

# North Yorkshire County Council

## Harrogate and Knaresborough Area Constituency Committee

Minutes of the meeting held on Thursday, 16th March, 2023 commencing at 10.00 am at Harrogate Civic Centre.

Present: County Councillor Pat Marsh in the Chair, and County Councillors Chris Aldred, Philip Broadbank, Sam Gibbs, Hannah Gostlow, Michael Harrison, Paul Haslam, Peter Lacey, John Mann, Mike Schofield, Monika Slater, Matt Walker, Arnold Warneken and Robert Windass.

Officers present: Mellisa Burnham, Liz Meade, John McGivern, Julia Lumley, Charles Casey, Mark Codman and Ruth Gladstone.

Other Attendees: Sarah Robinson (Corporate Affairs Advisor at Yorkshire water). Seven members of the public.

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

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### **33 Minutes of the meeting held on 24 November 2022.**

#### **Resolved –**

- (a) That the Minutes of the meeting held on 24 November 2022, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

### **34 Declarations of Interest**

County Councillor Sam Gibbs referred to item 8 on the agenda and declared that he was a trustee of Harrogate & District Community Action (HADCA) but that this was not considered a pecuniary interest and therefore he remained in the room to take part in the debate and vote. County Councillors Chris Aldred, Philip Broadbank, Hannah Gostlow, Paul Haslam, John Mann, Matt Walker, Robert Windass referred to item 4 on the agenda and declared that they were members of the ACC Planning Committee that would hear the application however this was not a pecuniary interest and therefore they would remain in the room for the debate and vote.

County Councillors Pat Marsh and Monika Slater also referred to item 4 on the agenda and declared that they were members of the ACC Planning Committee that would hear the application and would therefore leave the room for the debate and the vote.

Councillor Pat Marsh also declared an interest regarding item 4 on the agenda as she was a member of the Oatlands road safety and active travel campaign but as this was not a pecuniary interest she remained in the meeting for the debate and the vote.

Ruth Gladstone then delivered the following statement from Catriona Gatrell, NYCC's Head of Legal Corporate Services, regarding the Members declarations and the statement on the planned development of the Rotary Woods:

*“Members will be probably aware that the statement touches on a planning matter which may ultimately come to the Harrogate and Knaresborough Area Planning Committee.*

*Members of this Committee who sit on that Planning Committee or could be asked to be a substitute need to be alert to the issues of predetermination/ bias.*

*Staying to listen to the discussion on the statement or taking part in the discussion on the statement does not in itself amount to predetermination/bias, nor would it preclude Members of the Planning Committee (or substitutes) from participating in a planning decision in the future provided that they have not already reached a decision on the way they would vote at any future Planning Committee.*

*Members are reminded that they may be predisposed to a particular view, but in order to be able to take part in any future planning committee decision they need to maintain an open mind and avoid expressing views in relation to the issue which could be perceived as predetermined/ biased.*

*It is open to Members to withdraw or not take part in the discussion should they prefer, but they do not have to do so providing they act in line with the advice given.”*

### **35 Public Questions or Statements**

Two notices had been received of statements from members of the public to be put before the committee at the meeting.

#### Proposed Development at Rotary Woods by Danone/Harrogate Spring Water:

Sarah Gibbs made the following statement to the Committee: “It’s infuriating that we need to quote ‘legal’ reasons, material planning issues and policy, for our desire to save our green spaces to be seriously considered by those who represent us. Having finally recognised the state of emergency of the planet’s climate, it has become more obvious that nature does not care for our laws, policies, or planning issues. Written and spoken words to reduce carbon will not matter without action, because nature *will* act. The climate will continue to worsen, unless we *act*, and we must act *now*. For what we do now is all that matters. It determines our future, just as the actions of others’ years before determined the present day. Actions like planting a 4-acre woodland 18 years ago to help minimise the negative ecological impacts of what was then known as climate change. That action gave us an ACV area, a space for our emotional well-being, a nature corridor, biodiversity, a place for priority species, carbon sequestration. What is the sense of destroying past efforts that are at an optimal stage of carbon sequestration *now*? What those before us chose to do then, helped us to have a healthier present. What we choose to do *now*, will determine our future, our children’s future, and the future of the planet. ‘Compensation’ is one of those words that nature doesn’t care about. You cannot compensate such a loss, especially when the reason would result in more CO<sub>2</sub> emissions, methane, ethylene, plastic pollution, water extraction, deforestation, fragmentation and biodiversity loss.

