

Public Document Pack

**North Yorkshire County Council
Business and Environmental Services - Executive Members & Corporate Director Meetings -
Department**

Friday, 12 March 2021 / 2.00 pm

A G E N D A

- 1 **Apologies for Absence**
- 2 **Declarations of Interest**
- 3 **Exclusion of the public from the meeting during consideration of item(s) # on the grounds that it/they each involve the likely disclosure of exempt information as defined in the paragraph(s) # of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information)(Variation) Order 2006**

Items for Executive Member decision

Items for Corporate Director decision

- 4 Whitby Swing Bridge Report - Proposed Experimental Traffic (Pages 3 - 50) Helen Watson
Regulation Order (Pages 3 - 50)

Any Other Business

- 5 Date of future formal meetings

Friday 23 April (9.30 am)
Friday 21 May (2.00 pm)
Friday 18 June
Friday 23 July
Friday 20 August
Friday 24 September
Friday 22 October
Friday 19 November
Friday 17 December
Friday 21 January 2022

Circulation:

Executive Members

Andrew Lee
Don Mackenzie

Officer attendees

Karl Battersby
Jane Connolly

Presenting Officers

Helen Watson

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North Yorkshire County Council

Business and Environmental Services

Executive Members

12 March 2021

Whitby Swing Bridge - proposal to close the swing bridge to road traffic, with complementary restrictions in neighbouring Whitby town centre streets, by means of an experimental traffic order.

New Quay Road, Bridge Street (Whitby Bridge/'Whitby swing bridge'), Grape Lane, St Ann's Staith, Haggergate, Pier Road and Khyber Pass, Whitby

Report of the Assistant Director – Highways and Transportation

1.0 Purpose of report

1.1 To consider the making of an experimental traffic regulation order.

2.0 Background

- 2.1 During 2020 the general need to provide for socially distanced pedestrian access because of the Covid pandemic highlighted an already existing issue of conflict between pedestrian and vehicular use of Whitby Swing Bridge. Under powers specifically introduced to tackle Covid, a multiagency task group, which included the police, borough and county councils, made the short term emergency decision to make a Temporary Traffic Order close the swing bridge to all motorised and non-motorised vehicular traffic between 10:30am to 6pm every weekend to facilitate social distancing. The task group also decided that it was necessary to place a traffic operative at the entrance to St Ann's Staith/Pier Road every day, to enforce the existing restrictions, which stipulate that only vehicles requiring essential access are permitted between 10:30am to 6pm between 23 March and 30 September. These Covid-related actions remained in force until the end of October last year.
- 2.2 The Road Traffic Regulation Act 1984 S122 places a duty on the council as the Traffic Authority to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians). Pre-Covid, it had already been recognised by the police and the local highways office that change is likely to be needed in this location.
- 2.3 Whitby Swing Bridge is an historic structure that the County Council is responsible for the maintenance of, it is wide enough for one way traffic only and is currently controlled by traffic signals. There are footways on either side but these are narrow. Numbers of pedestrians can often be so great that the narrow footways are inadequate, even at only moderately busy times, and pedestrians overflow into the carriageway area. Even at quieter times, where pedestrians are two abreast, anyone wishing to pass needs to step into the carriageway to do so.

- 2.4 In 2019 and years previous the County Council via its local highways office, with the support of the police, regularly closed Whitby swing bridge to vehicular traffic using either planned closures under section 21 of the Town Police Clauses Act 1847 or emergency closures under section 14(2) (b) (as amended) of the Road Traffic Regulation Act 1984, in the interests of highway safety at times of heavy pedestrian footfall. For example, in 2019 the swing bridge was closed to traffic on 13 weekends. The closures have often happened with short notice to highway users. It is acknowledged that closures at short notice can be inconvenient for the people and businesses of Whitby and its visitors as well as being cumbersome to manage for the County Council. A more consistent approach to controlling use of the swing bridge is considered desirable in a practical sense and is indeed essential if the local highway authority is to continue to fulfil its' duties to secure safe movement for highway users.

3.0 Initial Proposals

- 3.1 An ETRO is suited to these proposals, as proceeding with a live experiment restricting vehicular use would enable the gathering of information which will help to achieve the aims of the scheme. The information gathered can then be assessed and considered before deciding whether to make a permanent traffic order.

- 3.2 Officers prepared the following proposed scheme of restrictions to restrict vehicular access to various streets including the swing bridge:-

- a) **St Ann's Staith, Hagersgate, Pier Road and Khyber Pass** - the existing seasonal (23 March to 30 September) 'access only' traffic regulation order, prohibiting all motorised vehicles except for access between 10:30am and 4:00pm, is proposed to be amended and extended to apply all year round. Access would continue to be permitted, as it is now, for buses, taxis, loading & emergency vehicles, and for residents of properties and businesses that can only be accessed using St Ann's Staith. Blue badge holders would be able to access the disabled parking bays on St Ann's Staith, Pier Road and Khyber Pass.
- b) **New Quay Road – proposed new 'access only'** prohibit all motorised vehicles except for access between 10:30am and 4:00pm every day. Access to be allowed for buses, taxis, loading & emergency vehicles, and for residents of properties and businesses that can only be accessed using New Quay Road and St Ann's Staith. Blue badge holders to be able to access the disabled parking bays on New Quay Road and continue on to access disabled parking bays on St Ann's Staith and beyond.

NB for information dropped as a result of consultation response from police.

- c) **Swing Bridge - proposed 'pedestrian zone'** prohibit all motorised vehicles between 10:30am and 4:00pm every day. The proposal was to prohibit all motorised vehicles including service buses and taxis. Enforcement to be by means of cameras and penalty notices issued via the post for any drivers who pass over the swing bridge in contravention of the restrictions.

NB for information as a result of consultation responses the proposal put forward now is to prohibit all vehicles and ridden cycles between 10:30am and 4:00pm weekends and bank holidays only.

- d) **Grape Lane – proposed 'pedestrian zone'** prohibit all motorised vehicles between 10:30am and 4:00pm every day.

3.3 Enforcement of restrictions of this type are a police matter. Officers from the local highways office are working with the police on the necessary signing that would be required to be in place to allow enforcement. The signs must be clear and unambiguous to drivers. Where restrictions vary from day to day and throughout the day, and where there are differing but similar restrictions on neighbouring streets, as is the case here, it can be difficult to reach a sign design which is suitably clear however officers are close to finalising the necessary sign designs with the police and a further update will be provided at the meeting.

3.4 It should be noted that emergency vehicles would have a general exemption from any restrictions on vehicular use.

4.0 Consultation

4.1 Before making a traffic order the traffic authority must consult with various statutory consultees in accordance with the Road Traffic Regulation Act 1984 and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

4.2 The following statutory and non-statutory consultees received a copy of the consultation letter and drawings (as shown at Appendix 1);

- Local county councillor Joe Plant
- All other county councillors
- Scarborough Borough Council, with a request that the consultation be forwarded to all Borough councillors
- Scarborough Borough Council Licencing
- Scarborough Borough Council Parking
- Scarborough Borough Council Tourism
- Scarborough Borough Council Port Services with a request that a copy of the consultation be emailed to boat owners with moorings at Whitby
- Whitby Town Council
- Scarborough & District Taxi Association
- North Yorkshire Police
- North York Moors National Park Authority
- Ambulance Service
- British Driving Society
- Whitby Fire Station
- Whitby hospital
- National Farmers Union
- Disability Forum
- Road Haulage Association
- The Freight Transport Association (now called Logistics UK)
- Arriva
- Coastal and Country (bus operator)
- Environment Agency
- Network Rail
- Whitby Civic Society
- Whitby Tourism Association
- English Heritage
- NYCC Passenger Transport
- NYCC Public Rights of Way officer
- NYCC Road lighting
- NYCC Road safety
- Schools; Airey Hill, East Whitby, Westcliff, St Hilda's, Caedmon College and Eskdale.

- 4.3 Although there is no legal requirement to carry out public consultation and to invite objections and representations before experimental restrictions are implemented the local highways team have also carried out a public consultation of those in the vicinity of the swing bridge by writing to over 800 properties to make them aware of the proposals.
- 4.4 Additionally to raise awareness of the consultation, a press statement was also released on 30 November 2020 and a dedicated webpage remained live from 30 November 2020 until the close of the consultation on 24 December 2020. The press statement and letters included a message for anyone who does not have access to the internet; they were able to ring the County Council's customer resolution centre to request a paper copy of the plans be sent to them.
- 4.5 Furthermore, the following local organisations/businesses, which are located outside the town-centre 800 property delivery area in the vicinity of the bridge received a copy of the consultation letter; The Star Inn, Boyes, Poundland, Sainsbury's, Botham's, Coop, Aldi, Lidl, Whitby Rugby Club, Whitby Leisure Centre, Football Club, Cricket Ground, Youth Hostel, Parkol, St Marys Church and the Driving Centre.
- 4.6 Responses from Statutory consultees and officer comments:-

No responses were received from:

- Scarborough Borough Council Tourism
- Scarborough Borough Council Port Services
- Scarborough & District Taxi Association
- North York Moors National Park Authority
- Ambulance Service
- British Driving Society
- Whitby Fire Station
- Whitby hospital
- National Farmers Union
- Disability Forum
- Road Haulage Association
- The Freight Transport Association (now called Logistics UK)
- Environment Agency
- Network Rail
- English Heritage
- NYCC Passenger Transport (no formal response, but the local highways team have worked closely with the Integrated Passenger Transport team regarding issues affecting the local service bus).
- NYCC Public Rights of Way officer
- NYCC Road lighting
- NYCC Road safety
- Schools; Airey Hill, East Whitby, Westcliff, St Hilda's, Caedmon College and Eskdale.

Responses were received from:

- North Yorkshire police traffic bureau
- local service bus operator Arriva
- Scarborough Borough Council Licencing Services
- 'Whitby town tour' bus operator Coastal & Country
- RNLi, Whitby lifeboat station
- Scarborough Borough Council Parking Services
- Whitby Town Council

- Whitby Tourism Association
- Whitby Civic Society
- Local Member, Cllr Joe Plant
- A range of comments as a result of the wider public consultation :-

4.6.1 North Yorkshire Police – traffic bureau:

Camera enforcement of the proposed swing bridge restricted zone cannot take place whilst the existing traffic signals on the bridge are operational. This is because drivers could perceive a mixed message of green traffic signal and prohibition of vehicles signs, and so any penalty issued could be open to challenge.

If camera enforcement is required, then the swing bridge traffic signals must be switched off or set to 'all red' for the duration of the swing bridge restrictions.

Additionally, clear, unambiguous signing is required. North Yorkshire police are more than happy to work with the county council in finalising arrangements for enforcement and signing.

4.6.2 Officer comment:

In the opinion of officers, creating a restriction on the swing bridge which prohibits all vehicles with no physical or enforcement measures to deter drivers from abusing it would be undesirable and may lead to infringements which could endanger road users.

The swing bridge is only wide enough for one way traffic, and is currently controlled by full-time traffic signals to allow its issue in two directions. If the swing bridge traffic signals must be switched off or placed in the 'all red to vehicles' position to allow camera enforcement, then it will not be possible to exempt buses or taxis from the restriction. This is because buses and taxis would either be proceeding through a red light or, if the signals were switched off completely, would be likely to meet other traffic head-on, as there is no line of sight between the stop lines either side of the bridge.

Due to the likely impact on people with protected characteristics highlighted by consultation responses and by the Equalities Impact Assessment (Appendix 2) covered further in the Equalities section of this report, exempting buses and taxis from the restriction is something officers have needed to consider, either an exception on weekdays or an exception all days.

Given the police's response, if automatic enforcement is a requirement, the restrictions on the swing bridge could not be enforceable at times when buses and/or taxis were given an exemption to cross the bridge ie all traffic would need to be prohibited whilst the restrictions were in force, with no exceptions possible for any vehicles other than emergency vehicles, whose drivers have the necessary training to proceed with caution through a red traffic signal.

