

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

Members: Councillors John Cattanach, Mark Crane, Melanie Davis (Vice-Chair), Caroline Goodrick, Hannah Gostlow, Paul Haslam, David Ireton, David Jeffels, Mike Jordan, Steve Mason, David Staveley (Chair), Phil Trumper, Arnold Warneken, Steve Watson, Robert Windass and Subash Sharma.

Date: Thursday, 19th October, 2023

Time: 10.00 am

Venue: Brierley Room, County Hall, Northallerton, DL7 8AD

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the Democratic Services Officer, whose details are below, if you would like to find out more.

This meeting is being held as an in-person meeting.

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AGENDA

1. Apologies for Absence

2. Minutes of the Meeting held on 10 and 26 July 2023

(Pages 3 - 14)

3. Declarations of Interest

All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

4. Public Participation

Members of the public may ask questions or make statements at this meeting if they have given notice (to include the text of the question/statement) to Will Baines, Principal Democratic Services and Scrutiny Officer (*contact details below*) no later than midday on Monday 16 October. Each speaker should limit themselves to 3 minutes on any

Enquiries relating to this agenda please contact Will Baines, Principal Democratic Services and Scrutiny Officer
Tel: 01609 533885

or e-mail william.baines@northyorks.gov.uk

Website: www.northyorks.gov.uk

item. Members of the public who have given notice will be invited to speak:-

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

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

5. **Notice of Motion on improvements in water quality for improvements in health, wildlife, biodiversity and economy** (Pages 15 - 28)
6. **Rural Connectivity Report** (To Follow)
7. **York & North Yorkshire LEP Capital Investment Programme and Delivery Plan Review** (Pages 29 - 58)

Lunch Break

8. **Allerton Waste Recovery Park Performance Update** (Pages 59 - 70)
9. **Work Programme** (Pages 71 - 74)
10. **Any other items**
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.
11. **Date of Next Meeting**
Thursday, 18 January 2024 at 10am.

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Contact Details:

For enquiries relating to this agenda, please contact Will Baines, Principal Democratic Services & Scrutiny Officer - Tel: 01609 533885 or email: william.baines@northyorks.gov.uk

Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

Wednesday, 11 October 2023

North Yorkshire Council

Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee

Minutes of the meeting held on Monday, 10th July, 2023 commencing at 10.00 am.

Councillor David Staveley in the Chair plus Councillors John Cattanach, Mark Crane, Melanie Davis, Caroline Goodrick, Hannah Gostlow, Paul Haslam, David Ireton, David Jeffels, Mike Jordan, Steve Mason, Phil Trumper, Arnold Warneken, Steve Watson (until item 7), Robert Windass and Subash Sharma.

In attendance: Councillor Derek Bastiman (for item 9) and Councillor George Jabbour.

Officers present: Barrie Mason, Nigel Smith, Jamie Crumlish (NY Highways), Louise McCaul (National Highways), Owen Wilson (Transport for the North), Dave Caulfield, Mark Haynes, Will Baines and Edward Maxwell.

Apologies: Councillor Steve Watson (from item 7)

Copies of all documents considered are in the Minute Book

1 Apologies for Absence

Councillor Steve Watson advised that he had to leave part way through the meeting due to another commitment. Councillor George Jabbour would act as substitute for the remainder of the meeting.

2 Minutes of the Meeting held on 25 May 2023

Resolved -

That the minutes of the meeting held on 25 May 2023, having been printed and circulated, be taken as read and confirmed by the Chair as a correct record.

3 Declarations of Interest

Councillor Melanie Davis declared a personal interest in Item 7 – Transport for the North – Strategic Transport Plan, as her husband works for Network Rail.

4 Public Participation

No public questions or statements were received.

5 NY Highways Performance and Progress

Considered – Report of the Corporate Director – Environment on the annual progress and performance to date of NY Highways, the Council's company for the operational delivery of highways services.

Some of the key points highlighted in the report are as summarised below:

- NY Highways (NYH) is currently in Years 4 to 5 of the 5 Year Plan, following initial mobilisation and implementation periods. The company is now seeking to transform and make best use of the new arrangements to make changes in a flexible and more dynamic way than under the previous contract.
- Achievements for NYH in 2022/23 included: delivering efficiency savings (revenue) of £350k last year through the continued use of Spray Injection Patching, employing 18 apprentices across the business, undertaking a staff restructure to minimise wasteful travel time between depots and assigning 'champions' for each operational service delivery area, developing a 'fast track' programme of training for new employees and achieving ISO accreditation for the company to create more tendering opportunities.
- Health and safety remains of paramount importance to NYH. The overall performance figures for 2022/23 were positive. But alongside the challenge to improve these figures, targeted campaigns have already been introduced to address the accident frequency rate, such as a Driver Support Programme.
- In the year ahead (2023/24), work is required to improve NYH operations by engaging with operational staff, along with North Yorkshire Council staff and wider partners to seek out and maximise opportunities resulting from LGR.
- The 5-year Carbon Plan, which positively contributes towards the reduction in carbon used when delivering the highways services, is well embedded. Examples of actions include making use of route optimisation software for crews, efficient works scheduling and the use of warm mix asphalt rather than hot mix in road and footway repairs.
- The Carbon Counting tool developed by NY Highways is gathering momentum and gaining recognition on a national platform.

Following this, comments and questions raised by the committee included:

- Information supplied to elected members on gully cleaning works undertaken up to the end of October 2023 has been helpful, but could the future schedule of gully cleaning works from November 2023 onwards also be sent to councillors to give them advance notice of works taking place in their division.
- The need to co-ordinate temporary roadworks and traffic lights on the road network to minimise disruption as far as possible. In response, the concerns were noted, with the specific locations raised to be looked into and the potential for a lane rental scheme to charge utility companies for the time that street and road permit works occupy the highway to be explored.
- The use of spray injection patching to deliver the right treatment at the right location was welcomed. It works as a mini surface dressing treatment to address defects and stop water ingress on a semi-permanent basis to prolong the life of the repair.
- It was asked whether the influence of the climate change initiatives that have been developed, such as the Carbon Counting tool, can be quantified to show the impact and benefits that the initiatives have had to influence other local authorities?
- It was felt that more effective scheduling and efficient delivery of works, together with the internal restructure, has helped to improve the response to defects completed on time.
- Inspections of reinstatements and the requirements for contractors to re-do work was discussed.
- More information was requested on the use of AI cameras to automate near miss recording internally, with officers also highlighting the recent developmental use of AI technology to survey work on highways as part of devising the future capital programme alongside traditional methods.
- There was frustration around road closures with diversions that are not clearly signposted and then the signs not collected after completion. It was explained that the Council monitors to check the proposed timing of a road closure is suitable,

adequate communication has been given and the diversion is right and will challenge the applicant if this is not the case. It was noted there were particular concerns with Yorkshire Water and a meeting is taking place to discuss this further.

- The pros and cons of using sat navs to navigate during traffic jams or diversions was discussed, with the road diversion signs displayed to assist tourists and people new to the area to use an alternative route.
- Consulting local members of intended highway diversion routes as part of the weekly sessions with Highways Area Offices should be already done, and would be tightened up in areas where this wasn't happening.
- There was clarification that the recruitment of apprenticeships is a rolling programme, to attract, recruit and retain to create resilience in the organisation and a talent succession programme for the future.
- If bad weather is expected, then proactive, non-programmed gully cleaning will take place to try to minimise the impact and ensure the drainage system is working as well as it can. By progressing with the KaarbonTech Gully solution, data and information is fed into the system to help determine the frequency of the programmed cleaning schedule and any particular issues at locations.
- The importance of the Local Flood Risk Management strategy and ongoing work with partners for water management and the interaction with planning as the Lead Local Flooding Authority was noted.

Resolved – That the information within the report and feedback received be noted.

6 National Highways Update on Maintenance and Improvement Activity

Considered – Report of Louise McCaul, Route Manager for Durham, Tees and North Yorkshire (Area 14) to update committee members on works completed and planned on and around National Highways (NH) network in Yorkshire and North East Region.