The laws of nature should take precedent.

In this case, this development is not in line with material planning issues: AVC Public Access; HBC policies: Carbon Reduction Strategy (11.04.2022): pg.3 Summary Paragraph 3, pg.4 Strategic Theme 3, Strategic Theme 5, pg.5 Part 1. Introduction: Summary, 1.1, Snapshots from 2038: ‘The district...restored.’, pg.6 and pg.7 1.2 The Need for Action; Biodiversity Action Plan (12.2012): pg.9, 5.4, pg.11 ‘Environmental education:...Young people also need to become stakeholders in the BAP process – understanding and taking responsibility for

wildlife'; Harrogate BAP Action Programme: pg.104 FW-T1, pg.113 B-T4, B-A1, B-A7; Harrogate Action Plan Hedgerows; Habitat Action Plan Woodland: pg.33 Objectives, Introduction paragraph 3: 'Fragmentation of woodland is...a particular threat and protecting, expanding and linking existing woodland blocks is especially important for the conservation of biodiversity', pg.34 'Wet woodland', 'Broadleaved and mixed woodlands', pg.35 Local Priority Species: Dutch Rush (growing in Rotary Wood: documented); Species Action Plan Bats; Tree and Woodland Policy: pg.2, pg.9 Removal of Trees, Tree Planting, pg.10 Carbon Sequestration, pg.12 Trees and Development, pg.14 Planning applications involving trees: in line with BS5837:2012: Tree survey (sec 4.4), Arboricultural Impact Assessment (AIA sec 5.4), Arboricultural Method Statement (AMS sec 6.1), pg.15 Habitat and community use; NYCC draft Climate Change Strategy: 'Supporting Nature: Protect, enhance and link important nature sites and corridors...', NYCC Declaration of a 'Climate Emergency, 05.07.22; Government policies: Environment Act 2021, Part 6, 98 Biodiversity gain as condition of planning permission Schedule 14.

So, now's the time to act upon your words and honour what you say."

Ruth Gladstone (Principal Democratic Services Officer) read out the following response on behalf of Council: "Thank you chair you've allowed me to make a very brief comment back to Sarah Gibbs and that is that I believe members will wish to thank you very much indeed for making this statement and encourage you and indeed all members of the public who share your views to continue to pass your views to the council officers who are creating information on this planning application so that all comments can be taken into consideration when the planning application is determined".

County Councillor Mike Schofield (local Member) made a statement in support of the application.

Following the statement the Chair and Vice Chair returned to the room.

#### Request for 20mph speed limit and zone - Oatlands Road Safety and Active Travel Campaign

Hazel Peacock and Dr. Vicki Evans from the Oatlands road safety and active travel campaign made the following statement to the committee:

"Thank you chair and the committee for giving us the opportunity to read our statement. I am Hazel Peacock and this is Dr. Vicki Evans. We are from the Oatlands road safety and active travel campaign.

Road safety has been of particular concern from school leaders, parents and carers of school children and local residents in Oatlands and the wider Harrogate area for many years.

We want safer streets for the community and we are petitioning North Yorkshire County Council for a maximum speed of 20mph on roads in south and west Harrogate to improve road safety (shown in red on your maps).

This change is urgently needed to reduce road collisions, improve safety, reduce air pollution and create a better environment for walking, wheeling, and cycling to the schools, shops, workplaces and local amenities in our community.

Recent collisions have resulted in the serious injury of children walking to and from school

while on pavements; one at Beechwood Grove in January resulting in the hospitalisation of a child and the second on the 2nd February on Yew Tree Lane causing the severe and potentially life changing injury, of two teenagers.

These awful events combined with evidence showing that approximately 16 children are killed or seriously injured in road crashes every week on their way to or from school (ref: Public Health England 2018) demonstrate the case for immediate action.

Maximum speed limits of 20mph have been delivered in other rural and urban areas of Yorkshire and the UK including Calderdale, Cornwall, Oxford, Edinburgh, the Scottish Borders and London with positive effects.

In example, the Edinburgh change to 20mph limits in 2021 reduced road traffic casualties by 40 per cent (ref: Jepson R et al. Public Health Res 2022) and recent research from Transport for London (TfL) shows people hit by a vehicle at 20mph are around five times less likely to be killed than at 30mph (TfL February 2023). Both illustrate why urgent action is needed now to protect lives with a maximum speed of 20mph.