Manual police enforcement could be an option, but is considered undesirable due to the demand on police resources it could create. Manual enforcement by nature would be less frequent. Automatic enforcement is considered essential to encourage compliance and so increase the safety of highway users.

As officers have worked through the detail of the wording for the traffic signs which would be required to bring the proposals into effect, two issues have come to light. Firstly, it has been noted that the proposed restrictions on the swing bridge are not suited to a 'pedestrian zone' as the area is too small. A 'prohibition of driving' restriction would be more appropriate. Secondly, the proposed restrictions for New Quay Road are unnecessary if the restrictions for the Swing Bridge and Pier Road are in place; indeed if New Quay Road was retained in the proposals it would be extremely difficult to provide concise, easy to understand advance signing for all three restrictions.

Therefore, officers would recommend that the proposed restrictions on New Quay Road are omitted, and that any restrictions taken forward for the swing bridge (Bridge Street) are a 'prohibition of driving'.

An options appraisal, which considers all relevant aspects, has been carried out at Appendix 3.

4.6.3 Arriva, local service bus operator:

Arriva made a number of significant points, on the original proposals namely;

- Making Whitby Swing Bridge a restricted zone during the middle of every day would have a direct effect on Bus Service 95, which operates between Eskdale (Sainsbury's) and Sleights.
- If service 95 were diverted via the A171 and Bagdale this would increase the operating time required and increase the likelihood of the service encountering congestion on the western approach into the town centre – Would any improvements to the access into Whitby from the west be made to compensate?
- Diverting the service would have a detrimental knock-on effect on other stops and the frequency of the service.
- There is doubt whether the service could viably serve Church Street at all if the buses were not able to use the swing bridge.
- It was pointed out that service 95 was already a marginal service pre-Covid, and in effect could be under review for its viability at any time in the future.

Given the conclusion of the Options Appraisal at Appendix 3, and the move by officers to recommend the swing bridge restrictions are placed on Saturdays, Sundays and bank holidays only, Arriva made the following further comments;

We understand the issues that have been raised and the suggested change to Saturday, Sunday and bank holiday only for the trial.

We have concerns about the effect of the closure beyond the trial, but accept that until we have done the trial these cannot be fully assessed.

We would seek to work with the Integrated Passenger Transport and highways teams to review the impact on the service following the trial and it may be that they will need to look at route and timetable changes in following years (if the trial is successful). This may require some mitigating works including parking control and new stops to accommodate the changes.

4.6.4 Scarborough Borough Council Licencing Services:

The Borough Council's Environment and Regulation Manager reported a number of issues raised by taxi drivers and operators;

- Passenger's fares will substantially increase as short journeys from one side of the river to the other will now involve a tripling of distance and time. Many Hackney passengers are vulnerable, elderly or disabled, many are regular customers. Passengers often include holidaymakers with suitcases. Passengers often fill a boot with supermarket shopping. The existing shorter Hackney journey across the river will now be longer and more costly (on the meter) and going by foot for many is not possible, even for them to cross the bridge on foot and then find a Hackney.
- Concern that hackneys will be prevented from using St Ann's Staith/Pier Road to Khyber Pass.
- Drivers trying to get back swiftly to the town centre ranks at busy times to deal with the queues and remove loud and boisterous people will be delayed, increasing rank waiting times. At busy times late at night or in bad weather the public will be left standing in longer queues with no shelter.
- The rank is essential outside Wetherspoons but will only be able to be approached from the wrong direction increasing three point turns.
- The one rank space on Church St is insufficient to provide a Hackney service to that side.
- The A171 high level bridge ('new bridge') is often very congested at school leaving time, this route is not a good alternative.
- It has been suggested by drivers and operators that the bridge should be closed to public traffic but maintained for Hackneys (public service vehicles), buses and emergency vehicles with strict speed restrictions. Alternatively, the swing bridge could made one way for Hackneys as a way of seeking a compromise.

4.6.5 Officer comment in response to issues raised by Arriva and Scarborough Borough Council Licencing Services:

Bus issues

During previous temporary closures of the swing bridge, the 95 service bus was unable to serve Church Street. For example, during the 2020 swing bridge closures on weekends and bank holidays, service 95 ran along Church Street before 10:30am but after this time it did not serve Church Street as it diverted via A171 and the high level bridge. Therefore, this proposed trial scheme, if it were for weekends and bank holidays only, would represent a continuation of those arrangements.

Arriva's recent comments, following the move to recommend a weekend and bank holiday only restriction on the swing bridge for the duration of the trial, are noted and appreciated. The local highways team is committed to working with Integrated Passenger Transport and the local bus operator at the end of the trial, should it be decided that any aspects of the trial are to be made more permanent.

Taxi issues

During previous temporary closures of the swing bridge, taxis were unable to cross the swing bridge on weekends or bank holidays. Therefore, this proposed trial scheme, if it were for weekends and bank holidays only, would represent a continuation of those arrangements.

Concerns about taxis being delayed late at night are unfounded; the swing bridge closures would be 10:30am to 4:00pm.

Equally, taxis are currently exempt from the current March – September restrictions which prohibit vehicles from using St Ann’s Staith- Pier Road- Khyber Pass as a cut-through to the West Cliff. The proposals for St Ann’s Staith – Pier Road – Khyber Pass are simply that the existing restrictions be extended beyond 30th September – they do not prevent use by taxis.

Equality issues were identified in discussions with colleagues from Integrated Passenger Transport and in their initial discussions with Arriva. Issues around rising taxi fares if taxis were prohibited from using the swing bridge were raised by the taxi operators and drivers; all were also examined in the Equalities Impact Assessment (EIA). The EIA is highlighted later in this report and attached as Appendix 2. The EIA confirmed that the impact of preventing service buses and taxis from crossing the swing bridge for prolonged periods would have a disproportionate effect on people with protected characteristics.

Therefore, various options to consider allowing greater access across the swing bridge for service buses and taxis have been considered, and a summary of this exercise is set out in Appendix 3. Appendix 3 concludes that rather than proceeding with the trial seven days a week, limiting it to weekends and bank holidays only would be the preferred option, as it would allow service buses and taxis to continue travelling over the swing bridge on weekdays. Prohibiting all traffic (except emergency vehicles) at weekends and bank holidays would allow the traffic signals on the swing bridge to be switched to ‘all red’, enabling camera enforcement of the swing bridge restrictions 10:30 - 4:00pm at weekends and bank holidays.

Appendix 3 concludes that a weekend/bank holiday only restriction helps to balance the need to improve conditions for pedestrians with the needs of people with protected characteristics and members of the public who rely on the service bus and/or taxis.

In the event these proposals as they stand become the subject of a permanent traffic order, future monitoring and review would not be prevented, though any proposed revisions would be subject to following due procedure.

- 4.6.6 ‘Whitby town tour’ bus operator Coastal & Country:
Coastal and Country’s Whitby Town Tour Bus is a valuable link for tourists especially the elderly to get to the abbey, bandstand and West Cliff who otherwise would not be able to reach these places on foot.

It is essential that the town tour service be able to access the bandstand on Pier Road. During the (Covid related) closures this summer (ie 2020), the service has been unable to access Pier Road and the operator considers that this has damaged both business and the reputation of the service.

The operator has expressed concern that the turning circle at the Potato Market/Tin Ghaut is not suitable for buses and may lead to Church Street not being served by any buses.

The operator has also stated that access from Spital Bridge onto A171/Helredale Road must be addressed, as the service encountered major problems during 2020 when the Swing Bridge was closed on a weekend. Bagdale, Downtinner Hill and Prospect Hill are also an issue as the traffic can only exit from the town on one road once the Swing Bridge is shut, leading to grid lock.

4.6.7 Officer comment:

It is acknowledged that during the April to October 2020 Covid closures of Pier Road, the Town Tour bus was prevented from accessing the bandstand, because there was a member of staff managing the closure point denying access for all but essential use.

That is not normally the case and would not be the case during the experiment. The town tour bus would be able to access the bandstand because buses (along with taxis, permit holders and loading vehicles are exempt from the current March – September restrictions which prohibit vehicles from using St Ann’s Staith- Pier Road- Khyber Pass as a cut-through to the West Cliff. The proposals for St Ann’s Staith – Pier Road – Khyber Pass are simply that the existing restrictions be extended beyond 30 September 2021, and all the exemptions will still apply.

The design of the proposed turning area at Tin Ghaut car park (the Potato Market) will be capable of allowing a large vehicle to turn.

It is recognised that closing the swing bridge to all vehicular traffic at weekends and on bank holidays will have a significant impact on the traffic getting from one side of the river to the other by putting all the vehicular traffic onto the one other bridge in Whitby, the high level bridge. Church Street and the areas leading up to the Abbey would access the high level bridge using the junction of Spital Bridge and A171 Helredale Road.

Existing public car parking spaces in Church Street car park would be greatly reduced (as Scarborough Borough Council intend to designate the majority of the car park as private car permit holders only, to accommodate the permit holders to be moved from Tin Ghaut car park). Traffic seeking parking in Whitby would be directed to the west side or to the Abbey on the east side. Therefore, it is anticipated that a large proportion of opportunist traffic seeking town centre parking will be completely removed from Church Street and so removed from entering A171 Helredale Road the junction of Spital Bridge.

Whilst it will not be possible to make improvements to the Spital Bridge junction or other junctions in the town for the duration of the trial, the trial will be used to assess what road improvements may necessary. At the end of the trial, if a decision were to taken to continue with the scheme, then a bid for Whitby Town Deal funding could be required to allow junction improvements to be carried out.

4.6.8 RNLI and Whitby lifeboat station:

The comments received from the RNLI and Whitby lifeboat station are set out below:

- The proposals will affect our ability to make a timely launch of our lifeboats to effect a rescue.
- Lifeboat crews are volunteers and live in various parts of the town but when on call are duty bound to respond to a summons to the lifeboat station immediately.
- Some of our launches are time critical e.g. a vessel is sinking and/or there is a person in the water and in imminent danger. In such circumstances additional seconds to launch become hugely important in order to save life.
- When Whitby is congested and the bridge closed to road traffic our crew from the west side, who may be at home or working there, are forced to park on Flowergate and then proceed on foot to the station but this is not the most time efficient and also parking may not be available. Access to the station over the swing bridge then becomes imperative.

- Would like some special provision to accommodate our particular situation as lives could depend on it. Offer of a discussion to find a solution.

4.6.9 Officer comment:

Allowing lifeboat volunteers in private vehicles passage over the swing bridge whilst the swing bridge restrictions are in force could be problematic, not least as members of the public may well not appreciate why those vehicles need to be on the bridge. It is recognised, however, that some allowance for those travelling to attend an emergency is needed. Arrangements for enforcing the swing bridge pedestrian zone are being finalised with North Yorkshire police's traffic bureau and discussions are ongoing to arrange some mechanism by which RNLI volunteers providing proof of attending an emergency can have an enforcement against them waived. It may be desirable to provide volunteer responders with suitable driver training so that they are equipped with the necessary skills to proceed through a red traffic signal, as the traffic signals would be set to 'all red' during the restriction. A flashing beacon or windscreen identification is also under consideration to help indicate to the public what their purpose is. Further discussion with North Yorkshire police's traffic bureau and the coastguard/RNLI would take place before details are finalised and before any trial scheme, if approved, commences.

4.6.10 Scarborough Borough Council (SBC) Parking Services:

- SBC is supportive of the scheme overall, although there are some concerns with the proposed layout for Tin Ghaut car park.
- Potential conflicts between vehicles manoeuvring in and out of spaces and vehicles using the area to turn.
- Suggest that introducing loading /disabled/taxi bays on the periphery of the car park utilise parallel parking, which will allow more space in the turning circle as an alternative or simply removing the spaces entirely should be considered.
- SBC have made the decision to relocate all Tin Ghaut permit holders to their Church Street off-street car park. This is partly because SBC will need to provide current permit holders of Tin Ghaut with comparable security for their relocated parking spaces to prevent non-permit holders from using them.