Some of the key points highlighted in the report and presentation are as summarised below:

- National Highways are keen to improve how they deal with customer concerns about how the Strategic Road Network functions (issues such as congestion, safety, integration with communities and public transport)
- On Major Projects, a RIS3 (Road Investment Strategy) pipeline is made up of more than 30 potential future schemes (including the A64) which are assessed against a broad range of criteria. The pipeline schemes remain uncommitted; the final decision on what schemes will progress to delivery rests with government. The Secretary of State for Transport recently confirmed that pipeline schemes will now not be considered for delivery until after 2030, to help ensure schemes are well-planned and efficient.
- A Value Engineering study on the A64 Hopgrove to Barton-le-Willows scheme is ongoing, scheduled to be completed this autumn. Work is underway to assure the updated cost estimates and the Value for money (VfM) statement for the scheme. While the above works have enabled cost savings on the scheme to be made, market conditions and inflation mean National Highways are not seeing an improvement in the scheme's VfM, making it difficult to deliver.
- On the A66 Northern Transpennine route, National Highways would like to upgrade the remaining single carriageway sections to provide a safe and reliable journey between Penrith and Scotch Corner. A Development Consent Order examination period has ended, with the Examining Authority set to make their recommendation to the Secretary of State by the end of August, and a final decision expected by the end of November.
- Intelligence led maintenance is key to showing where higher maintenance requirement is needed. Following this, inspectors go out to pick up defects, which is then allocated a priority (safety critical or non safety critical) and there are standard

times for repair. On the A64, a weekly route journey is undertaken to check for defects is undertaken, with major routes checked on a daily basis.

- Diversion routes are planned out to try and avoid impacting on rural towns and villages. Meetings are held at least annually with North Yorkshire Council to refresh these.
- Updates were given for the A1(M) – including M62 J33-34, A66 and A64.
- Cyclical maintenance is undertaken by National Highways including annual tasks such as: gully cleaning, weed spraying, soft estate maintenance, sightlines, tree maintenance, sweeping, cleaning signs and ditch maintenance.

Members questions included:

- Whether the possibility of match funding for a scheme would increase the Benefit-Cost Ratio (BCR)?
- On the A66-Scotch Corner junction, will the impact of the cumulative effect of the major developments planned for that area be considered by National Highways when they are consulted as part of the planning process. Also, the backup of traffic from the A66 onto the A1(M) was raised as a serious safety concern.
- On the A64, there was frustration expressed that the ongoing delays to the RIS3 pipeline potential scheme to upgrade the Hopgrove roundabout and dual the section from Hopgrove to Barton-le-Willows. The widening of the existing road was suggested as a potential solution. Improving the Benefit-Cost Ratio of the scheme against other schemes across the country was seen as a major blockage to progress at the moment.
- Plans for a Vale of York services on the A1(M) were discussed.
- The relationship between National Highways and the Transport for the North organisation was asked about.
- How decarbonisation forms part of the day to day business cases put together by National Highways?
- The litter picking responsibilities for the trunk road network in North Yorkshire and how the new council discharges its duties, usually by working in partnership with planned maintenance by National Highways.

Resolved –

- i) That the report be noted.
- ii) That a representative from National Highways related to major strategic projects be invited to a future meeting.

Councillor Steve Watson left the meeting following consideration of this item, with Councillor George Jabbour acting as substitute for the remainder of the business on the agenda.

7 Transport for the North - Strategic Transport Plan

Considered – Report of Owen Wilson, Head of Major Roads, Transport for the North (TfN) on their Strategic Transport Plan public consultation.

Key points covered were:

- The strategic ambitions of the TfN STP: Transforming economic performance (£118bn more Gross Value Added (GVA) by 2050), Decarbonisation of surface transport (Near Zero by 2045) and Enhancing social inclusion and health (1 million people fewer at risk of transport-related social exclusion by 2050)
- The unique opportunities and challenges facing the North's economy, people and communities, showing how transport investment can enable regional economic growth, support decarbonisation and reduce social exclusion.
- Changes that TfN feel are **Page 6** include: an increase in total investment

infrastructure, a holistic 'whole journey' approach, clarity and flexibility of funding and the need to work jointly together.

- Investment in new road capacity should be targeted only where the evidence shows it is essential. TfN are providing the evidence to help the transition to low and zero emission vehicles, including with the energy sector.
- There needs to be more focus on supporting road and rail freight.
- It is pleasing to see the A59 Kex Gill scheme moving forwards and TfN continue to promote the A64 and A66 scheme with National Highways.
- Better rail connectivity is desperately needed in the North, along with common standards such as improved accessibility to stations.
- A whole systems approach is needed to enable more choice, manage demand on the road network and deliver modal shift. A transformational upgrade to the rail network is needed and continued investment in roads, but in the context of the climate emergency.
- The focus is on increased choices to deliver economic growth, which will in turn lead to more trips on the road network.
- The TfN role is to act as a centre of excellence to bring people together, with evidence and enabling information, to demonstrate the need for service integration across all transport types.

Following this, questions raised by the committee included:

- The possibility of developing the rail network in the West of North Yorkshire, for example developing the existing Clitheroe to Hellifield route as opposed to the SELRAP Skipton to Colne project.
- The need for transport investment in coastal communities is desperately needed, along with improved connectivity along with joined up thinking.
- The need to prioritise East-West connectivity from Liverpool to Hull and the Yorkshire coast and focus on upgrading the existing road and rail infrastructure already in place.
- It was asked whether Local Development Plans are considered by Transport for the North as part of formulating policy and plans. It was confirmed they were.
- The importance of having shovel ready transport infrastructure schemes if additional funding is released as a result of devolution powers was emphasised.
- A Member suggested a direct train connection between Manchester/Leeds and Scarborough to coincide with morning and evening rush hour.

Resolved – That the presentation be noted and members encouraged to feed in views to the Transport for the North - Strategic Transport Plan public consultation.

8 North Yorkshire Economic Growth Strategy

Considered – Report of the Assistant Director: Economic Development, Regeneration, Tourism & Skills providing a progress update on the development of the North Yorkshire Economic Growth Strategy and seeking views on the first draft of the Strategy.

Some of the key points highlighted in the report are as summarised below:

- The importance of the North Yorkshire Economic Growth Strategy taking an holistic approach, to link in with transport delivery, housing delivery and investment was emphasised.
- The formulation of the strategy had been a joint effort between staff from the eight predecessor local authorities and the Y&NYLEP, to be as strategic as possible.
- A recent presentation at a Members Seminar led to a range of comments, with a mix of support and concerns. It is crucial to outline a set of ambitions to ensure there is a focus on winning future investment.

- There was a real desire to see skills development at all levels and support for key foundational economy sectors.
- Collaboration will be essential, especially with big businesses to deliver the strategy.
- There needs to be protection of what makes our places in North Yorkshire special.
- Internal consultation with officers has highlighted the need to be ambitious, to focus on good growth, ensuring prioritisation and investment decision making, the role of culture and heritage, the opportunities from natural capital and linkages to neighbouring areas.

Following this, questions and comments raised by the committee included:

- A request to strengthen the offshore wind reference in the next draft of the strategy.
- The prevalence of a cashless society since the Covid-19 pandemic and the difficulties this causes for different sectors of the economy.
- The lack of quantitative data in the strategy document and the need to establish baseline figures to make it outward facing and backed up with evidence.
- The need for significant economic investment in North Yorkshire and emphasising this within the strategy through prioritisation and a clear evidence base.
- The staff shortages in sectors such as tourism and hospitality are not helping businesses to achieve their potential and the strategy should set out a high level response to this. In particular, an aging workforce and access to skills training is holding the sector back and it has a knock on effect on improving town centres and the local economy.
- How the collaborative delivery work across Council services and strategic partnerships will be co-ordinated and monitored?
- The need to be holistic in delivering the Economic Growth strategy was vital, to link up with other departments to drive delivery.

Resolved – That the comments and feedback on the first draft of the North Yorkshire Economic Growth Strategy be noted and fed into the second draft.

9 Briefing Notes progress update

Considered – A verbal update from the Principal Democratic Services and Scrutiny Officer on the status of briefing notes to the committee.

Resolved – That the verbal update be noted.

10 Work Programme

Considered -

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

Resolved -

That the work programme be noted.

11 Any other items

It was noted that a call-in of the decision of the Executive regarding the 20mph Speed Limit and Zone Policy Update had been received, with an additional meeting of the committee to be convened to arrange for the call-in to be heard.

Public Document Pack

North Yorkshire Council

Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee

Minutes of the meeting held on Wednesday, 26th July, 2023 commencing at 2.00 pm.