Our proposal complements and is dovetailed with the initiative by Pannal Ash Safe Streets, also calling for 20mph. Together we have established a group who give their support, including national education leader Richard Sheriff OBE and Head teachers from all of the 9 schools in the area and by members here today Councillors Marsh, Mann and Schofield.

With 9,000 plus children and young people travelling to the schools, colleges and early years settings in south and west Harrogate, and the Pannal Ash area each school day, implementing a maximum speed of 20mph has the potential to save the lives of children, young people and the wider community and make an significant and positive impact.

We really hope you can consider our proposal for the benefit and safety of the children and young people of Harrogate.

Thank you for listening”.

The Chair invited Melissa Burnham, the area Highways Manager for North Yorkshire County Council, to address the point raised in the statement: It was confirmed that NYCC had attended the first meeting with the Oatlands road safety and active travel campaign group over a month ago and will be having another meeting next week with the North Yorkshire County Council Highway officers. The council is aware of the proposals and are engaging with the group proactively on these issues.

Councillor Chris Aldred asked MB what the process was to request 20 mph zones. MB responded that a petition needed to be formally submitted on such an issue but in this case the petition had not yet been formally submitted. Consideration would include speed set, volume of traffic and the strategic overview for the area. The strategic impact was important because changes to one road could have significant impacts on others. Once a petition had been formally received the Council would review the request on the basis of its policy framework and consider the wider strategic effect on that particular area. Councillor Aldred asked about the petition for a 20mph zone in the Pannal Ash area that the Committee had voted on at a previous meeting. MB responded that the Council were assessing both the Oatlands and Pannal Ash areas as a combined project.

Councillor Arnold Warneken asked whether it had been considered that imposing 20mph areas without including all side roads would potentially create rat runs. MB responded that this would be considered as part of the strategic assessment of any area. Councillors Mike Scholfield and John Mann expressed their support of the proposals with Councillor Mann stating that he had also asked for Yew tree Lane, Green Lane, Hoxton Road and Beachwood Grove to be considered for 20mph zones.

## 36 Active Travel Update

Considered: A presentation by Melissa Burham (Area Manager of Highways) concerning the Active Travel Plan for North Yorkshire. MB identified the benefits to residents of walking, using bus routes and cycling to both the environment and health and wellbeing. MB advised the Committee that Active Travel Fund 4 was announced on the 6 of February this year and local authorities were invited to submit bids to identify active travel schemes that would help uptake active travel day trips. Of the £2 billion scheme announced by the Government NYCC's indicative allocation was around £1 million. The Council was in the process of deciding which schemes could be rolled out immediately given the tight timescales involved to use this money. Funding was expected to be announced on the 17 March and the schemes put forward in order of priority were:

- Victoria Avenue – At detailed design stage for a cycling route, public realm route and pedestrian crossing improvements either side of Victoria Avenue. This has additional benefit as it links into the transforming City proposals as well so the Town Centre.
- Darlington Road in Richmond – the proposals were for a key cycle link and the provision of a 20 mph speed limit and improved crossings outside the secondary school
- A59 Maple Close – a cycle route between Mother Shiptons Cave and the Golf Course – an offroad cycle and pedestrian route

MB responded to questions from Members:

- Cllr John Mann identified that improvements to the A61 Leeds Road Corridor could alleviate the significant congestion that occurs on that road at rush hour
- Cllr Paul Haslam asked that if the Otley Road improvements were no longer going ahead could that money be used to make smaller improvements around the District, examples would include better signage to alert road users to the Green Way or Beryl Burton cycles routes. MB advised that the Council could look at small wins in this way but money earmarked for the Otley Road corridor had to be spent in that location.
- MB explained that when assessing all schemes the air quality management was an assessment criteria– there were aspirations to make quick wins in this area and they were consulting the HBC Environmental Team on this issue
- In response to a question from Cllr Monika Slater regarding the requirements of the capability assessment part of the funding application MB agreed to provide further information.
- In response to a question about the indicative allocation of £1.8M it was confirmed that at this point it was indicative and that the actual funding allocation could be significantly different from this – depending on how much was awarded the Council would make further considerations on how that money was spent
- Cllr Haslam emphasised the importance of KPIs when implementing schemes that could include improvements to numbers and targets, for example the number of cars removed from the road as a result, etc.
- In response to questions about the involvement of local Councillors MB confirmed that local Members were to be consulted on plans at the next



stage – this would include a walk around of appropriate areas.

In response to comments and questions about the overall coordination of planned schemes MB confirmed that the Council had launched the Strategic project map in late 2022 and this illustrated the relationship between each of the schemes, particularly to members of the public.