4.6.11 Officer comment:

Tin Ghaut (Potato Market) car park is not part of the highway, decisions around its use are not subject to traffic regulation orders, and so a formal decision on the arrangements for Tin Ghaut and Church Street car parks are not a matter for this report. However, the concerns from the borough council about the layout of their car park have been addressed through an engineer from highways meeting with SBC's Senior Engineer, Northern.

Scarborough Borough Council have confirmed that all the permit holders on Tin Ghaut car park will be relocated to Church Street car park, with comparable security measures installed at Church Street car park. SBC will have the opportunity to offer additional permit holder spaces, and to significantly reduce parking by the general public from Church Street. This has an added benefit to the proposals set out in this report as, with appropriate new signing, it would deter vehicles from travelling down Church Street simply to look for parking. The local highway office will look to consider the points SBC mention; namely introducing loading /disabled/taxi bays on the periphery of the Tin Ghaut car park, or removing the spaces entirely. In the longer term, should the proposals become permanent, the area could be considered for public open space/green space use.

4.6.12 Whitby Town Council:

Due to the pedestrianisation of the swing bridge the intention is to build a roundabout in the Tin Ghaut car park. Obviously this will no longer be a safe area to stand and read the story board we placed at the Grape Lane corner of the car park last year. Can it be relocated, but remain close to that part of Church Street?

4.6.13 Officer comment:

There will not be a roundabout constructed in the normal way. There will be a marked out area within the car park where vehicles which need to turn around can do so. Scarborough Borough Council have confirmed that they will be relocating all Tin Ghaut permit holders to Church Street car park. Therefore, the indicative layout for Tin Ghaut shown on the consultation plans has now changed to remove this concern.

It is not envisaged that the storyboard is located where turning vehicles are likely to cause a difficulty with pedestrians reading it, particularly as it is likely that far less parking will be retained in Tin Ghaut than was shown in the consultation drawings. However, if it is generally accepted the storyboard would be better relocated due to the scheme, then a new location could be agreed and it could be moved.

4.6.14 Whitby Tourism Association:

Recognises the importance of the swing bridge to Whitby's tourism and historic offer. Concern over loss of off-street parking on Church Street and the additional pressure for visitor parking that may exacerbate. Concern about the effect of additional traffic on the Spital Bridge/Helredale Road junction. Enforcement on the bridge should have been put in place years ago to protect the bridge. Welcomes a trial of the proposals provided the outcome is not pre-decided and that lessons are learnt from it.

4.6.15 Officer Comment:

The loss of off-street parking is noted and appreciated. However, it is not possible to trial the scheme without creating a space for vehicles to turn around on the east side; the effects of loss of parking will be one of the issues monitored during the trial. Monitoring the effect on the Spital Bridge junction is also a key aim of the trial, to establish what highway improvements may be required should the conclusion of the experiment be to extend it in the longer term.

4.6.16 A member of Whitby Civic Society:

Expresses concerns that locals may be inconvenienced for the sake of visitors. Requests more Park and Ride sites be provided. Suggested that residents could be granted exemption from the restrictions via an issue of permits. Concern over the loss of off-street parking spaces on Church Street and increased congestion on Church Street. Concern over potential for increased parking in the Fishburn Park area, an area which already suffers with non-residents parking all day.

4.6.17 Officer Comment:

The inconvenience to locals is noted. However, allowing vehicles through would negate the aim of the trial, which is to improve conditions for pedestrians at the busiest times.

Additionally, if camera enforcement of the restrictions is required, is it not possible to provide exemptions for any vehicles other than those used in connection with an emergency whilst the restrictions are in place, due to the fact that the swing bridge traffic signals must be switched off or set to 'all red' for the duration of the swing bridge restrictions.

The loss of off-street parking is noted and appreciated. However, it is not possible to trial the scheme without creating a space for vehicles to turn around on the east side; the effects of loss of parking will be one of the issues monitored during the trial. Monitoring the effect on the Spital Bridge junction is also a key aim of the trial, to establish what highway improvements may be required should the conclusion of the experiment be to extend it in the longer term.

With regard to the potential for increased parking demand in Fishburn Park, this is acknowledged, and it is proposed to commence a further, separate consultation on the possible creation of a disc parking scheme for two areas that are just outside the current disc scheme; Fishburn Park and The Ropery area.

4.6.18 County Councillor:

The local county member for Whitby town is Cllr Plant. Cllr Plant has provided a written statement (see Appendix 4), which he would like would like decision makers to consider.

Cllr Plant has a number of concerns:

- finds it difficult to support extending the existing restrictions on St Ann's Staith and the roads beyond any later in the year than the October goth weekend, to coincide with when on-street pay and display restrictions end, and when the park and ride service ends.
- appreciates that the Town Deal Board supports carrying out this trial, and that testing the effect of any restrictions in winter, even for a short time, could serve a useful purpose in ruling winter restrictions in or out once and for all.
- is pleased that discussions will take place with RNLI and the coastguard with the aim of ensuring volunteers will not be fined if they use the swing bridge to attend an emergency.
- is pleased to see that officers have amended the proposals to allow service buses and taxis to use the swing bridge on weekdays, although would much prefer that buses were permitted on weekends and bank holidays too.
- remains concerned about Spital Bridge junction and strongly supports an improvement being made to this junction.

4.6.19 Officer comment:

It is appreciated that the local member has many years of personal experience of the town, and that many people have contacted him personally with their views.

It is considered that Whitby is a year-round destination, and the experiment seeks to demonstrate what the effects of limiting vehicles would be at all times of the year. It may be that at the conclusion of the trial a decision is taken for any future restrictions to be confined to the 'season', but in order to consider that decision, it is necessary to continue the trial into winter months as well.

Concerns have been raised by the local County Councillor about prohibiting buses and taxis on weekends/bank holidays. The local county councillor's view is that the same issues of difficulty and disadvantage exist at weekends/bank holidays as well as on weekdays for those people who rely on taxis. Whilst there is a regular service bus, it is not frequent and it is one way. There is a reliance on taxis to provide a service alongside the local service bus. It is recognised that, due to the extra distance travelled, there would be an increase in weekend taxi fares which would result if taxis were not allowed over the swing bridge.

The number of taxis expected to use the swing bridge is estimated to be relatively low. However, at particularly busy times, pedestrians using the swing bridge may not be expecting any vehicles travelling through the crowds of pedestrians and highway safety issues may arise.

Importantly, as mentioned earlier in this report, following recent discussions with the police traffic bureau it has been established that it will not be possible to make exceptions for buses, taxis or any other vehicles to cross the swing bridge during the restrictions. This is because, for automatic enforcement to be used, the existing traffic signals will have to be switched to 'all red' so that a green signal does not invite motorists to break the 'prohibition of driving' restriction.

As shown in Appendix 3, officers have carried out an assessment of the advantages and drawbacks of the various options for prohibition of vehicles on Whitby swing bridge. That assessment summarised that option 3, reducing the swing bridge restrictions to cover weekends and bank holiday provided a suitable compromise. It appears to offer the best balance between improving pedestrian safety and meeting the aims intended, providing conditions to encourage walking and cycling, reducing the impact on people with protected characteristics and enabling automatic police enforcement of the restriction.

4.6.20 Wider public comment and officer comments:

106 responses were received from the wider public, via the 'Have your say' button on the webpage, by email or letter.

Appendix 5 contains the thirteen main themes mentioned by members of the public, number of respondents mentioning those themes in their responses, together with officer comment.

Copies of all the responses received can be made available at the meeting for the members to view.

5.0 Legal Procedures and Implications

5.1 Under Section 122(1) of the Road Traffic Regulation Act 1984 the County Council has a duty to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Officers are satisfied that the proposals set out in this report comply with this requirement.

5.2 Statutory processes relating to the introduction of traffic orders are covered primarily by the Road Traffic Regulation Act 1984("the Act") and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996("the 1996 Regulations).

5.3 Officers propose that in this instance an Experimental Traffic Regulation Order (ETRO) is made under section 9 of the 1984 Act this would provide up to 18 months for the proposals set out in this report being in place on the ground on an experimental basis and whilst allowing for the possibility of adjustments to be made during the initial six month period.

5.4 In summary the process includes the following:-

- following the statutory consultation, a notice of the proposed making of an experimental order needs to be published in the local press at least seven days in advance of the order coming into force

- In accordance with section 10 of the Road Traffic Regulation Act 1984 section 10, an experimental order may be modified or suspended during its operation subject to consulting with the police authority
- a highway authority can seek to follow up an experimental order with a permanent order subject to satisfying certain procedural requirements
- objections to the prospect of the provisions of an experimental order becoming the subject of a permanent order may be lodged during the first six months that an experimental order is in effect – the maximum duration for an experimental order is 18 months. As well as taking into account representations made during the six month period mentioned here that the representations already received will be taken into account in assessing whether or not to make a permanent order
- in deciding whether or not to make a permanent order a highway authority may choose to call a public inquiry to assist with the decision and in certain circumstance must hold an inquiry

5.5 Under section 10 of the 1984 Act an ETRO may include provision empowering a specified officer of the authority that made the order, or a person authorised by such a specified officer, to modify or suspend the operation of the order or any provision of it if it appears to him essential—

- (a) in the interests of the expeditious, convenient and safe movement of traffic,
- (b) in the interests of providing suitable and adequate on-street parking facilities, or
- (c) or preserving or improving the amenities of the area through which any road affected by the order runs.

5.6 The power conferred by such a provision to be exercised only after consulting the appropriate chief officer of police and giving such public notice as the Secretary of State may direct.

6.0 Equalities Implications

6.1 A full equalities impact assessment has been carried out, see Appendix 2. The assessment concluded that there would be adverse impact for people with protected characteristics due to the effect on the local service bus and taxis. The EIA outcome is that the proposals should be changed to reduce or remove the adverse impacts. This has been actioned by examining the alternatives in an Options Assessment, see Appendix 3.

7.0 Climate Change

7.1 A Climate Change impact assessment has been carried out, see Appendix 6. The climate change impact assessment highlights both positive and negative impacts. On balance, the local Highway Authority anticipates that the positive impacts will outweigh the negative impacts. As well as enhancing pedestrian safety, the scheme is intended as a further step towards reducing the dominance of the motor vehicle in the town centre, encouraging walking and cycling in place of short motorised trips within the town centre.

7.2 It is planned to monitor the Spital Bridge junction during the experimental period. If the pedestrianisation proposals set out in this report (or a variation on those proposals) are to continue in the longer term, and the data gathered shows a significant negative impact (queues) at Spital Bridge junction, it is anticipated that future funding will allow improvements to be made at this junction. This would help reduce the queue lengths and so waiting times of vehicles at this junction and thus reduce the negative impacts on air quality there.

- 7.3 It is worth noting that the proposals directly support two of the Whitby Town Investment Plan's objectives;
- objective 5 : *Create a walkable town to better connect all that is on offer and*
 - objective 7 : *Provide opportunities to live lighter in our environment*

8.0 Financial Implications

- 8.1 This scheme would be fully funded from an award of £400,000 of 'fast track' funding from the Ministry of Housing, Communities and Local Government made to the Whitby Town Deal Board.