Councillor David Staveley in the Chair plus Councillors Crane, Davis, Goodrick, Gostlow, Haslam, Ireton, Jeffels, Jordan, Mason, Trumper, Warneken, Watson, Windass and Sharma.

In attendance: Councillors Brown, Duncan (virtual), Kevin Foster (virtual), Jabbour, Lacey (virtual), Marsh.

Officers present: Will Baines, Edward Maxwell, Allan McVeigh, David Smith (virtual).

Other Attendees: 6 members of the public.

Apologies: Councillor Cattanach.

Copies of all documents considered are in the Minute Book

1 Apologies for Absence

Apologies were received from Councillor John Cattanach.

2 Declarations of Interest

There were no declarations of interest to note.

3 Public Participation

Andy Jefferson registered to speak regarding Item 5 – Call In of the Executive Decision – Review of 20mph Speed Limit and Zone Policy. The following points were raised in his statement:

- The majority of road collisions involving children took place in residential areas, not near schools as claimed in the policy. The policy also failed to adequately consider the impact on elderly residents.
- The Council's own climate targets required a large uptake in active travel, but cycling was much less popular on 30mph roads than 20mph. Implementing a default 20mph policy would make cycling easier without needing large investment to link existing cycle-friendly sections.
- The report failed to consider the long-term benefits on the health service from increased active travel, and the short-term benefits from reduced injury rates.

Allan McVeigh thanked Andy Jefferson for his question, and provided a response which included the following points:

- The report made no changes to the existing 20mph Speed Limit and Zone Policy.

- The policy and report were considered in accordance with the Equalities Impact Assessment which considered the impact on all road users, and where a need for supporting measures were identified, these would be installed.
- The policy's general principle was to consult with local groups and introduced tailored schemes, rather than adopting a blanket approach which would be inefficient and wasteful.

Pam Fawcett registered to speak regarding Item 5 – Call In of the Executive Decision – Review of 20mph Speed Limit and Zone Policy. Being unable to attend, her statement was read by Ian Conlan on her behalf. The following points were raised in her statement:

- As a resident of Bellerby for many years, Ms Fawcett noted that the volume and speed of traffic had increased substantially over time and highlighted several recent traffic incidents near her house.
- The impact on pedestrians who felt unsafe crossing the road had led to an increased sense of isolation among residents, particularly the elderly and on schoolchildren.
- Ms Fawcett wished to know why NYC did not adequately consider the safety of local residents, and what steps would be taken to address the issues.

Allan McVeigh thanked Pam Fawcett for her question, and provided a response which included the following points:

- The reasons for not reducing the speed limit to 20mph on the A6108 through Bellerby had been explained to the Parish Council and accepted.
- As an alternative to introducing a 20mph on the A6108, an alternative scheme to implement it on other roads around community spaces in the village had been agreed with the Parish Council.

Roy Heap registered to speak regarding Item 5 – Call In of the Executive Decision – Review of 20mph Speed Limit and Zone Policy. Being unable to attend, his statement was read by Edward Maxwell (Democratic Services Officer) on his behalf. The following points were raised in his statement:

- Mr Heap claimed that NYC was too reliant on statistical data in selecting where to implement 20mph schemes and was too reactive in waiting for serious incidents to occur before acting.

Allan McVeigh thanked Roy Heap for his question, and provided a response which included the following points:

- Reducing the severity and frequency of accidents was a priority for NYC and had been considered extensively, but additional factors such as active travel and promoting modal shift were also important.
- The current approach was being expanded to develop a whole network strategy across the county.

Barry Warrington registered to speak regarding Item 5 – Call In of the Executive Decision – Review of 20mph Speed Limit and Zone Policy. The following points were raised in his statement:

- Mr Warrington questioned whether 20mph zones reduced carbon emissions,

promoted active travel, and improved road safety, the zones were not being widely rolled out.

- It was requested that the report reconsidered the evidence and was amended to reflect the urgent need for action to address climate change.

Allan McVeigh thanked Barry Warrington for his question, and provided a response which included the following points:

- The benefits of air quality were not in question and were explicitly stated in the report. Increasing active travel was also a target in the Council's Climate Strategy.
- The literature review showed that evidence to support a blanket 20mph scheme was equivocal, and showed that signed-only 20mph schemes only resulted in poor speed reductions.

Mr Warrington asked a supplementary question:

- While it was not possible to achieve all the desired results immediately, why low-cost schemes were not being rolled out quickly. Mr Warrington believed that a blanket 20mph limit would be such a low-cost option that would support the council's Climate Strategy.

Allan McVeigh responded:

- The policy would in fact allow low-cost schemes to be implemented where there was local support, which would be much quicker and cheaper than a blanket rollout across a county the size of North Yorkshre.

4 Chair's Introduction

The Chair welcomed members to the meeting and explained why it had been arranged.

On 7 July 2023, Cllr Andy Brown and at least six members of the Transport, Economy, Environment, and Enterprise Scrutiny Committee submitted written notice that they wished for the 4 July 2023 decision of the Executive to be called in. This decision was to reject default area-wide 20mph zones in North Yorkshire, and that a series of planned review and a speed management strategy be implemented to deliver local traffic management schemes.

The members were required to determine whether the decision should be referred back to the Executive for review, referred to Full Council, or whether no further action should be taken. The Chair reminded members that the purpose of the meeting was not to discuss the proposed speed management strategy itself, but to review the way the decision had been taken and whether all appropriate evidence had been considered.

Resolved: That the report be noted.

5 Call in of the Executive decision - Review of 20mph Speed Limit and Zone Policy

Considered: A report of the Assistant Chief Executive, Legal and Democratic Services, seeking a decision on whether to refer the Executive decision of 4 July 2023 back to the Executive; to refer it to Full Council; or to take no further action.

The Chair invited Cllr Andy Brown, as signatory of the Call-In notice, to summarise their

arguments. Cllr Brown thanked members for attending the meeting, and delivered a presentation, the main points of which were:

- The signatories were concerned about the impact of excessive speed in residential areas, citing recent examples of fatalities and serious injuries in their divisions.
- It was felt that insufficient weight had been given to the evidence regarding the effectiveness of such speed management schemes (SMSs), and that widespread non-compliance had been assumed without adequate evidence.
- Examples of successful default 20mph schemes in Cornwall and Edinburgh were cited.
- Signatories felt that insufficient weight had been given to the ameliorating effect such schemes would have on pressures in local A&E departments, to the climate change benefits, and the positive health effects from improvements in air quality.
- The consultation was felt to be inadequate, with members reporting some areas which believed their views had not been considered. Examples were cited of Parish and Town Councils which had found it difficult to engage with the Highways Agency.
- Cllr Brown suggested an alternative option, where a coalition of the willing be set up to deliver schemes quickly where local support was strong, scoping and costing applications promptly rather than a lengthy pipeline approach, dealing with each application in turn.

The Chair invited Allan McVeigh to respond. The main points of the response were as follows:

- The positive benefits of SMSs were not in dispute, and the scheme approved by the Executive explicitly recognised the health, climate change and safety benefits highlighted by the signatories.
- The default application of 20mph zones was seen as potentially damaging, introducing them to communities which did not want them, or were which not suitable.
- It was emphasised that the proposed SMS would lead to more 20mph zones in the county, not fewer.
- Evidence was cited which suggested signed-only schemes, without physical measures, only resulted in a very modest speed reduction of 1-2mph.
- The consultation was highlighted, which had sought the views of all 90 members. Examples were cited of areas which had requested a 20mph zone and which had been accepted, showing that where appropriate these would be introduced.

The Chair invited the Executive Member for Highways and Transportation to respond, and the points raised are summarised below:

- The Executive had worked closely with officers to develop a robust and evidence-based approach that would be suitable for local communities across the counties.
- The alternative scheme proposed by the signatories, which sought implementation of SMSs where local support existed, was in fact close to the approach set out in the policy, working proactively with communities and responding where a clear need for 20mph schemes existed. The Page 12 extended beyond a simple default 20mph

debate, with some communities needing individual solutions.

- It was hoped that members saw the positive benefits of the scheme as an improvement to the existing approach, and called on members to support it so it could be quickly delivered. Recent proposals from Area Constituency Committees, which had been rejected, had nevertheless been considered closely during the development of the policy.
- It was accepted that better communication was needed, to keep members informed about proposed schemes in their divisions.