The Chair thanked MB and the Oatlands road safety and active travel campaign for their presentation and attendance at the meeting

**Resolved –**

That the report on the Active Travel Plan in the Harrogate and Knaresborough constituency area be noted.

**37 Yorkshire Water - Management of Combined Sewer Overflows and Nidd Assets**

Considered: A presentation by Sarah Robinson Corporate Affairs Advisor at Yorkshire water who delivered a presentation on the River Nidd Investment and YWs assets along the river Nidd and plans to improve the river health with a focus on the environment and public use of the water for activities such as swimming. The presentation was followed by questions from the Members:

Cllr Haslam requested that the notes from the discussion be forwarded to Yorkshire Water so that Members points could be followed up, this was agreed. The following points were raised:

- The actions taken by YW to prevent water getting into the system
- The indicators of volume of water such as KPI's
- Where there is/has been an overflow the potential for warning signs to be erected
- liaison with developers about preventive measures such as water butts on new housing
- Bilton Beck measures

SR confirmed that Yorkshire Water were undertaking a lot of work and looking at prevention i.e. preventing or slowing water from reaching the river during a downpour, one of the most effective ways was to install underground tanks. They were a statutory consultee on planning applications but was unable to compel development companies to take action such as putting water butts on every new home, it was currently investigating permeable paving in the Hull and Doncaster areas.

- Cllr Walker asked how biodiversity and environmental impact were included within cost/benefit analysis
- Cllr Gostlow – Suggested that the Committee receive regular updates on sewerage discharges and full update on improvements from YW. The following points were also raised:

- What is the surge capacity of the network given the amount of development around the district
- Is there a tipping point for the river Nidd?
- What technology improvements and mitigations have been explored?
- Is there an environmental fund within YW to utilise?
- What are the flooding and tourist implications?
- How long after an overflow is river water safe?
- The Committee to attend a site visit to Bilton Treatment Works

SR confirmed that YW were taking steps to improve water quality such as using UV to lessen or eradicate chemicals. Many issues were outside of YWs remit such as plastic in

the water – different issues were the responsibility of different organisations – if there was flooding from a burst bank this was the Environment Agencies responsibility but if it was a full road gully then it became the responsibility of the local Council. It was recognised that capacity was a joint responsibility between all agencies and SR would take back the comments made at the meeting.

- The £180M that YW had been granted for improvements was still subject to approval/allocation and was part of an intensive cost-benefit analysis
- Sarah confirmed that YW were working in partnership with Nidderdale AONB through Beyond Nature and through this Farmers in Nidderdale were being offered incentives to take up greener farming methods
- The 'near live' monitoring system, planned for rollout in April 2024, meant people would be able to check whether there had been a discharge within an hour of the event – the alerts would remain on the website for 48 hours enabling members of the public enough time to check before going to the river
- YW considered certain areas 'high priority' this was a government designation and related to areas where there was likely to be a high degree of environmental impact
- YW had not paid dividends to its shareholders for the last seven years and would not be paying any during the rollout of AMP4 – it was anticipated this would continue for a few years after that as well
- SR agreed to take back the points and questions raised at the meeting

The Chair thanked SR for the presentation and attendance at the meeting

### **Resolved –**

That the report on the Yorkshire Water CSO Management Plan in the Harrogate and Knaresborough constituency area be noted.

## **38 Bathing Water Quality - Knaresborough Lido**

Councillor Hannah Gostlow confirmed there was no further action relating to the minutes of the last meeting of the group.

Councillor Monika Slater wanted to highlight that the last meeting had generated a lot of community support – around 70 members of the public had attended the meeting and there was a lively discussion around where the different groups were at the moment. Leeds University were conducting sampling for E-Coli and Bilton Conservation Group were starting to support similar testing but this would require funding support. All the tests run had come back positive for E-Coli and testing was going to be stepped up from 1/month to fortnightly. MP Andrew Jones was heading up a bathing water status campaign that would require some volunteers.

The Group was currently planning its next steps and was particularly keen to look at the issue of plastic in the water.

## **39 Stronger Communities Update**

Considered: A presentation by Liz Meade - Stronger Communities Delivery Manager who presented the annual report that detailed the work of the Stronger Communities team over the last year. The report explained that The work of the Community Support Organisations (CSOs) had shifted focus in 2022/23, moving from pandemic response to recovery. Instead of supporting people who were self-isolating or shielding, their efforts had been on building confidence and independence and were helping to remove some of the dependencies that emerged during the pandemic. This had included activities such as supported shopping trips, accompanied walks, social events and support groups and

activities. The report further covered the funding and future opportunities for the CSOs.