9.0 Recommendations

- 9.1 It is recommended that the Corporate Director BES, in consultation with BES Executive Members approves the making of an ETRO which introduces the following;
- a. **St Ann's Staith, Haggergate, Pier Road and Khyber Pass** - amend to year round the existing seasonal (23 March to 30 September) 'prohibition of motor vehicles' traffic regulation order, which prohibits all motorised vehicles except for certain exceptions between 10:30am and 4:00pm
 - b. **New Quay Road** – no change
 - c. **Swing Bridge – proposed** 'prohibition of vehicles' traffic regulation order, prohibiting all vehicles including ridden cycles between 10:30am and 4:00pm on Saturdays, Sundays and Bank Holidays, year round.
 - d. **Grape Lane – proposed 'pedestrian zone'** to prohibit all motor vehicles between 10:30am and 4:00pm, year round.
- 9.2 Delegation to officers to agree the signing and other associated detailed arrangements for enforcing the swing bridge prohibition of vehicles with North Yorkshire police's traffic bureau to include some mechanism by which RNLI volunteers providing proof of attending an emergency can have an enforcement against them annulled, to facilitate attending emergency incidents and that whatever is agreed is covered by the provisions of the ETRO.
- 9.3 In accordance with section 10 of the 1984 Act the ETRO to include a provision empowering the Corporate Director BES or a person authorised by him to modify or suspend the ETRO in circumstances as set out in section 5.5

BARRIE MASON
Assistant Director Highways and Transportation

Author of report: Helen Watson

Background documents: None



Richard Marr CEng., MICE
 Highways and Transportation
 Area 3 – Whitby Office
 Discovery Way
 Whitby
 North Yorkshire

27th November 2020

YO22 4PZ
 Tel: 01609 780780

E-mail: area3.whitby@northyorks.gov.uk
www.northyorks.gov.uk

Dear Sir/Madam,

Proposed experimental pedestrianisation of Whitby Swing Bridge, 10:30am to 4:00pm daily, starting April 2021

With daytime visitor numbers increasing year on year, in the interests of pedestrian safety it's been necessary to regularly close Whitby swing bridge to traffic. For example in 2019, it was closed for safety on 13 weekends, often unpredictably, which can be inconvenient for the people of Whitby and its visitors. It is also costly to the taxpayer to close the swing bridge in this way. This year the Covid pandemic has magnified the issues, with a multiagency task group which includes the police, borough and county councils making the decision to close the swing bridge to traffic 10:30am to 6pm every weekend, and to deter extraneous traffic from Pier Road every day 10:30am to 6pm.

The importance of allowing traffic over the swing bridge, connecting the east and west sides of Whitby, is recognised but this has to be balanced with the needs of pedestrians at core times of the day.

I am writing to let you know about plans to carry out an experimental, trial pedestrianisation of Whitby Swing Bridge. The intention is that the swing bridge is closed to traffic and opened again at pre-set times (10:30am to 4:00pm) each day for a trial period from April 2021. New electronic signs will be provided, which will be of benefit to the town whatever the outcome of the trial.

If approved to go ahead, the trial would affect people living in, working in or visiting Whitby, and so it is important that everyone is aware of the trial commencing, and how they may comment.

Attached is an information sheet explaining in detail how this proposal has come about, and what it is likely to entail. There are also plans of the proposals available to view on our website <https://www.northyorks.gov.uk/whitbyswingbridge> If you require a paper copy of the plans posting to you, please contact our customer resolution centre on 01609 780780 to request this.

I would be grateful if you would read about the scheme and let me have any initial comments you wish to make by clicking on the 'Have your say' button on the webpage. You may also send your comments in writing via email to; Area3.whitby@northyorks.gov.uk

or by post to;
North Yorkshire County Council,
Whitby Highways Office,
Discovery Way,
Whitby YO22 4PZ

Please ensure your reply to this initial letter reaches us by 24th December 2020.

All replies will be reported to the 29th January 2021 meeting of the Director of Business and Environmental Services with Executive Members, so that a decision can be taken on whether to proceed with the trial in April.

If approved, nearer the time, we would commence the legal process of advertising an Experimental Traffic Regulation Order (ETRO). We would write to you again and advertise the ETRO by placing a legal Notice in the Whitby Gazette and copies of the Notice on street. The Experimental Order would come into effect a minimum of 7 days from the date of the Notice.

We would encourage everyone, not just those we have written to, to comment further once the experiment has started. We would issue a press release and other publicity on social media before the trial starts and for its duration, explaining what we are doing and why, and letting people know how to send their comments to us whilst the trial is in place.

We also plan to place temporary signs with our contact details either side of the closure, encouraging people to send us their views whilst the trial is going on.

At present, it is planned that the effect of the Experimental Order would be as follows;

1. **St Ann's Staith, Haggergate, Pier Road and Khyber Pass** - the existing seasonal 'access only' experimental traffic regulation order (ETRO), prohibiting all vehicles except for access between 10:30am and 4:00pm, **is proposed to be amended to everyday** for the duration of the experiment. Access would be allowed, as it is now, for taxi's & emergency vehicles, and for residents of properties and businesses that can only be accessed using St Ann's Staith. Blue badge holders would be able to access the disabled parking bays on St Ann's Staith, Pier Road and Khyber Pass.
2. **New Quay Road** – **proposed new 'access only'** ETRO prohibiting all vehicles except for access between 10:30am and 4:00pm every day for the duration of the experiment. Access would be allowed for taxi's & emergency vehicles, and for residents of properties and businesses that can only be accessed using New Quay Road. Blue badge holders would be able to access the disabled parking bays on New Quay Road.
3. **Swing Bridge** - **proposed 'pedestrian zone'** ETRO, prohibiting all vehicles between 10:30am and 4:00pm everyday for the duration of the experiment. It is proposed the swing bridge pedestrian zone would be enforced by automatic number plate recognition cameras, making it possible to issue a penalty to vehicles entering this zone during the restricted hours.
4. **Grape Lane** – **proposed 'pedestrian zone'** ETRO, prohibiting all vehicles between 10:30am and 4:00pm everyday for the duration of the experiment.

Yours sincerely,

Helen Watson
Helen Watson CEng MICE
Improvement Manager

Whitby Swing Bridge

Government funding for improvement trial

Executive summary

- Existing problem – At busy times the Whitby Swing Bridge has to close, to ensure the safety of pedestrians in the town (and the covid-19 epidemic has only served to exacerbate this situation).
- Better solution needed – There is a recognition that a better, more efficient and elegant system that is more befitting of Whitby's status could benefit the town, local people and visitors.
- Funding secured – The Whitby Town Deal Board has secured “accelerated funding” from government to pay for infrastructure needed to *test* out a better and potentially more permanent solution.
- This is a trial and it is flexible – This funding will allow a temporary solution to be tested. Local people and stakeholders will be able to see if the project works and ultimately, if it doesn't work, then the project can be stopped.

Context

The Whitby Town Deal Board includes representatives of community organisations, businesses and local councils. It was set up to oversee the preparation of a bid to government for up to £25 million of funding for projects to boost skills and enterprise, sustainability, digital and transport connectivity, community well-being and revitalise the economic prospects of Whitby.

Connectivity in the town, and a focus on the harbour, has been a consistent theme of the Town Deal working groups. As part of this work the County Council's highways team has investigated the possibility of running a formal trial (rather than ad hoc as it is currently) on the Whitby Swing Bridge becoming pedestrian-only more frequently and regularly. The bridge frequently forms a natural 'pinch point' for pedestrian movement in town and a more structured approach is therefore a sensible option to explore.

What's the plan?

What?

A trial scheme which would see traffic prohibited from using the swing bridge during the hours of 10:30am to 4:00pm every day. This would mimic what happens already on busy weekends throughout the summer. Signs would be installed on the approaches to the town centre to inform drivers that the swing bridge is unavailable to all traffic, and that casual traffic will not be allowed on New Quay Road, St Ann's Staith, Pier Road, Haggergate and Khyber Pass between the hours of 10:30am and 4:00pm.

For traffic that needs to access lower Church Street during the hours when the swing bridge is closed, a temporary new turning point / roundabout would be created to allow buses and other vehicles to turn around. The turning area would be within the Tin Ghaut permit holders' car park. Engagement with permit holders is being carried out by Scarborough Borough Council and alternative parking locations for them nearby will be offered before any changes are made to the car park. Access to Upper Church Street would be unchanged.

As the proposed restrictions on New Quay Road would be 'except for access' this means businesses would still be able to receive deliveries, residents and holiday home guests would be able to access their properties and blue badge holders would be able to access disabled parking bays on New Quay Road, St Ann's Staith, Pier Road and Khyber Pass. Taxi's will be able to continue using the rank on New Quay Road as they do now. No vehicles would be permitted over the swing bridge or along Grape Lane between 10:30am and 4:00pm each day. Emergency service vehicles would be exempt from all restrictions.

Why?

The aim of the trial is to see if a better, more efficient and elegant system for the management of traffic on the swing bridge that is more befitting of Whitby's status could benefit the town, local people and visitors.

Where?

The proposals affect Whitby swing bridge, Grape Lane, New Quay Road, St Ann's Staith, Pier Road, Haggergate and Khyber Pass between the hours of 10:30am and 4:00pm.

Drivers would have the opportunity to turn around at Langborne Road roundabout or a new turning area at Tin Ghaut car park, if they have missed the signs informing them of the restrictions. However, we are planning very clear, noticeable signs that we would anticipate drivers would see and take heed of.

When?

We are planning that the trial starts in April 2021 and runs until December 2021, although it may end before that date.

How?

In January 2021 we intend to report any comments we receive in response to this initial letter whilst seeking authorisation to advertise an 'Experimental Traffic Regulation Order'. If approved, the trial would need to start in April 2021, as this is a condition of the funding. During the first six months of the trial, anyone can send their comments to the local highways office at Whitby and, if necessary, changes to the restrictions can be made and the trial continued with, or ended early.

Flexibility

It's important to stress the **trial** nature of this experiment. Ultimately, everyone wants what's best for Whitby – a solution that is safe and works for residents and visitors alike. Importantly, if it is not successful then the project can be stopped. Furthermore, even in this situation, the funding will have paid for better infrastructure (new signage etc) that will be a benefit to the normal situation.

Other considerations

As concerns have been expressed that more restrictions may result in parking issues in streets just outside the current Whitby disc parking zone, alongside the trial, we will be consulting with local residents and businesses on possible extensions of the zone to cover the Fishburn Park and Ropery/St Mary's Crescent areas.

At town centre locations, including Spital Bridge junction, we are already measuring traffic movements and will continue to actively monitor the traffic levels once the trial is in place. If the trial is successful and the additional funding from the Town Deal is secured, it may well be possible to redesign Spital Bridge junction to assist traffic turning to and from the main road.