The Chair invited debate and comment from the committee, which is summarised below:

- It was felt that the Executive had not given adequate weight to points raised by residents and Town and Parish Councils. Proposals by the Area Constituency Committees had been rejected without explanation, and the policy consultation had been inadequate, failing to consider opposing points of view. Some members argued that the local view should be weighted most heavily when considering applications for SMSs.
- Members highlighted the minimal impact 20mph zones would have on journey times in practice, a factor which had been cited as a reason to reject default 20mph zones.
- Instances were highlighted of strong local support for SMSs, including in Parishes where substantial precept increases had been levied to fund them.
- Concern was expressed about the length of time it would take for such schemes to be set up in practice, and the large number of communities already eager for SMSs in their areas were highlighted. Arguments regarding health, climate change and safety benefits should prompt the Council to rapidly implement schemes where there was local support.
- The policy was praised by other members as being an important step which would assure local communities that the issue was being taken seriously.
- It was argued that the Council needed to be mindful of financial limitations, which would hinder the rollout of physical measures to support 20mph zones.
- Officers responded to the claims of poor consultation by highlighting how local representations were clearly highlighted in the policy. It was accepted that communication could be handled better, with members being kept informed of progress and a more sensitive approach taken when engaging with local communities.

Resolved: That no further action be taken.

Officers responded to the decision by reiterating that NYC would proactively engage with Parish and Town Councils to explain the next steps, and that members would be consulted to help shape the policy going forward. The Chair highlighted that the policy would likely be reviewed annually by the TEEE Overview and Scrutiny Committee, so members would have opportunity to monitor its implementation.

6 Any other items

The Chair informed members that the Rail Delivery Group consultation on ticket office

closures had been extended to 1 September 2023, which would allow for additional member input to a collective NYC response. Members indicated that there was general support for an additional meeting, if required, to seek input for the consultation response before it closed.

The meeting concluded at 3.47 pm.

North Yorkshire Council

Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee

19 October 2023

Notice of Motion on Water Quality for improvements in health, wildlife, biodiversity and economy

Report of the Assistant Chief Executive (Legal & Democratic Services)

1.0 Purpose of Report

- 1.1 To present information in response to a Notice of Motion submitted to Full Council on 19 July 2023. This information has been provided to enable the Committee to consider the numbered points in the motion text and agree recommendations for Full Council's consideration on 15 November 2023.

2.0 Background

- 2.1 At Full Council on 19 July 2023, the Chair, Councillor Ireton, decided that a Notice of Motion on water quality for improvements in health, wildlife, biodiversity and economy should be passed to the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee for consideration, with the intention of it being considered at the meeting today and recommendations brought back to the 15 November 2023 meeting of Full Council.
- 2.2 The Notice of Motion proposed by Councillor Arnold Warneken (and seconded by Councillor Mike Schofield) stated:

This Council resolves to:

1. Recognise it has a role to protect the rivers, watercourse and seas in North Yorkshire and precious habitats these support as far as possible from the cumulative impacts of pollution, including in line with its local planning policy and the National Planning Policy Framework.
2. Be aware that there is evidence of deterioration of water quality due to the cumulative impact of nitrates phosphates, micro-plastics, pharmaceuticals, historical metal mining activities, and multiple sewage discharge events from diffuse and point source pollution including private and statutory waste treatment systems and seek to better understand the impact on our local rivers, wildlife and the health of our residents.
3. Draw on relevant evidence that assesses the cumulative impact of pollution so that this is appropriately factored into the emerging North Yorkshire plan, including the overall level of future development
4. Ask the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee to invite senior representatives from Yorkshire Water, the Environment Agency, Yorkshire Dales River Trust, Nidd Action Group, Natural England, Yorkshire Wildlife Trust and other interested groups to attend a meeting to allow for a better understanding of the current levels of pollution and remedial action being taken in this regard.
5. Ask Yorkshire Water, from this date onwards, in its planning consultation responses for major developments, to clarify which treatment works will be managing the sewage; confirm that these treatment works have the additional capacity to take waste from agreed developments

and whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).

6. Request that planning assessments, from now onwards, include in all reports on major developments appropriate coverage of the impact on watercourses, including the potential for the development to affect sewage outflow into watercourses, so that this information is clearly and transparently set out. related to this is reducing the impact of surface water and encouraging the installation of Sustainable Urban Drainage systems (SUDs) on new developments. whether this could be a standard for North Yorkshire
7. Ask the Leader and appropriate Executive Members to collaborate with other Local Authorities facing similar water quality problems in order to best understand how we can use our influence to reduce and mitigate the damage done to our watercourses.
8. This Council plays its part in securing bathing water status for the Lido on the River Nidd in Knaresborough and any other applications in North Yorkshire

This motion has been endorsed by the: Yorkshire Dales Rivers Trust; Lower Ure Conservation Trust.

- 2.3 There are a number of minor amendments to the motion text submitted which Councillor Warneken, as the proposer of the motion, will outline at the meeting.

3.0 Introduction

- 3.1 Water is a crucial part of the natural environment, making life possible and providing goods and services to people. It is important for many reasons, such as human health and wellbeing, wildlife and habitats, farming and food, bathing, leisure activities such as fishing and the economy.
- 3.2 It is estimated we use about 14 billion litres of water per day and will need 4 billion more by 2025. Pollution, population growth and larger towns and cities are having an impact on the natural water environment. The quality of the water system is becoming a much more prevalent issue in the UK, particularly around the emerging use of new pollutants and the frequency of sewage discharges into rivers and watercourses by water companies. In 2022, more than 384,000 discharges of raw sewage took place across England and Wales, adding up to 2.3m hours of spilling.
- 3.3 According to the Environment Agency, Agriculture and rural land management is the biggest single contributor to river pollution in England, as excess nutrients from farmland and livestock end up in the water. But the water industry, with both treated and untreated sewage discharges, is a close second. Ratings for England and Wales, from 2019 and 2021, show that rivers are in a poor chemical and ecological state.
- 3.4 When in a healthy and naturally functioning state, rivers, streams, ponds, lakes, wetlands, estuaries, and coasts deliver multiple benefits for society. These benefits include flood risk management, carbon sequestration, clean water and drought resilience. Efforts to improve the quality of water bodies in the UK are ongoing, but need to continue to anticipate and prepare for further challenges ahead. In April 2023, the Government announced a Plan for Water, built around a catchment approach to managing the water system. The Plan aims to use regulatory powers to enforce and fine water companies who do not achieve set targets and a strategic policy approach to clean up the water environment and deliver a resilient supply.

4.0 Summary

- 4.1 In response to each individual numbered point of the motion submitted, information has been sought from North Yorkshire Council officers to inform members.
- 4.2 ***1. Recognise it has a role to protect the rivers, watercourse and seas in North Yorkshire and precious habitats these support as far as possible from the cumulative impacts of pollution, including in line with its local planning policy and the National Planning Policy Framework.***
- 4.3 There is a recognition that water is a finite resource, and that protection of water quality is a critical cross-sector objective.
- 4.4 North Yorkshire Council has been appointed as the Responsible Authority for developing a Local Nature Recovery Strategy (LNRS) covering the whole of North Yorkshire and the City of York. That will include coastal as well as on land and freshwater habitats. The work on the LNRS will be undertaken in close co-operation with the five protected landscapes in North Yorkshire that together cover just under half of area of the county. Development of the LNRS will also involve close working with established Catchment Partnerships, including projects to deal with diffuse pollution and supporting habitats generally – and also the Yorkshire Marine Nature Partnership (YMNP) that covers the whole of the North and East Yorkshire coastline. (See response below to point 7 of the Motion for more detail on NYC work with the Catchment Partnerships and the YMNP).
- 4.5 In existing Local Plans there are policies, which range in scope and detail, that seek to protect watercourses from pollution as a result of new development; establishing at the point of decision what the impacts and pathways/receptors are in relation to that development. But the issue is the extent to which the local plan policies and NPPF work on addressing the impacts of the development specifically: they do not have the capacity to extend this consideration to the point at which the foul water is in the main sewer, in terms of how it is treated, and this is managed by water utility companies (of which there are three in North Yorkshire) covered by the Water Framework Directive, and regulated by the Environment Agency under DEFRA.
- 4.6 However, the new Local Plan will be looking at this in more detail in relation to eliminating pollution incidents as a result of new development, and in a context of water scarcity in the face of climate change. There are current measures which are used in the planning process to minimise pollution incidents:
- In the last decade water companies have sought separate systems of foul and surface water management where new development is able to connect to the existing mains sewerage system, this is about reducing pressure on sewerage systems, by not having clean rainwater entering the sewerage treatment process in principle and reducing stress on the sewer network in the event of high levels of surface water runoff.
 - For those developments that are not on mains drainage, and this is not uncommon in North Yorkshire, there has been a drive to replace septic tanks with package treatment plants which produce clean water which can be released back into the environment, whereas a septic tank needs additional treatment, and if damaged can cause a pollution incident.
 - A key component of the Local Plan evidence base, and a resource for planning applications, is the Council's Strategic Flood Risk Assessment (SFRA). It is a technical document which examines existing flood risk and uses modelling to predict flood risk increase over a 15 year period and beyond. It helps to inform a key component of local and national planning policy, the application of the Sequential Test, which seeks to locate

