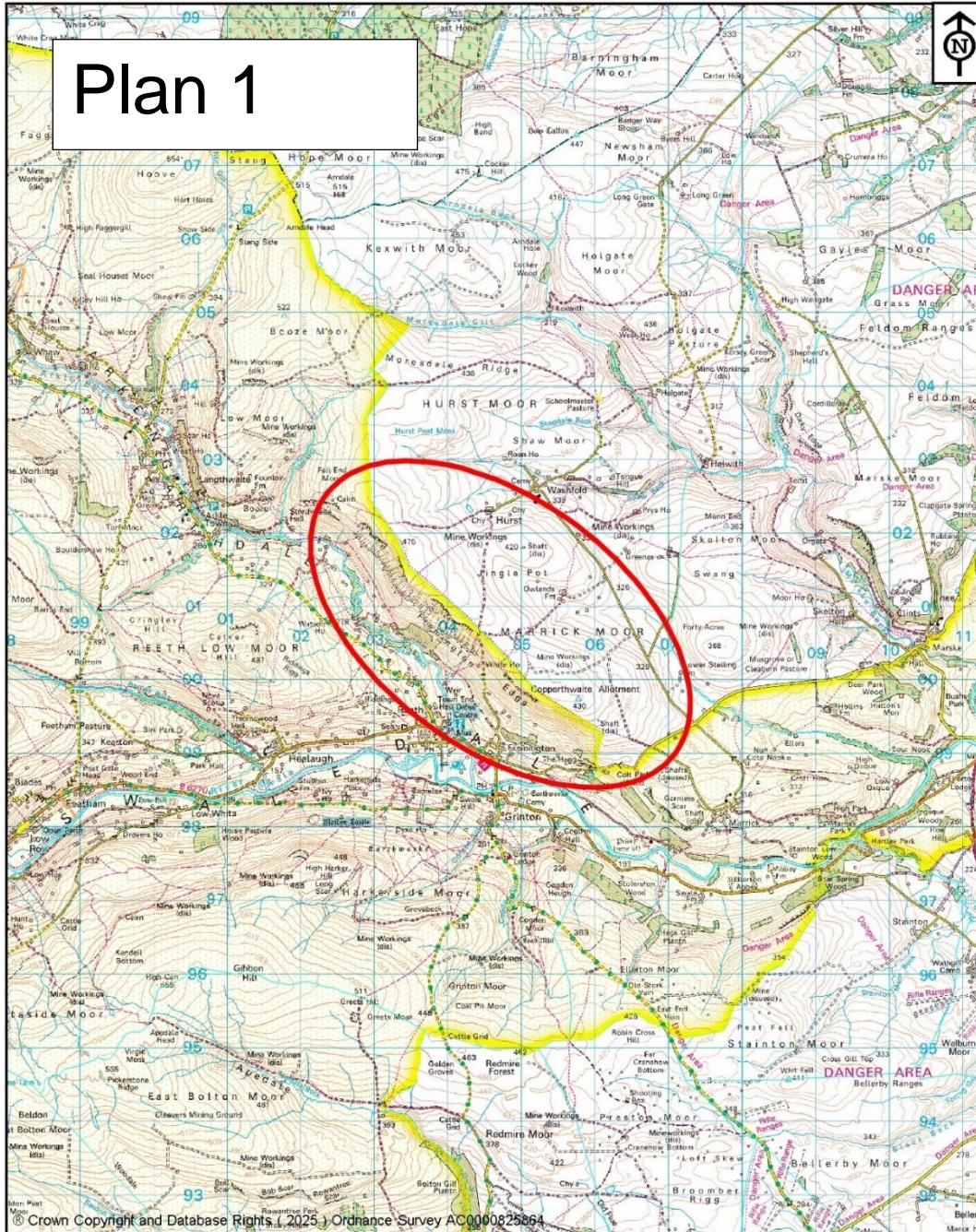
.....



.....