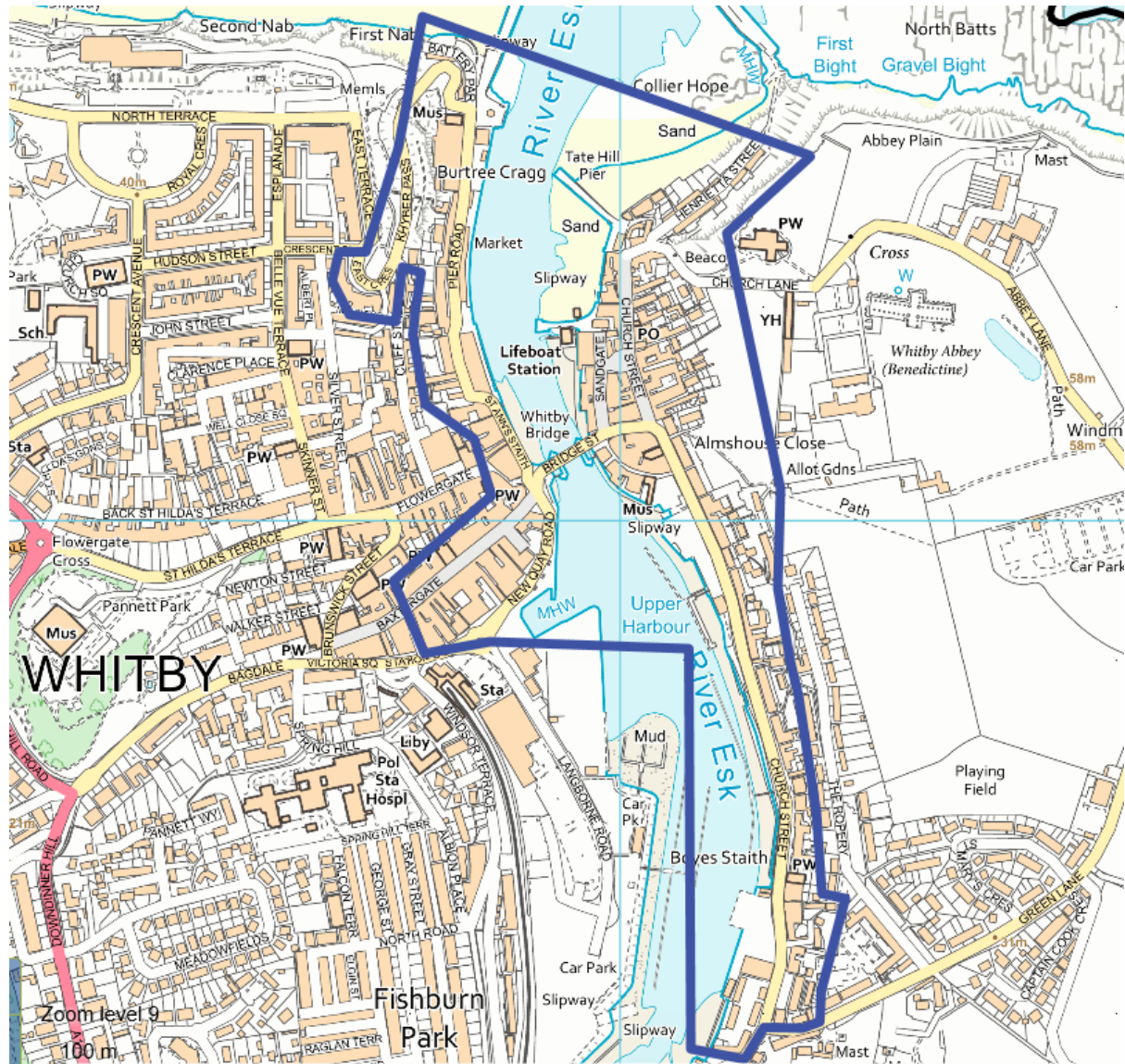
Contact details are shown on the attached letter.

Initial comments can be submitted now until 24th December 2020. There will also be an opportunity to comment during the first six months of the trial.

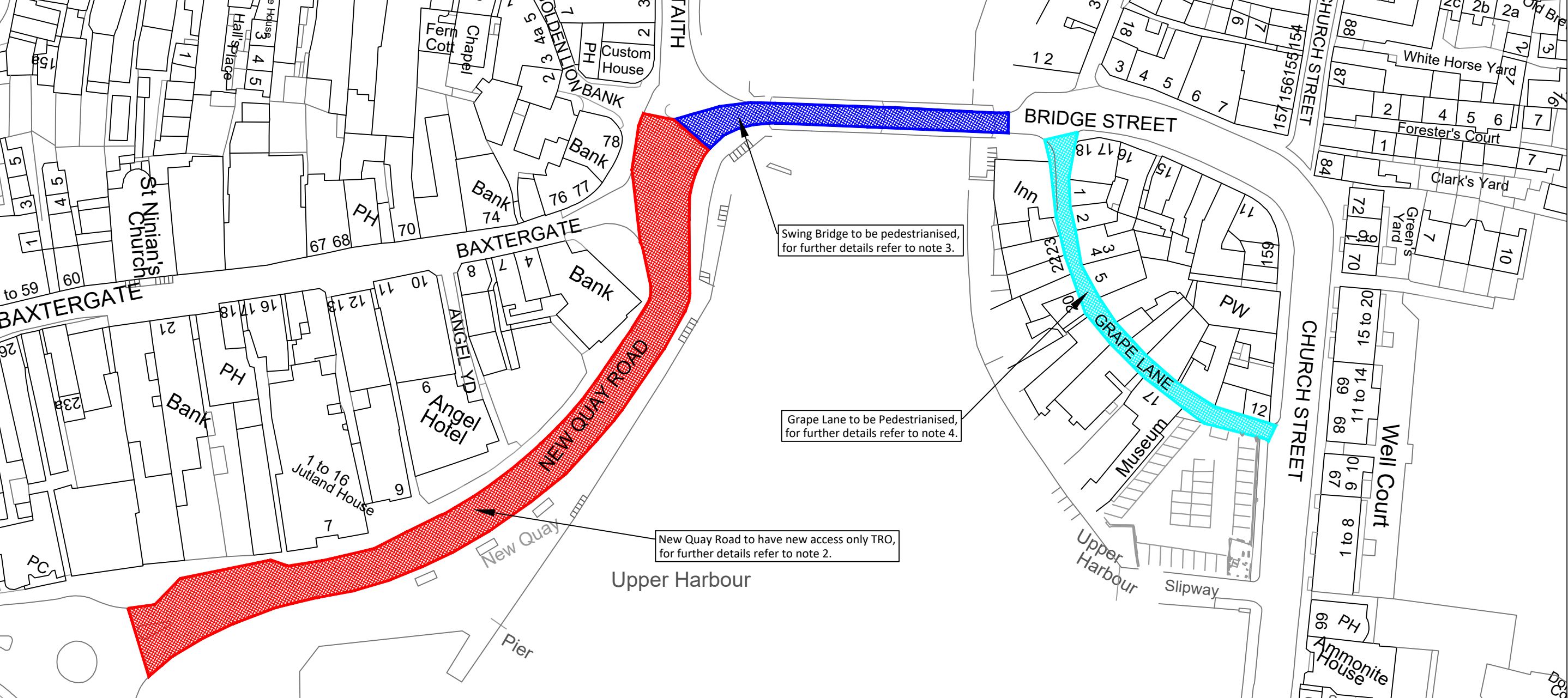
Conclusion of trial


We intend to start the formal review of the trial around December 2021, unless the experiment ends earlier than that. A written report containing all comments received would be prepared so that a formal decision could be taken on whether to make the arrangements permanent, alter the arrangements following feedback and continue with a further trial period, or remove the trial and not progress the scheme any further.

Circulation area for consultation December 2020



- NOTES:**
- 1. St Ann's Staith, Haggarsgate, Pier Road & Khyber Pass** - the existing seasonal 'access only' traffic regulation order (TRO), prohibiting all vehicles except for access between 10:30am and 4:00pm, **is proposed to be amended to everyday** for the duration of the experiment. Access would be allowed, as it is now, for taxi's & emergency vehicles, and for residents of properties and businesses that can only be accessed using St Ann's Staith.
 - 2. New Quay Road** - proposed new 'access only' TRO prohibiting all vehicles except for access between 10:30am and 4:00pm every day for the duration of the experiment. Access would be allowed for taxi's & emergency vehicles, and for residents of properties and businesses that can only be accessed using New Quay Road.
 - 3. Swing Bridge** - proposed 'pedestrian zone' TRO, prohibiting all vehicles between 10:30am and 4:00pm everyday for the duration of the experiment. It is proposed the swing bridge pedestrian zone would be enforced by automatic number plate recognition cameras, making it possible to issue a penalty to vehicles entering this zone during the restricted hours.
 - 4. Grape Lane** - proposed 'pedestrian zone' TRO, prohibiting all vehicles between 10:30am and 4:00pm everyday for the duration of the experiment.
 - All the above proposals are subject to change as part of the experimental trial order.



 <p>Highway Maintenance Area 3 Whitby</p>	<p>Area Office 3 Discovery Way Whitby North Yorkshire YO22 4PZ Tel: 01609 780780</p>	<p>AMENDMENTS</p>	<p>PROJECT: Whitby Swing Bridge Pedestrianisation</p>	<p>DESIGN: RV</p>	<p>CHECKED:</p>
			<p>DRAWING TITLE: Scheme Overview Consultation Plan</p>	<p>APPROVED: RV</p>	<p>DATE: 28-10-20</p>
			<p>DRAWING NO.: 03</p>	<p>REV:</p>	

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

(Form updated April 2019)

Whitby Swing Bridge - proposal to close the swing bridge to motorised road traffic, with complementary restrictions in neighbouring Whitby town centre streets, by means of an experimental traffic order.

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



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

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

Name of Directorate and Service Area	BES Area 3 Highways
Lead Officer and contact details	Helen Watson
Names and roles of other people involved in carrying out the EIA	Ged Lyth
How will you pay due regard? e.g. working group, individual officer	Examining the initial consultation responses received in December 2020, considering the effect of the scheme on various modes of transport and the effects of those changes on highway users with different characteristics.
When did the due regard process start?	October 2020

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

The original proposal was to introduce an experimental traffic order to prohibit all motor vehicles from travelling over Whitby Swing Bridge from 10:30am to 4:00pm, every day.

As a result of considering the impacts on people with protected characteristics, the proposals have been changed to;

Introduce an experimental traffic order prohibiting all motor vehicles from travelling over Whitby Swing Bridge from 10:30am to 4:00pm **on Saturdays, Sundays and bank holidays.**

The start date of the trial is expected to be 1st April 2021, continuing until approximately December 2021 to allow sufficient observations to be made to report back on the implications this will have had.

There would be a further EIA carried out and a further committee report before a decision is taken whether to make any proposals permanent or not. This proposal is for the trial only.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

During 2020 the general need to provide for socially distanced pedestrian access because of the Covid pandemic highlighted an already existing issue of conflict between pedestrian and vehicular use of Whitby swing bridge. Under powers specifically introduced to tackle Covid, a multiagency task group which included the police, borough and county councils, made the short term emergency decision to close the swing bridge to all motorised and non-motorised vehicular traffic between 10:30am to 6pm every weekend. The task group also decided that it was necessary to place a traffic operative at the entrance to St Ann's Staith/Pier Road every day, to enforce the existing restrictions, which stipulate that only vehicles requiring essential access are permitted between 10:30am to 6pm between 23 March and 30 September. These Covid-related actions remained in force until the end of October last year.

Road Traffic Regulation Act 1984 S122 places a duty on the council as the Traffic Authority to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians). Pre-Covid, it had already been recognised by the police and the local highways office that change is likely to be needed.

In 2019 and years previous the County Council via its local highways office, with the support of the police, regularly closed Whitby swing bridge to vehicular traffic using either planned closures under section 21 of the Town Police Clauses Act 1847 or emergency closures under section 14(2) (b) (as amended) of the Road Traffic Regulation Act 1984, in the interests of highway safety at times of heavy pedestrian footfall. For example, in 2019 the swing bridge was closed to traffic on 13 weekends. The closures have often happened with short notice to highway users. It's acknowledged that closures at short notice can be inconvenient for the people and businesses of Whitby and its visitors as well as being cumbersome to manage for the County Council. A more consistent approach to controlling use of the swing bridge is considered desirable in a practical sense and is indeed essential if the local highway authority is to continue to fulfil its' duties to secure safe movement for highway users.

2.4 Whitby swing bridge, an historic structure that the County Council is responsible for the maintenance of, is only wide enough for one way traffic and is currently controlled by traffic signals. There are footways on either side but these are narrow. Numbers of pedestrians can

often be so great that the narrow footways are inadequate, even at only moderately busy times, and pedestrians overspill into the carriageway area. Even at quieter times, where pedestrians are two abreast, anyone wishing to pass needs to step into the carriageway to do so.

A more predictable and cheaper to implement system has been required for some time.

Covid and the need for social distancing has exacerbated the existing issues.