development in areas of least flood risk- an action which can reduce the incidence of pollution by reducing the incidence of flooding - as flooding events can cause pollution. The Sequential Test is complemented by the Exception Test, which is used in instances where it is not possible to locate development in an area of lower flood risk, and it is used to assess whether the development brings wider sustainability benefits and can reduce the flood risk at the site and not cause greater risks of flooding elsewhere. These tests can only be applied to proposals on the ground, either as allocations through the local plan process, or as applications (for sites which were not allocated).

- The planning system, through local plans also promotes the utilisation of the drainage hierarchy, which seeks to:
 - Re-use water at the point it is collected (which is becoming more common)
 - Slow water's movement into river systems/water bodies/ground at a rate which can be accommodated
 - Ensure that clean water (rainwater) is not contaminated en-route or lead to contamination of ground water
 - As a last resort is the input of surface water into combined sewers- this will happen in relation to many householder extensions unless SuDs are possible.
- 4.7 Where the planning system has very limited input into is the impact of water quality as a result of agricultural land use, namely application of fertilisers and pesticides/herbicides. Also, many industrial processes which use water are subject to Environmental Permitting.
- 4.8 But as a Local Authority under other remits, through our work on Natural Capital/LNRS/Biodiversity Net Gain, there are avenues for the Council to explore in relation to reducing rates of run off and exploring how land managers can reduce their usage of chemicals on the land and ultimately help to reduce the incident of diffuse pollution of waterways and bodies.
- 5.0 **2. Be aware that there is evidence of deterioration of water quality due to the cumulative impact of nitrates phosphates, micro-plastics, pharmaceuticals, historical metal mining activities, and multiple sewage discharge events from diffuse and point source pollution including private and statutory waste treatment systems and seek to better understand the impact on our local rivers, wildlife and the health of our residents.**
- 5.1 The impacts of pollution and poor water quality have been widely reported in recent months, with a focus on problems associated with the management of sewage and in particular storm water discharges from 'combined sewer outfalls'. At the same time, rivers in North Yorkshire have suffered from other pollution incidents including major fish kills associated with point-source pollution from agricultural operations and low flow / high water temperature issues.
- 5.2 Whilst the focus on the specific sources and cause of pollution incidents is understandable, it is also important to consider the wider physical condition of many of our watercourses. Years of physical modification (for example straightening and artificial deepening of channels, removal of habitat etc) means that most of our rivers and the wildlife within them are not well placed to mitigate the impacts of further stresses imposed by pollution or changing flow / temperature patterns. Indeed, the UK River Restoration Centre (RRC), the national centre of excellence on river restoration techniques and training based at Cranfield University, has recently highlighted the need for a much more holistic approach to river and catchment management that addresses the physical / morphological processes in watercourses alongside challenges from pollution. This is particularly pertinent in the face

of long-term changes to river flows arising from changing weather patterns. If Members wish to have more information on this, it can be provided on request.

- 5.3 The potential for cumulative impact from different pollutants is now much more widely recognised and the subject of intense research. For example, NYC is supporting a project led by the University of York specifically looking at the impact of combinations of chemicals (e.g. veterinary and human health products, cosmetics, agricultural fertilizers and pesticides) in the water environment.
- 6.0 **3. Draw on relevant evidence that assesses the cumulative impact of pollution so that this is appropriately factored into the emerging North Yorkshire plan, including the overall level of future development**
- 6.1 As part of the development plan, production impacts on water quality would be considered in areas such as Habitats Regulations Assessment in relation to European Designated Sites. This is a specific area of work which will be looked at by specialist consultants. It will need to consider this on a proportional strategic basis and look at the influence of other plans and strategies and will eventually drill down to a site specific basis because of the need to understand receptor pathways. It is unlikely the work will directly influence levels of development at a strategic level, but it will inform decisions about general approaches to the location of development. Other assessments and strategies will inform the levels of development.
- 6.3 A Site Assessment Methodology (SAM) is being developed which will be a key component of the approach to assessing sites. This will consider on the ground site constraints and context which could have an increased risk of being subject to pollution.
- 6.4 We are in the process of finalising a brief for the commissioning of a Strategic Flood Risk Assessment, which assesses all forms of flood risk (including sewer flooding), and this will be applied through the SAM.
- 6.5 Discussions with water companies are crucial, and there is a clear mandate to seek to have more robust engagement with them, given the Government's consultation of making utilities companies subject to the a 'requirement to engage' in the plan-making process, this is to fully understand capacity constraints and opportunities, and to allow the companies to embed expanding their capacity and technologies to reduce the incidence of flooding, whilst accommodating increased usage as new homes and businesses are recreated in North Yorkshire.
- 7.0 **4. Ask the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee to invite senior representatives from Yorkshire Water, the Environment Agency, Yorkshire Dales River Trust, Nidd Action Group, Natural England, Yorkshire Wildlife Trust and other interested groups to attend a meeting to allow for a better understanding of the current levels of pollution and remedial action being taken in this regard.**
- 7.1 There are a number of initiatives already in train for engagement by North Yorkshire Council with key stakeholders on water pollution and related matters.
- 7.2 For example, in a meeting with the Head of the Environment Agency for North Yorkshire, the Chief Executive outlined concerns regarding Scarborough South Bay, and sought a more effective testing programme that can help identify the issues causing the pollution. It is hoped that this additional information can be used to pull together an effective action plan

to reduce the level of pollution. The quality of our marine environment and the protection of businesses whose livelihoods depends on it is a key priority for the Council.

- 7.3 Furthermore, following meetings between the Leader and Chief Executive, a Summit meeting will be hosted in Scarborough on the Monday 9th October to bring more attention to the water quality issues currently experienced in Scarborough South Bay. As a result of the summit, a list of actions has been agreed with the Environment Agency, DEFRA, Yorkshire Water and the Council to take forward and reiterates the commitment to continue to tackle the complex issues at South Bay together.
- 7.4 More widely, North Yorkshire Council is already engaged with established Catchment Partnerships and other key groups that involve many of the bodies listed here and that are working to address at least some of the concerns identified in this Motion (see motion point 7 below).
- 8.0 **5. Ask Yorkshire Water, from this date onwards, in its planning consultation responses for major developments, to clarify which treatment works will be managing the sewage; confirm that these treatment works have the additional capacity to take waste from agreed developments and whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).**
- 8.1 As discussed earlier, current consultation is being undertaken by the Government to ensure that utilities companies, including water companies become part of a 'requirement to engage' the plan-making process. This is intended to help Local Planning Authorities to actively press for information about capacity. It is hoped that water utility companies as statutory undertakers will invest in staff resources to help support and engage in plan-making, and to that effect we are looking to arrange a meeting in the coming months to start a robust dialogue.
- 8.2 The motion text refers to only Yorkshire Water, and whilst they do account for the vast majority of water service in Yorkshire, parts of the local authority are served by United Utilities to the west and Northumbrian Water to the North. In regard to Yorkshire Water's (or any Water Utility company) role in the consultation of planning applications, they are not currently a statutory consultee but have been a longstanding consultee on planning applications.
- 8.3 Currently investment strategies for water companies are based on a rolling 5 year cycle, and not necessarily aligned to the phased roll out of development in a given area. This presents a concern, and greater understanding is needed with both developers and water companies to understand the need to phase developments. So, there is clear scope to do this through the plan-making process.
- 8.4 The type of information this motion seeks water companies to provide goes beyond Local List requirements, as it goes beyond ascertaining the specific nature and impacts of the development being considered. This is the key consideration of the planning application. Whilst it is possible for the utility company to identify where sewerage from a development will be treated if on a mains system, and provide information on the number of discharges, it will not be able to fully define the impact on a capacity level or impact on sewerage discharges of the development proposed. It should also be noted that some major planning applications do not generate significant sewerage/foul water, but do generate a change in the surface water regime. Also currently large scale agricultural buildings do not have building control approval and so their drainage considerations do need to be addressed at

the planning stage – but only if they need planning permission, as the prior approval process does not include drainage details to be satisfied. Major developments are 10 dwellings or more or developments over 1ha or 1000 sqm of floor space. But it is clear that cumulatively small scale house building across North Yorkshire will in itself generate hundreds of new homes each year each will be input onto the sewerage system. As singular schemes, all we can do is ensure that they are served by separate systems of foul and surface water and ensure that there is a drainage system proposed for surface water.