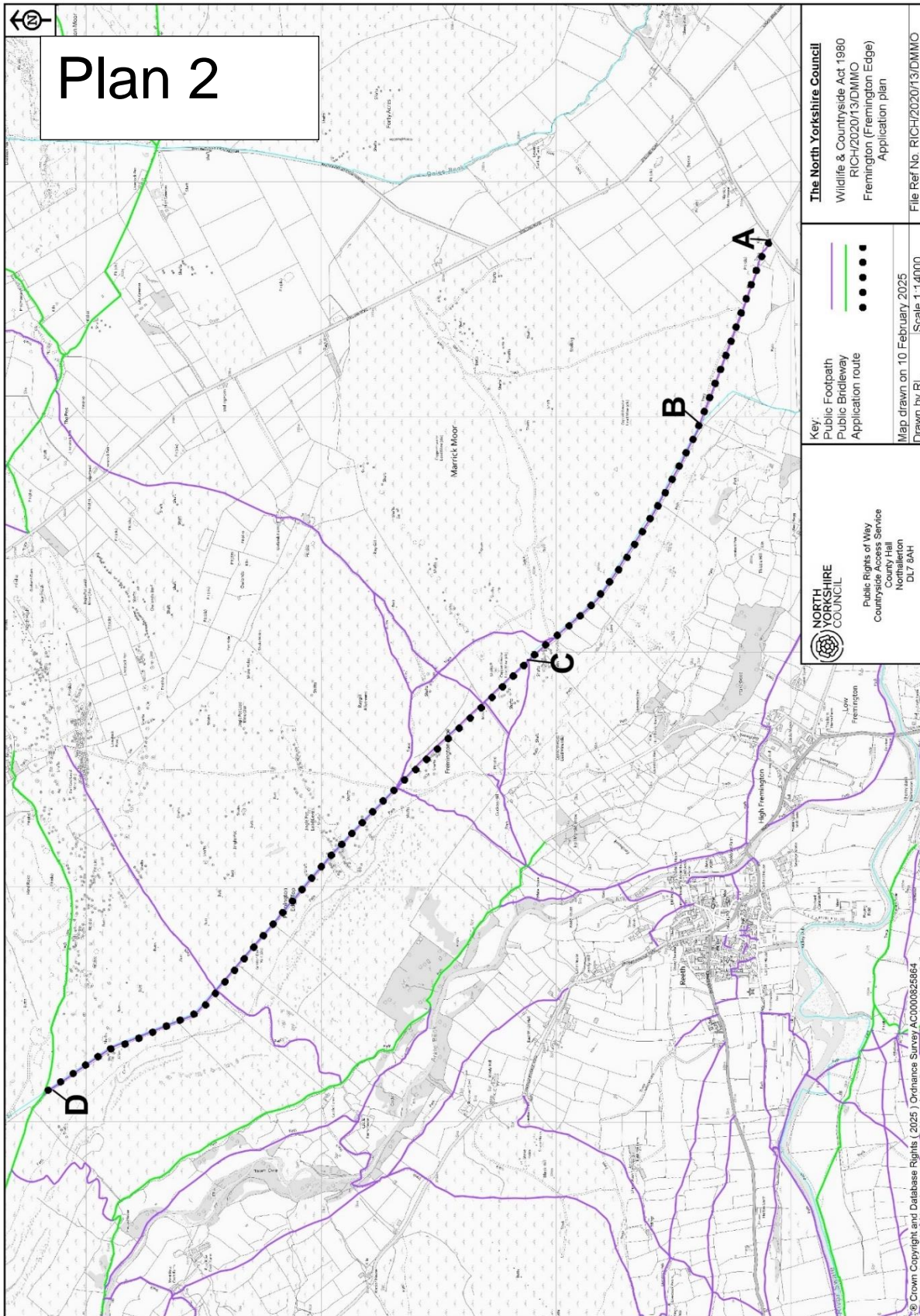
.....

BARRIE MASON
Assistant Director - Highways and Infrastructure

Date9 June 2025



 <p>NORTH YORKSHIRE COUNCIL</p> <p>Public Rights of Way Countryside Access Service County Hall Northallerton DL7 8AH</p>	<p>General location </p> <p>Map drawn on 5 February 2025 Drawn by RL</p>	<p>The North Yorkshire Council</p> <p>Location plan Proposed footpath upgrade Fremington Edge</p> <p>File Ref No. RICH/2020/13/DMMO</p>
--	---	--



This page is intentionally left blank