- Members wanted to congratulate the team on their fantastic work supporting people
- Members expressed concern that there was a potential deficit when it came to supporting the local community in Harrogate during the local government reorganisation and until the new Harrogate Town Council was formed – Liz explained that the Stronger Communities Team will continue to work with organizations in the Harrogate urban area and provide support for those in need. Liz explained that the team were developing a Community Anchor Model to provide support in 30 key areas across the County – this was a plan that would develop over the next three years

It was suggested that a time limited working group be set up to agree terms of reference for work to address any deficit in support for Community and Voluntary sector support in Harrogate prior to the establishment of a Harrogate Town Council. It was agreed that Cllrs Peter Lacey and Sam Gibbs bring a proposal to the Committee after 1 April 2023.

During the discussion Councillor Peter Lacey declared an interest in the item as he was the co-founder and chair of Knaresborough Connectors.

The Chair thanked LM for the presentation and attendance at the meeting.

#### **Resolved –**

That the report on the Stronger Communities Update for the Harrogate and Knaresborough constituency area be noted.

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#### **Harrogate Destination Management Organisation - Achievements During First Year**

Considered: A presentation by John McGivern Destination Events Manager and Julia Lumley Place Marketing Manager who delivered a presentation on the DMOs Destination Harrogate work over the last year. The presentation detailed the work of the DMO, the Destination Management Plan, delivery of the Inward Investment Plan. The DMO's current strategy ran from 2022-25 but its ultimate ambition was that by 2030 the Harrogate District visitor economy would have accelerated its position as a substantial driver of sustainable economic growth. Its unique position as an event's destination embedded within a heritage spa Town continues to attract domestic and international visitors to the region. The result would be thriving local businesses, inward investment, job creation and a vibrant way of life for our residents. The presentation went on to outline the events that had been held over the last year and some of the planned events to be held over the next 12 months.

During discussion:

- Members highlighted the increased length of stay from 3.3 to 3.5 days but questioned how this would be affected if the HCC was not redeveloped as had been planned – JM confirmed that the HCC could answer this more fully but he explained that HCC had a direct effect on the accommodation side of the tourism in Harrogate, particularly helping during the quieter months
- Members also discussed the environmental impact of tourism in within the District – JM explained that sustainable tourism was an important part of the Destination Harrogate plan, the team were considering how people travelled to the District, how they got about when they were here and the overall carbon footprint of events – this was something the team were looking more at now they were entering year 2 of the DMO.



- Members considered the DMO's connection to other places within the District such as Knaresborough – Julia explained that any businesses could take part in the scheme so it was key to expand the message to all smaller and independent businesses – there was no specific performance data for individual places within the District – the data that the team had were averages about performance across the whole District
- In response to a question Julia explained that there were several DMO's across the County but the two leading 'attack brand' areas were Harrogate and Scarborough
- Members praised the most recent Christmas market but asked if there were any plans to extend the time that the market was open as this had been requested by members of the public – JM explained that the team were investigating the possibility of having the market run for longer in 2023 but they were keen to assess the response from local businesses and partners before confirming the final programme.

The Chair thanked JM and JL for the presentation and attendance at the meeting.

**Resolved –**

That the report on the Harrogate Destination Management Organisation – Achievements During First Year for the Harrogate and Knaresborough constituency area be noted.

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**Update from the Climate Sub Group**

Councillor Arnold Warneken confirmed there was no further business from the previous meeting.

- The Committee assured that Councillor Warneken was welcome to attend future meetings of the Climate Sub Group and contribute his detailed knowledge on the subjects discussed, albeit not as a voting Member of the Committee.

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**Committee Work Programme**

Councillor Chris Aldred suggested that attendance by local representatives from NYP be invited to a future meeting to provide local continuity from the existing district council to the Committee. This would also fulfil the crime and disorder terms of reference for the Committee in the new Council.

**Resolved –**

(a) That the Work Programme be approved, subject to:-

- (i) Melissa Burnham confirmed further Active Travel reports to be brought to the Committee at a later date (TBC)
- (ii) Councillors Peters Lacey and Sam Gibbs bring a proposal to the June meeting about potential terms of reference for work to address any deficit in support for Community and Voluntary sector support in Harrogate prior to the establishment of a Harrogate Town Council.
- (iii) Attendance by local NYP representatives