- 8.5 So it is proposed that this understanding of capacity be focused on the plan-making process and not as part of major planning applications.
- 9.0 **6. Request that planning assessments, from now onwards, include in all reports on major developments appropriate coverage of the impact on watercourses, including the potential for the development to affect sewage outflow into watercourses, so that this information is clearly and transparently set out. related to this is reducing the impact of surface water and encouraging the installation of Sustainable Urban Drainage systems (SUDs) on new developments. whether this could be a standard for North Yorkshire**
- 9.1 It should be noted that the term SuDS should refer to ‘Sustainable Drainage Systems’, without the inclusion of ‘Urban’. This convention changed some years ago as the reference to urban was considered to be too restrictive.
- 9.2 In determining planning applications, the policy framework of the existing local plans (The Development Plan) has primacy in the decision making process unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) has weight as a significant ‘material planning consideration’. A motion of Council, as a ‘material planning consideration’ would be of limited weight, and were they to be treated as having more weight than the Development Plan or the NPPF, the decision could be challenged via an appeal, which could be judged unreasonable and result in an award of costs against the Council. It could also be subject to Judicial Review.
- 9.3 A planning application is also assessed in relation to the direct impacts generated as a result of the proposed development itself. We would be unable to consider the potential of the development to be affecting sewerage outflow into water courses, as there is no direct correlation between the proposal and that pollution incident. Such events are a function of more than just the development’s foul water generation, and it is a matter which is the responsibility of Yorkshire Water and monitored by the Environment Agency.
- 9.4 Betterment (e.g. using a planning application to derive wider benefits and improve/address existing deficiencies) is not an automatic derivative of planning permission. We can only require that a development addresses its own impacts, although there are instances where betterment is an indirect impact.
- 9.5 So it would not be advocated that such an approach is taken in relation to planning applications.
- 9.6 It is the plan-making process which will need to get robust information from water companies about capacity, and what additional infrastructure is necessary to address the impacts of new development as whole. This can then be embedded in as part of a capital programme. We need to understand what their timeframes for implementation are, to phase key schemes potentially - particularly as significant sewerage treatment facilities are a considerable cost. CIL or its successor could be needed to pump-prime developments depending on the locations of development.

- 9.7 Policy standards, such as those on SuDs need to be considered and developed as part of the Development Plan - and cannot be implemented ad-hoc or prior to that process (for the reason above). Local Plans already encourage the use of SuDs (sustainable drainage systems). Implementation of SuDs as a principle is also already encouraged as part of the National Drainage Hierarchy, but SuDs will not always be the most appropriate solution depending on the hydrogeology of the ground and the presence of aquifers (as contamination risk in their own right) or a relatively impermeable sub-strata which will simply lead to increased run-off rates.
- 9.8 Other aspects to consider are consistent consideration of the nationally- defined Sequential Test and Exception Tests, which operate to maximise the amount of development in areas of lowest flood risk. This is important because one of the key reasons why pollution incidents have occurred is during heavy rain when run-off rates increase - as that is currently when Utility companies are legally permitted to make discharges.
- 9.9 What is also important to consider is water wastage and usage, and whilst this is usually the remit of Building Control Regulations, planning policies can apply tighter standards in an area of water stress. A letter from Steve Double MP wrote to all Chief Executives in September 2022 which effectively green-lighted the ability of local plans to set locally derived standards for water efficiency, and states:

“...we encourage Local Authorities to apply the tighter standard of 110 litres per person per day (l/p/d) set out in the ‘Housing: optional technical standards’ guidance and prescribed by regulation 36(2)(b) of the Building Regulations 2010”.

- 9.10 Evidencing this in the past has been around water stress, and whilst North Yorkshire is not yet in that category, it is likely that parts of the authority will be subject to intermittent periods of water stress. It would still need to be evidenced as part of the plan-making process.
- 9.11 Whilst this is not about water pollution *per se*, water usage reduction is part of the wider picture for reducing our impact on water resources and it does reduce the amount of water needing to be treated. It is also part of the holistic response to adapting to climate change, as water resources are more in demand, and potentially scarcer as our climate warms.
- 9.12 It is considered that there are alternative approaches which need to be explored before capacity information is requested from a utility company as part of a major planning application. This will be addressed as part of the plan-making process.
- 10.0 **7. Ask the Leader and appropriate Executive Members to collaborate with other Local Authorities facing similar water quality problems in order to best understand how we can use our influence to reduce and mitigate the damage done to our watercourses.**
- 10.1 North Yorkshire Council is happy collaborate with other local authorities in appropriate initiatives to address water quality matters affecting both the freshwater and marine environments.

10.2 **Freshwater**

North Yorkshire Council (NYC) officers are already active members of several Catchment Partnerships that cover watercourses across North Yorkshire – including the Dales to Vales Rivers Network (the Swale/ Ure / Nidd / Ouse and Wharfe catchments), the Yorkshire Derwent Catchment Partnership, the Aire Catchment Partnership and the Your Tees Catchment Partnership (covering the Leven catchment and other watercourses in the county running north into the Tees.) These Catchment Partnerships have representatives from other local authorities in those areas including from West and East Yorkshire, and

Teesside / Co. Durham – as well as other stakeholders such as the water companies (Yorkshire Water and Northumbrian Water) and environmental organisations such as the Rivers Trusts.

- 10.3 North Yorkshire Council is also directly involved in several catchment-based projects across the county that are working to improve water quality as a key project outcome, along with a range of other environmental benefits. For example, NYC is providing project management on the River Foss Project (north of York), working with the Environment Agency and the Yorkshire Wildlife Trust. The Council is also a core partner on the Living Leven Project (around Stokesley and Great Ayton), working with the Environment Agency and the Tees Rivers Trust.
- 10.4 Other catchment / river projects that are delivering multiple environmental benefits where the Council is a participant / steering group member include:
- The Long Preston Flood Plain project - on the river Ribble south of Settle
 - The Ryevitalise project – on the river Rye, a major tributary of the Yorkshire Derwent
 - The River Skell Project – west of Ripon
- 10.5 The Council is also active in two important regional water focussed projects led by local universities: the Integrated Catchment Solutions (ICASP) project led by Leeds University and the ECOMIX project lead by York University that is exploring the impacts of combinations of chemical pollutants on river ecosystems. Both projects also involve other local authorities from across Yorkshire and more widely and provide useful opportunities for exchange of information and ideas.
- 10.6 **Coastal Waters**
- North Yorkshire Council is collaborating with other coastal authorities facing similar coastal water quality issues as a member of the LGA Coastal Significant Interest Group (LGA Coastal SIG). Cllr Bastiman is the Vice Chair of the LGA Coastal SIG. The SIG has a Coastal Water Quality working group. The working group brings together local authorities to call for strong national policy and using best practice and joined up approach to ensure the best possible coastal water quality.
- 10.7 The priorities of the group are:
- Better understanding of current policy context, direction and opportunities
 - Better understanding of Defra/EA resource allocation process
 - Build relationships with key points of influence
 - Engage Coastal Communities APPG on this issue
 - Share local best practice between member authorities.
- 10.8 The current membership of the group consists of officers and Elected Members from across the Country with particular emphasis on areas with poor bathing water quality. Membership includes South Tyneside, ERYC, Thanet, NYC, Teignbridge, Essex, Canterbury, Cornwall, Westmorland, East Suffolk, North Norfolk, Isle of Wight, Great Yarmouth, Lewes, Kings Lynn, Southend and North Devon. The Coastal Water Quality working group would welcome NYC Member involvement; at present, NYC's Principal Coastal Officer attends the group on behalf of NYC.
- 10.9 Also relevant in this context is the Yorkshire Marine Nature Partnership (YMNP) that brings together a range of partners including local authorities from across the whole of the North and East Yorkshire coast to support initiatives to promote protection of the natural environment of the coast and promote nature recovery. NYC's Principal Environmental Policy Officer is a member of the Executive Board of the YMNP.