The proposals support two of the objectives in the Whitby Town Deal Investment Plan; objective 5 *Create a walkable town to better connect all that is on offer*, and objective 7 *Provide opportunities to live lighter in our environment*.

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

An experimental trial of;

No motorised vehicles permitted to travel over Whitby swing bridge between the hours of 10:30am - 4:00pm on Saturdays, Sundays and bank holidays. No exemption would be made for buses or taxis.

The existing 'prohibition of motor vehicles except for loading, buses, taxis and permit holders' summer restrictions 10:30am – 4:00pm for St Ann's Staith, Haggergate, Pier Road and Khyber pass would be extended to every day.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

A public consultation took place 30th November to 24th December 2020. Given the funding timescales, there has not been sufficient time to carry out more in depth studies/consultation with affected groups. However, the trial is designed to act as an extended consultation period where any unforeseen difficulties can be appreciated and if necessary, amendments could be made to the trial and it can be continued. In extreme circumstances, the trial could potentially be paused whilst issues are dealt with and then continued with, or ended early.

Section 5. 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.

Should the trial be approved to proceed, the funding for the trial would be made available from a government award of £400,000 to Whitby Town Deal Board.

The provision of signs and equipment, which will be installed as part of the trial, will save the local highway authority revenue budget in coming years. This is because the new equipment will be able to be used in the future to close the road when required on a temporary basis, even if the conclusion of the trial is that this scheme, or one similar to it, is not continued with.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age Disability People on a low income		X		For pedestrians walking across the swing bridge at busy times, pedestrian safety would be greatly improved. The pedestrian experience would be enhanced, air quality improved and conditions in the town centre generally more conducive to walking and cycling. The proposals are part of the Town Deal for Whitby, aimed at increasing prosperity and assisting economic recovery from Covid for the whole town.
			X	<p>The proposals will mean the 95 service bus run by Arriva will not be able to serve Church Street on Saturdays, Sundays and bank holidays .</p> <p>Church Street is on the east side of Whitby and many town centre amenities such as bus station, train station, supermarket, banks are located over the swing bridge on the west side.</p> <p>Arriva North East (ANE) operate a local bus service 95, the route is a one-way loop connecting Sainsburys – Eskdale – Whitby – Sleights – Grosmont – Lealholme – Sainbury’s, which crosses over Whitby Swing Bridge ½ hourly Monday to Saturday, hourly Sunday, from Church Street to New Quay Road. 10 journeys a day would be affected based on the current schedule and ANE have reported that on average 41 passengers in a week board the service on the three stops on Church Street. Alighting data is not available, therefore the number of passenger alighting at these stops is unknown.</p> <p>The service between Sainsbury’s and Sleights operates commercially, without financial support from the authority. ANE have expressed concern about the effect the closure of the bridge will have on service 95, as they consider the service to be very marginal under normal circumstances.</p> <p>ANE believe that a diversion into Church Street during the closure is not something that could be sustained within the current limits of the service schedule. ANE have indicated that they are likely to look at amending the route on days when the swing bridge is closed (weekends and bank holidays) to operate from Sainsbury’s via Helredale Road and Bagdale.</p> <p>This would leave Church Street area with</p>

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
				<p>no local bus service during the closure of the bridge. The walking distance from the middle bus stop on Church Street to the bus station is approximately 750m and to the alternative bus stop on A171 is approximately 800m.</p> <p>If the service bus is unavailable, users may need to take a taxi instead at a greater cost than the bus service (older bus passengers will be entitled to use a free bus pass). They may also use community transport, which again, would not be free to the user.</p> <p>As the 95 service is a loop service, anecdotally most passengers walk back, or use alternatives, taxis, lifts etc. Some passengers will ride the whole loop route via Sainsbury's and get off on Church Street on the way back to town. Those living in the Church Street area with disabilities, the elderly or those on a low income may be more likely to take a taxi back, see below for effects on taxis.</p> <p>Initial discussions have taken place with ANE to consider the feasibility and cost implications of options to serve Church Street during the closure of the bridge. These include;</p> <p>(a) Adding additional resources to the service to maintain the ½ hourly frequency and accommodate the diversion into Church Street on journeys from Sainsbury's to Whitby. This would be inefficient, require additional vehicle and staff time and the cost is likely to be considerable.</p> <p>The traffic scheme <i>may</i> be able to provide a bus subsidy budget of up to 10% of the total scheme value.</p> <p>Given the funding for a subsidised, diverted bus route would not be feasible beyond the end of the trial, as no funding for a continuing subsidy would be likely to be available, the value in establishing if this is a feasible solution becomes unhelpful in the longer term</p>

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
				<p>(b) Reducing the frequency of the service to accommodate the diversion into Church Street on journeys from Sainsbury's to Whitby. This would adversely affect the attractiveness of the regular ½ hourly service that currently exists between Whitby and Eskdale. The service would suffer a reduction in journeys to accommodate Church Street, which is less well used than other sections of the route. This would have a negative effect on service revenue, on what is already a marginal service and could threaten the future of the service (or part of) from a commercial point of view.</p> <p>ANE have indicated that the closure of the Swing Bridge and subsequent required diversion of the inbound journeys as a result, could mean that the service needs to be withdrawn from Sainsbury's in order to re-apportion the time required to facilitate this additional mileage. This would have a negative effect on service revenue, on what is already a marginal service and could threaten the future of the service (or part of) from a commercial point of view.</p> <p>There is an alternative service along the A171 Stainsacre Lane but the stop is 350m from Sainsbury's and so less attractive than the existing service 95.</p> <p>The IPT budget for supported bus services is already fully committed and the criteria for funding excludes funding for 'town services', any additional funding does not fit within the budget criteria.</p>
Age Disability People on a low income			X	If taxis are not be permitted across the swing bridge, this will have the effect of increasing the length of taxi journeys (and so the fare and the time taken) for passengers.
Sex	X			
Race	X			

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Gender reassignment	X			
Sexual orientation	X			
Religion or belief	X			
Pregnancy or maternity	X			
Marriage or civil partnership	X			

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area? ...have a low income? ...are carers (unpaid family or friend)?		X		For pedestrians walking across the swing bridge at busy times, pedestrian safety will be greatly improved. The pedestrian experience will be enhanced, air quality improved and conditions in the town centre generally more conducive to walking and cycling. The proposals are part of the Town Deal for Whitby, aimed at increasing prosperity and assisting economic recovery from Covid for the whole town.
..live in a rural area?	X			The further people live away from the swing bridge, located in the urban centre of Whitby, the less cost/time should be associated with adjusting their journey to take an alternative route.
...have a low income?			X	If the bus service did not serve Church Street, users from the Church Street area would need to walk, take a taxi or community transport or rely on lifts at weekends or on bank holidays. People on a low income are likely to be more reliant on buses and taxis, for example to do their weekly supermarket shopping or attend doctor or hospital appointments. Taxi fares and community transport fares can be more costly than bus fares. This is

				<p>particularly true for those on low income who are entitled to a free bus pass.</p> <p>If using taxis when the swing bridge is closed, the taxi fare would increase as the journey would be substantially longer.</p>
...are carers (unpaid family or friend)?			X	<p>It may create longer, more costly journeys if carers are travelling by vehicle between the east and west sides of Whitby at times when the swing bridge is closed (10:30am – 4:00pm Saturdays, Sundays and bank holidays).</p>

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)

North Yorkshire wide	
Craven district	
Hambleton district	
Harrogate district	
Richmondshire district	
Ryedale district	
Scarborough district	√
Selby district	

If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.

Whitby town, where people wish to travel by motor vehicle between two locations either side of the swing bridge.

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

Older people with a disability who are on a low income will be affected more. This is because of the likely effect on the local bus service and taxis if neither is permitted to use the swing bridge between 10:30am and 4:00pm.

To lessen the detrimental effects on people with protected characteristics, particularly those who who rely on buses and taxis, the proposals have been amended from seven days a week to Saturdays, Sundays and bank holidays only.

<p>Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</p>	<p>Tick option chosen</p>
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1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	√
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<p>Explanation of why option has been chosen. (Include any advice given by Legal Services.)</p> <p>We recognise the disadvantages the proposals in their original format pose to people with protected characteristics who rely on the local bus service and/or taxis.</p> <p>The experimental scheme can still proceed with the adjustments recommended.</p>	

<p>Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)</p> <p>The scheme, if approved, would be on an experimental basis only and people will be invited to send us their comments from April 2021 for the first six months of the scheme.</p> <p>Ideally we will receive correspondence from affected persons. We will actively publicise that we want to hear from everyone affected by the trial but that we particularly want to hear from people who would normally travel over the swing bridge using buses or taxis. We appreciate we must not rely on this method.</p> <p>We will contact groups likely to be affected and groups who will be aware of the change in passenger behaviour. Eg bus company, Scarborough Borough Council taxi licencing (who have a working relationship with the local taxi firms), day centres, adult services.</p>
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<p>Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.</p>				
Action	Lead	By when	Progress	Monitoring arrangements
Apply the recommendations described below.	Helen Watson	Prior to the trial commencing		
Closely monitor public comment and seek comment from authorities/organisations with knowledge of the affected groups.	Helen Watson	Whilst the trial is ongoing, expected to be April 2021 to October/November 2021		
Report findings and further	Helen Watson	Expected November 2021,		

<p>recommendations in a further EIA to be represented to the decision makers</p>		<p>before any decision is taken on whether the trial or parts of it are to be made permanent.</p>		
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Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The original proposal to prohibit all traffic from the swing bridge 10:30am – 4:00pm every day would have a disproportionately adverse impact on a relatively small number of people with protected characteristics who need to access one side of the swing bridge from the other. Those who may be older and/or have disabilities, who are on a low income and who rely on buses and/or taxis would be affected more than most. This is because their access to and from the town centre may be made more expensive and/or the opportunity for journeys may be reduced.

It is acknowledged that the goal of the trial is to prevent all traffic (except emergency services) from the swing bridge at the busiest times of pedestrian footfall.

Also that the speed with which the funding has become available, and the requirements for spending it within the same financial year mean there has not been sufficient time for the usual traffic impact studies to be made, and that the trial itself is being used as an extended consultation period.

It is acknowledged that to wholly exempt buses and taxis from the restrictions may create pedestrian safety issues, particularly at weekends, and would dilute the environmental benefits that the proposals are designed to provide. The police traffic bureau have confirmed that for automatic enforcement to be carried out, the existing traffic signals on the bridge would need to be switched to ‘all red’. This effectively rules out giving any vehicles an exemption, as the exempt vehicles would need to pass through a red signal and could find themselves head-on with another vehicle as there is no line of sight between the two sides of the swing bridge.