11.0 **8. This Council plays its part in securing bathing water status for the Lido on the River Nidd in Knaresborough and any other applications in North Yorkshire**

11.1 A separate Motion was brought to the full Council meeting on 19 July seeking Council support for an application for formal bathing water status for the Nidd at Knaresborough Lido. That Motion was adopted by the Council – and on 21 August 2023 a letter was sent by the Leader to the DEFRA Secretary of State confirming the Council’s support for this designation.

11.2 Council support for similar designation of other sites in North Yorkshire, both coastal and freshwater, will be considered on a case-by-case basis taking into account all relevant local circumstances.

12.0 Issues to Consider

Equalities

12.1 There are no significant equalities issues associated with the motion text proposed.

Climate Change

12.2 The climate change issues associated with the motion text are covered under each substantive numbered point of the motion.

Financial Implications

12.3 There are no significant financial issues associated with the motion text proposed.

Legal Implications

12.4 There are no significant legal implications associated with the motion text proposed.

13.0 Way Forward

13.1 In considering the Notice of Motion put to Full Council in July 2023 and the information provided in this report, Members have the opportunity to consider the issues raised and make a recommendation to the meeting of Full Council on 15 November 2023.

14.0 Recommendations

14.1 Members are asked to consider the information provided within the report and agree a way forward.

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)
County Hall,
Northallerton
9 October 2023

Report Contributors:
Hugh Clear Hill, Principal Environmental Policy Officer
Rachael Balmer, Planning Policy Team Leader (Ryedale)
Will Baines, Principal Democratic Services and Scrutiny Officer

Appendices:

Appendix 1 - UK River Restoration Centre's 2023 Conference Declaration

Background documents:

Constitution of North Yorkshire Council – [North Yorkshire Council Constitution \(northyorks.gov.uk\)](https://www.northyorks.gov.uk/about-us/constitution)

Full Council Meeting 19 July 2023 – [Agenda](#)

House of Commons Library, Water quality research briefing (July 2018) - [Link](#)

DEFRA Plan for Water: our integrated plan for delivering clean and plentiful water (April 2023) - [Link](#)

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

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River Restoration Conference Declaration

400 river experts attended the 2023 River Restoration Centre (RRC) Annual Network Conference in Birmingham on 19th & 20th April, titled “An Action Strategy for River Restoration¹”.

The consensus view from the conference is that to achieve the social, environmental and economic benefits of restoring healthy rivers and functioning floodplains in the UK:

We urgently need the policy, funds and capacity to restore healthy rivers.

We need to increase the scale and rate of implementation of restoration actions.

We must plan at the catchment scale to restore natural processes and connectivity in rivers and floodplains.

We need physical habitat and natural processes to be recognised as being equally important as water quality and quantity for healthy rivers.

We must communicate better the importance of physical habitat and natural processes for the health of our rivers.

We need physical habitat and natural processes to feature more highly in national campaigns.

We need better-defined national targets for river morphology and habitat quality.

We need science, research and monitoring to understand and measure success.



River Restoration Conference Information

¹River restoration

River restoration is the re-establishment of natural physical processes (e.g. variation of flow and sediment movement), features (e.g. sediment sizes and river shape) and physical habitats of a river system (including submerged, bank and floodplain areas).

The River Restoration Centre

The River Restoration Centre is an independent, UK-wide, not-for-profit that champions the natural and societal benefits of restoring river systems. We support river restoration by collating project information and evidence, developing best practice and sharing this knowledge throughout the river and catchment management community.

Physical modification of rivers is a key pressure in the UK and the main reason why rivers are failing to achieve good ecological status. We actively promote the re-establishment of natural processes, features and biodiversity in river systems, and support the need for 'space for water' to allow reconnection of river channels with their floodplains and wetlands.

The RRC Annual Network Conference

Each year the River Restoration Centre holds an Annual Network Conference that brings together professionals from all areas of river restoration including contractors, engineers, consultants, academics, trusts and NGOs, local organisations, and government agencies. The event is run over two days and includes over 50 speakers, workshop sessions and many other opportunities to network and make new contacts. Speakers present interesting and engaging presentations on their recent projects, current topics of interest, or their research.

North Yorkshire Council

Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee

19 October 2023

York & North Yorkshire LEP Capital Investment Programme and Delivery Plan Review

Report of the Corporate Director of Community Development

1.0 PURPOSE OF REPORT

- 1.1 This report provides a summary of Capital Investment Funding programmes delivered by York & North Yorkshire Local Enterprise Partnership (LEP)
- 1.2 A summary update of current progress against the 2023/2024 York & North Yorkshire LEP Delivery Plan is also provided.
- 1.3 It should be noted that from January 2024, the LEP is scheduled to transition into the proposed York and North Yorkshire Combined Authority therefore this report will be the final report of the York and North Yorkshire LEP.

2.0 BACKGROUND

- 2.1 This report sets out details of the Capital Investment Funding Programmes that have been delivered by YNY LEP :
 - Local Growth Fund
 - Getting Building Fund
 - Growing Places Fund
- 2.2 Details are also provided of the current YNY LEP Delivery Plan with particular focus on strategic and contracted programmes.

3.0 LOCAL GROWTH FUND PROGRAMME

- 3.1 This was launched in 2014 with four rounds of funding via Department of Business Energy and Industrial Strategy (BEIS) and ended in March 2021. Projects across York North Yorkshire and East Riding utilised the Local Growth Fund (LGF) Programme grant award of £83,213,138 in full, and a further £2,178,390, was invested into the programme from the LEP Growing Places Fund. A schedule of all projects supported and the programme evaluation report can be viewed here : [Local Growth Fund | Projects and Funding | York & North Yorkshire Local Enterprise Partnership \(ynylep.com\)](https://ynylep.com/Local-Growth-Fund-Projects-and-Funding-York-North-Yorkshire-Local-Enterprise-Partnership)

4.0 GETTING BUILDING FUND PROGRAMME

- 4.1 Ten projects were approved for receipt of Getting Building Fund (GBF) Programme grant which was also received via BEIS to support investment in local, shovel-ready infrastructure projects to stimulate jobs and post-pandemic economic recovery through a range of economic outputs. The target of £7.7m was achieved during 2020/21, with a further £7.7m of grant invested in 2021/22. In addition, over-commitment of £300,000 was approved from the Y&NY LEP Growing Places Fund to deliver on time and on budget. A schedule of all projects

supported can be viewed here : [Getting Building Fund | Projects and Funding | York & North Yorkshire Local Enterprise Partnership \(ynylep.com\)](#)

5.0 GROWING PLACES FUND PROGRAMME

5.1 Approval from Government was given in 2012, for £8.8million to remove barriers to growth, and support delivery of actions from Strategic Economic Plans alongside the Local Growth Fund. The Fund was required to operate as a revolving loan fund in the first instance, and once “re-cycled” could be used by LEPs to manage, invest and utilise to meet local economic growth priorities. Five specific development projects were provided with a re-payable loan to infrastructure, which has enabled subsequent economic growth, and a further £3.25million of grant was approved to projects, including approx. £2.5million of over-commitment to the LGF programme and £300,000 over-commitment to the GBF programme, as referred to above. A schedule of all projects supported can be viewed here : [Growing Places Fund | Projects and Funding | York & North Yorkshire Local Enterprise Partnership \(ynylep.com\)](#)

6.0 CAPITAL INVESTMENTS OUTPUT REPORTING

6.1 Reporting of project outputs to the Department of Business and Trade (DBT) continues to be carried out twice each year and is required until March 2025. Programme level outputs are currently on track to exceed the targets set for the programmes. The impact of these programmes is highlighted by the continuing monitoring of the programmes, for example, up to March 2023, the Local Growth Fund programme has levered over £700 million of capital investment from public and private sources, in addition to the £83.2m grant funding provided by BEIS. Housing and employment targets continue to be reported, with significant job outputs forecast to be delivered as part of the York Central developments.