To reduce the impact on these people, **it is recommended that a way is found to allow service 95 to continue serving Church Street for the majority of the week and, if it is necessary to prohibit taxis, that the prohibition is for a substantially less number of hours per week than in the original proposals.**

Section 14. Sign off section

This full EIA was completed by:

Name: Helen Watson
Job title: Improvement Manager
Directorate: BES
Signature: *Helen Watson*

Completion date: 16th February 2021

Authorised by Barrie Mason, Assistant Director (signature): Barrie Mason

Date: 18/02/21

Consideration of options for prohibition of vehicles on Whitby swing bridge

Option	1	2	3	4
Description	'all traffic prohibited, Monday to Sunday as per the consultation'	'all traffic prohibited Monday to Sunday, with exceptions for buses and taxis at all times'	'all traffic prohibited, weekends and bank holidays'	'do nothing'
Effect of ETRO	Prohibition of driving on Whitby swing bridge all days 10:30 am – 4pm	Prohibition of driving on Whitby swing bridge all days 10:30 am – 4pm Local buses and taxis exempt	Prohibition of driving on Whitby swing bridge Saturdays, Sundays and bank holidays 10:30 am – 4pm	All traffic continues to be permitted to use the swing bridge at all times (except that exceeding the existing weight limit restriction)
Effect on pedestrian safety and amenity	Greatest pedestrian safety and amenity improvement – 7 days a week	2 nd greatest pedestrian safety and amenity improvement – 7 days a week	Pedestrian safety and amenity improvement at weekends and bank holidays only	No pedestrian safety and amenity improvement . Does not enable the local highway authority to fulfil its' duties to secure safe movement for highway users.
Effect on general traffic	Most restrictive Prohibited, all days 10:30am – 4:00pm	Most restrictive Prohibited, all days 10:30am – 4:00pm	Moderately restrictive. Prohibited weekends and bank holidays only 10:30 – 4:00pm. No weekday restrictions	No change. Least restrictive.
Effect on service bus and taxis	Prohibited all days 10:30 – 4:00pm. Comments have been received from bus operator and taxi	No change	Prohibited weekends and bank holidays 10:30 – 4:00pm	No change

	<p>licencing representatives pointing out the disbenefits to bus and taxi passengers should this option be proceeded with.</p>		<p>Bus operator is accepting of this option for the trial commencing providing that, if measures are made permanent, the local highways office works with the bus operator on potential mitigating works, such as parking controls and new stops.</p> <p>Representative of Scarborough Borough Council Licencing is accepting of the trial commencing, and will continue to assist with discussions with taxi operators. Should the measures be made permanent, then additional rank space on the east side would be welcomed.</p>	
<p>Practicality of signing and enforcement</p>	<p>No significant issues</p>	<p>Automatic enforcement of the swing bridge prohibition is necessary to deter drivers from ignoring the restriction. For camera enforcement, the traffic signals on the swing bridge must be set to 'all red' or switched off so that drivers are not 'invited' to drive towards a green traffic signal. In either case, exempt traffic using the swing bridge would be likely to meet other</p>	<p>No significant issues</p>	<p>No change</p>

		<p>exempt oncoming vehicles head-on, as there is no line of sight from one side of the bridge to the other. Exempting buses and taxis could also lead to general traffic following, resulting in the following vehicle receiving a penalty.</p> <p>Manual police enforcement of the swing bridge restriction is not considered appropriate.</p>		
Effect on people with protected characteristics	EIA conclusion is that this option is unacceptable as it disproportionately disadvantages people with protected characteristics due to preventing buses and taxis from using the swing bridge 10:30am – 4:00pm 7 days a week.	No significant change.	Whilst this option affects buses and taxis at weekends and on bank holidays, it permits buses and taxis to use the swing bridge on weekdays. The EIA considers this option is a fair balance between pedestrian safety and the needs of people with protected characteristics.	No change
Conclusion	Not a viable option due to EIA conclusion	Not a viable option as it cannot be automatically enforced.	Best compromise. Viable.	Not a viable option as highway duty not achieved.

Written Statement from local member Cllr Plant

Cllr Plant would like decision makers at the meeting to consider the following written statement;

I was copied in to many people's concerns during the consultation, and I share many of the concerns raised. In particular, I find it very difficult to support extending the existing restrictions on St Ann's Staith and the roads beyond any later in the year than the October goth weekend.

The majority of restrictions in Whitby, finish by the end of October. The Park and Ride closes and the Pay and Display on the West Cliff does not operate through the winter months.

I do not see any reason why this project could not fit in within the existing restrictions. It would give everyone certainty of what the restrictions are.

I have lived in Whitby all my life and I do not believe that extending the restrictions into the winter months is necessary, and may do more harm than good to many businesses/residents throughout the whole of the Town.

I appreciate that the Town Deal Board support carrying out this trial, and that testing the effect of any restrictions in winter, even for a short time, could serve a useful purpose in ruling winter restrictions in or out once and for all.

I was concerned about the effect on the local bus service, and on volunteers travelling to RNLI call outs.

I am pleased to see that officers have amended the proposals to allow service buses to use the swing bridge on weekdays, although I would much prefer that buses were permitted on weekends and bank holidays too, and that discussions will take place with RNLI and the coastguard with the aim of ensuring volunteers will not be fined if they use the swing bridge to attend an emergency.

I am also pleased that taxis will be allowed to cross the swing bridge on weekdays, but I would prefer that weekends and bank holidays were included too, as taxis are a lifeline for many people. Our bus service is valued but it is not a frequent service, and it operates in a one-way loop. Many people living in the town centre rely on taxis for the return leg of their journey, they should be able to do so at the weekends too without their taxi fare dramatically increasing because of taxis having to drive the long way round.

I am pleased the officers have taken note of my request about a disc parking consultation for the Fishburn Park and Ropery areas in the near future.

I voiced my concern about the Spital Bridge junction not being up to standard as it is already a very busy area and this would have a huge impact on the junction. I am happy that the Officers took note of my concern and a survey will be carried out.

Regardless of the result of the survey this area needs a new junction, I would like the BES Director and the Executive members to assure me that this will logged into the system to be looked at.

I remain concerned about how the restrictions may sever the east and west sides of Whitby, but given how popular and incredibly busy Whitby has become, I can see that there is a need for us to move to more structured arrangements.

We want Whitby to continue to be a welcoming place where people feel safe when they are walking around the town, also bearing in mind we have to think of the local residents and businesses too.

I am therefore willing to support the experiment to go ahead, so we can see the actual effects, and evidence can be gathered ready for the review of the experiment, currently planned for the end of this year. I'd like to thank the highways team for carrying out the consultation and progressing this scheme so quickly. As we have to think of local residents and businesses, I will be encouraging everyone to keep sending their comments/concerns in to highways and myself whilst the experiment is underway.

I am partly reassured by knowing that this experiment can be amended or stopped, if necessary.

	Themes raised by public consultees during the 30th November 2020 - 24th December 2020 consultation	Number of respondents mentioning	Officer comment
1	General support for proceeding with the trial/long awaited/environmental benefits/health benefits/better for pedestrians with mobility impairment/welcoming a continuation of the summertime and Covid closures/brings greater predictability to closure times	30	<p>The advantages of introducing the proposals on a trial basis have been set out in the consultation documents at Appendix 1. From a highway safety perspective, one of the main benefits of this proposal is pedestrian safety and amenity, particularly during those busy occasions when the crowds of pedestrians are so great that the narrow footpaths are inadequate and pedestrian overspill into the carriageway area. Even at quieter times, the footways on the bridge are so narrow that anybody wanting to pass others would need to step into the carriageway. The majority of comments received supporting this proposal reflect this same concern about pedestrians often needing to use the carriageway. Some of the comments referred to health concerns when pedestrians are in such close proximity to the exhaust fumes of very slow or even stationary vehicles trapped in with the crowds. Some of the comments referred to the proposals being long awaited and that they are surprised it has not happened sooner.</p> <p>Those who are in favour of this proposal refer to how well the temporary closures have worked over the last few years. The proposed fixed times of the closures and the new signage would be designed to give drivers more assurance of when the bridge would be available for them to drive cross, rather than as at present when the bridge can be closed to traffic unpredictably when pedestrian numbers become too great. It is anticipated that the proposals will have the effect of encouraging some trips currently made by car to transfer to walking or cycling, and to make the general environment of the town centre more conducive to these modes.</p>
2	Suggestion of additional/alternative traffic measures that could be considered alongside/instead of the proposals	19	<p>Many alternatives have been suggested. Some of the more common suggestions are mentioned in more detail below.</p> <p>A lot of the responses recognise the issue to try and separate pedestrians from vehicles. Amongst the suggestions are:</p> <p>Construct a new bridge so that pedestrians and vehicles can use one each; widen the footways and erect railings; that a turning area at Tin Ghaut is 'not needed' as the road is wide enough already; construct a roundabout at the bottom of Green Lane instead of the turning area at Tin Ghaut.</p> <p>Unfortunately none of these alternatives are feasible. The cost for a new bridge is outside the scope of this project; similar structures cost in the region of £9m as it would need to open to accommodate boats. There is not sufficient space to widen the footways on the bridge adequately. The amount of turning area space required by large vehicles means they cannot be accommodated on the carriageway of Church Street or within the junction area of Church Street/Green Lane.</p>
3	Concerns around enforcement of the existing 'prohibition of driving except for loading, buses, taxis and permit holders' restrictions and/or the enforcement of the proposed restrictions	7	<p>It is proposed that the swing bridge restrictions would be automatically enforced by a camera managed by North Yorkshire police's traffic bureau.</p> <p>The issue of removing extraneous traffic from Pier Road and the one way streets beyond is a long-running existing issue. Given the large number of businesses and holiday accommodation accessed from St Ann's Staith/Pier Road, management of the gateway is very difficult as there are a wide variety of road users who need access, many of whom are by nature, visitors.</p> <p>Enforcement of the existing 'prohibition of driving' restriction on Pier Road would be a police matter. However, in the current climate it would be unrealistic to expect regular enforcement of this restriction as a high priority. However, an exercise targeted at drivers could be considered, perhaps with highways and police working together should that be necessary. It is acknowledged that currently there appears to be a long-held misconception amongst some drivers who believe that they may use Pier Road through to Khyber Pass in order to access the West cliff. This is not the case and, should the trial be approved, information about what drivers may and may not do would be publicised.</p> <p>There will be new signage on Baxtergate just west of Langbourne Road roundabout, to inform drivers that is they proceed between the hours of 10:30am and 4pm they are entering a restricted area.</p> <p>Should there be widespread abuse of the Pier Road restrictions, then more formal enforcement measures may have to be considered.</p>

4	Concerns about the effect on the local service bus	6	<p>The County Council's Integrated Passenger Transport team have been in negotiations with Arriva who currently operate the number 95 service, a loop service which runs from Sainsbury's to Sleights which, as part of it's route travels in a westerly direction on Church Street and then over the swing bridge to Whitby town centre</p> <p>The issues surrounding the potential effects of closing the swing bridge on the bus service are discussed in detail in the Equalities Impact Assessment at Appendix 2. It is recognised that a way should be found to ensure the local bus service is not greatly impacted. The EIA confirmed that the impact of preventing service buses and taxi's from crossing the swing bridge for prolonged periods (eg 7 days a week as was originally proposed) would have a disproportionate effect on people with protected characteristics.</p> <p>Therefore, various options to consider allowing greater access across the swing bridge for service buses and taxis have been considered, and a summary of this exercise is set out in Appendix 3. Appendix 3 concludes that reducing the number of days in the week when the new restrictions will operate for, from 7 days a week to weekend and bank holidays only, is the preferred option. This is because it better balances the need to improve conditions for pedestrians with the needs of people with protected characteristic and members of the public who rely on the bus service and/or taxis.</p>
5	Requests for greater clarity of arrangements for Tin Ghaut car park permit holders/esp. security/enforcement	20	<p>Scarborough Borough Council have indicated that they require the same standard of security for the permit holders of their Tin Ghaut car park when the permit holders are accommodated in the Borough's Church Street Car park. This requirement will be met as part of the scheme. Further details will be provided to permit holders by the Borough Council in due course. This issue, whilst a result of the proposed trial, is not a highways matter. SBC have confirmed that all the permit holders on Tin Ghaut car park will be relocated to Church Street car park, with comparable security measures installed at Church Street car park. SBC will have the opportunity to offer additional permit holder spaces if they wish, or to continue to offer some public parking. The reduction in off-street public parking on Church Street has an added benefit to the trial as, with appropriate new signing, it could deter visiting vehicles from travelling down Church Street simply to look for off-street parking there.</p>
6	Concerns about how Spital Bridge junction will cope/requests that it be improved before the trial starts	28	<p>It is recognised that closing the swing bridge to traffic will obviously have a significant impact on the traffic getting from one side of the river to the other by putting all the vehicular traffic onto the one other bridge in Whitby, the high level bridge. The concerns regarding traffic congestion can be split into two main areas:</p> <p>a)Delays for traffic turning from Spital Bridge onto Helredale Road.</p> <p>b) delays caused by the additional traffic using the alternative route through Bagdale, Prospect Hill, Mayfield Lights and the A171 over the high level bridge to Helredale Road. Some of the comments received mention the excessively long times that they say they have had to wait to get out of this junction during the temporary closure times within the last few years.</p> <p>a) Whilst traffic modelling would normally be carried out prior to introducing a pedestrianisation scheme, it can be very difficult to model changes in behaviour accurately. The benefit in carrying out the proposed trial is so that the effects of closing the swing bridge can be played out in real life in order to identify what issues arise and may need to be catered for.</p> <p>As the existing off-street public parking on Church Street will be reduced (as Scarborough Borough Council intend to designate much of area as private car permit holders only) and traffic seeking parking in Whitby would be directed via Bagdale or to the Abbey, it is anticipated that a large proportion of traffic should be removed from Church Street and so removed from using the junction of Spital Bridge and Helredale Road.</p> <p>There is scope for a substantial junction improvement at this junction but potential funding for it would not be unlocked until the end of the trial period, and only then if it were decided to make some of the aspects of the trial permanent. Whilst some people have commented that improvement must be made now to junction of Spital Bridge with Helredale Road, this is not possible in advance of the trial, as there is no budget available to do so and it is not clear what improvements would provide the most appropriate benefit. However the evidence that could be gained whilst the trial is in place would be invaluable in making the case for a junction improvement should it be decided to make aspects of the trial permanent when all the effects are reviewed and a decision made.</p>
7	Comments/concerns regarding other existing traffic congestion and parking issues/comments that the proposal may make these existing conditions worse.	24	<p>19. Regarding the Mayfield lights signalised junction, the current system is programmed to take into account changes to the amount of traffic from any particular leg so that the timings can be automatically adjusted to operate as efficiently as possible. Some comments have been received that they have spent long periods of time waiting for these lights to change, particularly approaching from Bagdale and Prospect Hill. In addition to the programming system, a camera is installed at the junction which can be used to monitor the congestion at a specific time. It must be appreciated however optimised signals are, the sheer numbers of visitors to Whitby can cause junctions to overstep their available capacity at very busy times.</p> <p>The proposals do include a reduction in the number of parking spaces available from the Church Street area and concerns have been expressed that this will exacerbate the existing parking problems in areas like The Ropery and Fishburn Park. These areas were consulted in 2010 regarding the introduction of controlled parking zones but the proposals did not receive enough public support to be approved at that time. Taking into account the changes that will result if the swing bridge is closed to vehicles and the time that has lapsed since the 2010 consultation, we have already agreed with the local county councillor that we will re-consult properties in The Ropery and Fishburn Park areas of Whitby on whether they wish to have the streets where they live/work governed by a controlled parking scheme.</p>

8	Concern around greater difficulty/inconvenience for people with protected characteristics eg elderly/disabled who rely on motorised transport.	7	<p>Some comments have been received referring to how much certain people rely on being able to cross the bridge in vehicles, whether it be their own vehicle, bus or taxi. They point out the extra time and costs that the closure would cause. The distances of journeys from one side of the river to the other is obviously dependant on the starting and finishing destinations and these will be different for each individual. A worst case scenario for a vehicular journey from the taxi rank on New Quay Road to the Tin Ghaut car park will increase from 370 metres to 2.6km whereas a more typical journey from the taxi Rank to the Spital Bridge / Helredale Road junction will be increased from 1.3 km via the swing bridge to 1.7km via Mayfield junction. SBC licencing also have made enquiries with the local taxi firms who are concerned that they will have to pass the additional fees onto their customers.</p> <p>The issues surrounding the potential effects of closing the swing bridge on the services provided by taxis and private hire vehicles are discussed in detail in the Equalities Impact Assessment at Appendix 4. The EIA confirmed that the impact of preventing service buses and taxi's from crossing the swing bridge for prolonged periods would have a disproportionate effect on people with protected characteristics.</p> <p>Therefore, various options to consider allowing greater access across the swing bridge for service buses and taxis have been considered, and a summary of this exercise is set out in Appendix 3.</p>
9	General opposition to proceeding with the trial/inconvenient alternative traffic route via New Bridge/geared towards tourists with no thought for residents and/or businesses	39	<p>In addition to all the above mentioned reasons, a lot of people responded with a general opposition that the idea is a bad one, it will be bad for the economy of local businesses, the closures are only need to be in place when the crowd numbers are high and a feeling that these are geared towards assisting tourists whilst hindering local residents.</p> <p>It has been demonstrated over recent years that closing the swing bridge is necessary on highway safety grounds when pedestrian numbers are high, at weekends, in the summer months and when events are taking place in the town. These proposals seek to improve highway safety and encourage walking and cycling modes, creating better connectivity between major destinations in the town centre for locals and visitors alike.</p> <p>Closing the swing bridge to a pre-determined timetable would bring greater certainty to drivers about when they can expect the swing bridge to be open to them.</p>
10	Money could be better spent elsewhere	3	<p>Some of the people responding suggested that these problems could be resolved by providing a second park and ride site at the Abbey Car Park and suggested the money would be better spent on this instead.</p> <p>Whilst the views are noted, the funding on offer cannot be used for alternative projects.</p>
11	Lack of support for trial pedestrianisation of Grape Lane	7	<p>A number of people who live and work in Grape Lane commented upon the disadvantage this will have on their lives and businesses by not being able to have delivery vehicles drive right up to their doors during the day or being able to pick up and drop off disabled passengers. Some of these asked if they could be exempt from the restrictions due to their own special circumstances. The Highway Authority have received complaints over the last few years about vehicle obstructions on this lane. It only takes one vehicle to stop on this one way road to block it for all other vehicles. Vehicles have been observed to block the passage of pedestrians, too. The local Highway authority had already been working on proposals to change Grape Lane to a pedestrian zone in order to remedy these issues, and it seemed prudent to include the Grape Lane proposals at the same time as those for the swing bridge and New Quay Road were being proposed. An advantage to including Grape Lane at this time is that these proposals are on a trial basis before assessing whether a permanent change is justified.</p>
12	General support for trial pedestrianisation of Grape Lane	2	<p>The comments in support are noted.</p>
13	Concern that consultation letter drop and consultee list was not wide enough	2	<p>The consultation that has taken place is over and above that which is legally required prior to seeking approval for an experimental traffic regulation order. There is no requirement to publish a formal Notice of Proposals and to invite objections and representations before Experimental restrictions are implemented, although it is necessary to consult Statutory Consultees such as the police and bus operators. However, consulting more widely is permitted, and the local highways team have chosen to do this by carrying out a public consultation, because of the effect the trial would have on the people of Whitby. If the proposals are approved, they would be implemented on a trial basis with consultation comments invited running alongside the trial.</p>



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	Proposed experimental traffic order to prohibit all motor vehicles from crossing Whitby Swing Bridge, 10:30am to 4:00pm on Saturdays, Sundays and bank holidays, starting 1 April 2021
Brief description of proposal	A trial to prohibit vehicles from using the swing bridge during the peak times associated with pedestrian movements, with associated traffic restrictions on adjacent streets.
Directorate	Business and Environmental Services
Service area	Highways
Lead officer	Ged Lyth
Names and roles of other people involved in carrying out the impact assessment	Helen Watson
Date impact assessment started	Dec 2020

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.

Yes, a number of proposals have been considered. Originally the proposals were to prohibit traffic from the swing bridge on all days. An Options assessment is shown at appendix 3 of the committee report.

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 funding is being sourced from the Whitby Town Deal bid. However, the maintenance of the proposed apparatus will need to be sourced from elsewhere.

The County Council Highways have reacted to various events culminating in the swing bridge being closed to traffic at weekends over the last few years. Initially this was introduced due to the good weather attracting crowds of people visiting the town. Other incidents causing the bridge to be closed to traffic have included maintenance and breakdowns of the mechanisms of the swing bridge.

Between May and October 2020, the bridge was closed to traffic every weekend to help assist pedestrians keep greater distances from each other during the Covid guidelines and restrictions for social distancing. All of these temporary closures have included setting up and taking down of temporary signs. On some of these occasions, it has been necessary to have highways staff deployed at the closure points to deter drivers from venturing through the barriers. Occasionally, SBC parking services staff or the police have assisted with this role but generally it was arranged and paid for from the Highways budgets. On each occasion to set up the signs, staff the barriers and remove the signs, the costs would likely be in the region of £1,000 per day. If approved, this scheme will not require temporary signs to set up and will not require the closure points to be staffed.

10/04/20

<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> <p>Page 45</p>	<p>Emissions from travel</p>			<p>X</p>	<ol style="list-style-type: none"> 1. Increase length of journeys. 2. Increase length of time, vehicles would wait at the Spital Bridge / A171 junction. 	<p>1a. Install direction signs to inform drivers of the revised routes to take. 1b. Installation of a turning area for vehicles to turn around. 2. Monitor the junction in the initial period to evaluate whether any alterations and improvements are required.</p>	
	<p>X</p>				<ol style="list-style-type: none"> 3. Remove the vehicles waiting for the lights on the swing bridge in an area that is regularly busy with pedestrians. 4. Remove the vehicles travelling over the swing bridge at low speeds and very close proximity to pedestrians. 		<p>3 and 4a. Install signage at the Langborne Road junction to inform drivers that the bridge is closed. 3 and 4b. Install signage at the A171 Spital Bridge</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>Page 46</p>					<p>5. Encourage more pedestrian journeys to be made by making the congested part of the route a traffic free route.</p> <p>6. The signage associated with the scheme showing where car parks are full or have spaces available is anticipated to reduce the number of car journeys that normally take place by visitors circling around the town looking for an available parking space.</p>		<p>junction to inform drivers that the bridge is closed.</p> <p>6. Install signs showing numbers of parking spaces available at various car parking locations</p>
	<p>Emissions from construction</p>		<p>X</p>		<p>Negligible</p>		
	<p>Emissions from running of buildings</p>		<p>X</p>				
	<p>Other</p>		<p>X</p>				

APPENDIX 6

<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 waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		<p>X</p>				
<p>Reduce water consumption</p>		<p>X</p>				
<p>Minimise pollution (including air, land, water, light and noise)</p>	<p>X</p>		<p>X</p>	<p>See above comments about reducing traffic queues at one location but increasing at others.</p>		<p>It is envisaged that drivers of vehicles will have greater certainty on their routes to get to specific destinations, whether it is a delivery vehicle wanting to get from one side of the river to the other or somebody looking for a parking space.</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>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		X				
<p>Enhance conservation and wildlife</p>		X				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		X		<p>The Whitby Swing Bridge structure is a distinctive feature and is recognised as one of the principle attractions to the town. The proposals are not expected to have any detrimental impact on the maintenance or the functionality of the bridge.</p>		
<p>Other (please state below)</p>		X				

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

None we are aware of.

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 climate change impact assessment highlights both positive and negative impacts. On balance, the local Highway Authority anticipates that the positive impacts will outweigh the negative impacts. As well as enhancing pedestrian safety, the scheme is intended as a further step towards reducing the dominance of the motor vehicle in the town centre, encouraging walking and cycling in place of short motorised trips within the town centre.

It is planned to monitor the Spital Bridge junction during the experimental period. If the pedestrianisation scheme is approved to continue in the longer term, and the data gathered shows a significant negative impact (queues) at Spital Bridge junction, it is anticipated that future funding will allow improvements to be made at this junction. This would help reduce the queue lengths and so waiting times of vehicles at this junction and thus reduce the negative impacts on air quality.

Sign off section

This climate change impact assessment was completed by:

Name	Ged Lyth
Job title	Project Engineer
Service area	Highways
Directorate	BES
Signature	G Lyth
Completion date	15/1/21 rev1 27/1/21

Authorised by relevant Assistant Director (signature):Barrie Mason

Date:04/03/21

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