6.2 Appendix 1 shows a summary of project images for the Local Growth Fund and Getting Building Fund programmes.

7.0 2023/24 YORK AND NORTH YORKSHIRE LEP DELIVERY PLAN

7.1 **York and North Yorkshire Growth Hub Business Support Service** – This nationally funded programme delivers advice, support and training to businesses within the grow across the region. New performance targets were agreed last year with the Department of Business and Trade (DBT) which have enabled qualitative reporting to be improved significantly. This approach is being continued and developed in 2023/2024 and has enables new service developments shown in the table below.

North Yorkshire UK Shared Prosperity Fund (SPF)	Sessional business support from Sept 23 to March 24 for approx. 300 businesses at average cost £850 per business – many of these are already fully booked with waiting lists (additional SPF to be requested to meet demand)
	New specialist business support roles : <ul style="list-style-type: none"> • Pre-Start/Start-Up • Energy/cost reduction and decarbonisation • Skills for Business/Workforce Development
	Small business capital grants (up to £10,000) to be launched November 2023; Decarbonisation business and community capital grants (up to £20,000) to be launched later in October 2023 – both grant programmes to be managed by North Yorkshire Council in partnership with YNY LEP

Made Smarter Business Support and Grant Programme	Specialist support for manufacturing businesses including opportunity for eligible businesses to apply for up to £20,000 innovation/productivity grants
Application to the Dept Culture Media and Sport “Create Growth Programme”	Bespoke business support package (approx. £500,000) aimed at high-growth potential creative businesses and build investor networks comprising three complementary strands for the period October 23 to March 2025: <ul style="list-style-type: none"> • business support targeted at the creative industries • access to finance; and • investor capacity building activities Decision due in October
Overhaul of the existing Growth Hub website	to improve the interface for businesses and prioritise the main topics that businesses seek help with, based on website analytics to be completed by November 2023 – these were : <ul style="list-style-type: none"> • Starting a business - 46% of enquiries • Finance for business start-up – 12% of enquiries • Legal advice – 12% of enquiries

7.2 **York and North Yorkshire Trade and Investment Programme** – this has been developed to improve the pro-active approach to attracting Inward Investment as well as maintaining the reactive response service where opportunities arise. Invest in York and North Yorkshire is a brand which was developed in collaboration with both Local Authorities and enables a collaborative approach. Developments in 2023/24 include:

New Sector Growth Managers (from May 2023 – funded by NY UK SPF)	High growth opportunities in development to establish sector propositions for: <ul style="list-style-type: none"> • Agri-tech & Industrial Biotechnology • Healthy Ageing • Manufacturing • Creative & Digital • Rail (NB Rail is already in place via City of York Council)
Key Account Management (KAM) Service	Department of Business and Trade (formerly Dept of International Trade) funding to March 2025 to support Foreign Owned Companies
Active Investment Enquiries being supported	60 (39 this time last year) of which : <ul style="list-style-type: none"> • 28 projects (47%) North Yorkshire • 8 projects (13%) in York • York & NY - 7 projects (12%) • Yorkshire & Humber - 7 projects (12%) Aiming to be more proactive and less reliant on DBT referrals (which are sent to most areas of England) current year 27% projects came to us directly with 73% via DBT (20:80% this time last year)
UK Real Estate and Inward Investment Forum event in Leeds (May 2023)	Exhibiting with NYC and CYC partners to promote “Invest in York and North Yorkshire”, where developer interest was clearly heightened as a result of the timetable for transition to Mayoral Combined Authority

- 7.3 **York and North Yorkshire Careers Hub Network** – provider careers and enterprise advice to every school in the region. Schools are benchmarked against the 8 National Gatsby Benchmarks. The programme is delivering on target and performance is reported to the YNY LEP Skills & Employability Board (SEB).

Recent changes have seen the Strategic Hub Lead transfer from the delivery contractor NYBEP, to now form part of the LEP Skills Team structure and report to the Senior Strategy Manager (Skills). This will enable broader strategic development of the Careers Hub within the context of the emerging Mayoral Combined Authority and allow closer links with both YNY Growth Hub and the Trade & Investment Team, and take advantage of existing links with business and industry across the area.

- 7.4 **York and North Yorkshire Skills Bootcamps** – Skills Bootcamps offer free flexible courses for up to 16 weeks. These short courses are bid for on an annual basis. The current year, Wave 4 2023/24 delivery is fully launched with capacity retained which also allows for additional activity to be implemented with existing providers where performance is good, and demand for extensions can be evidenced.

There is also a part of the programme that can be directed to Employer Bespoke Skills Bootcamp training programmes, to help with:

- recruitment and retention challenges for employers; and
- to respond to economic shocks for the workforce, where re-training is needed in the event of large-scale redundancies.

Some of the bespoke training packages are in the early stages of delivery with others in development. Proposals for Skills Bootcamps Wave 5 2024-25 were recently submitted to the Department for Education.

- 7.5 **York and North Yorkshire Routemap to Carbon Negative** – work continues to develop the Routemap into investable propositions with scoping of the planned task and finish group, its remit and its membership currently being developed.

Alongside this a draft action plan has been prepared to deliver programmes of “Housing Retro-fit” activity and also supply chain development – These are being developed in readiness for seeking investment.

Opportunities to develop elements of the Routemap are being progressed when relevant funding programmes are available. In addition, a programme of support and interventions is being developed with funding from the North Yorkshire UK Shared Prosperity Fund to mobilise decarbonisation in communities and businesses.

- 7.6 **York and North Yorkshire Brownfield Housing Fund (£11m) and Net Zero Fund (£7m)** – these two programmes, being run on behalf of the proposed Mayoral Combined Authority have progressed through project application and appraisal stage, with recommendations for selected projects to be considered by the York and North Yorkshire Joint Committee in November.

8.0 FINANCIAL IMPLICATIONS

- 8.1 Financial Implications have been addressed for the projects and programmes covered by this report on an individual basis. It should be noted that funding to deliver the capital investment programmes and the activities covered by the 2023/2024 Deliver Plan are cost neutral within the financial accounting and reporting of the York and North Yorkshire Local Enterprise Partnership, for which North Yorkshire Council currently continues to act as the Accountable Body.

9.0 LEGAL IMPLICATIONS

9.1 Legal Implications have been addressed for the projects and programmes covered by this report on an individual basis.

10.0 EQUALITIES IMPLICATIONS

10.1 Equalities Implications have been addressed for the projects and programmes covered by this report on an individual basis.

11.0 CLIMATE CHANGE IMPLICATIONS

11.1 Climate Change Implications have been addressed for the projects and programmes covered by this report on an individual basis.

12.0 REASONS FOR RECOMMENDATIONS

12.1 Members are requested to consider the information set out in the report which provides an overview of the Capital Investment Funding programmes delivered by York & North Yorkshire Local Enterprise Partnership (LEP), and also a summary update of current progress against the 2023/2024 York & North Yorkshire LEP Delivery Plan.

As detailed in 1.3. The LEP will become integrated into the Proposed Combined Authority on its creation in January, therefore this report is for noting only.

13.0 RECOMMENDATION(S)

It is recommended that Members note that the LEP functions will become integrated into the proposed Combined Authority from January 2024 and:

- i) note the significant achievement of the delivery of the three capital investment programmes in York and North Yorkshire between 2012 and 2022, at a total value of £110 million of grant investment, enabled through the work of the York and North Yorkshire Local Enterprise Partnership; and
- ii) consider the current scope and scale of existing activity being undertaken by the LEP against the 2023/2024 Delivery Plan for York and North Yorkshire.

APPENDICES:

Appendix 1 – summary of project images for the Local Growth Fund and Getting Building Fund programmes.

BACKGROUND DOCUMENTS:

Nic Harne

Corporate Director of Community Development
County Hall
Northallerton
9 October 2023

Report Author – Liz Philpot, Head of Delivery

Presenter of Report – James Farrar, Director of Transition, York and North Yorkshire MCA

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

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Local Growth Fund Programme



Junction 47 A1/A59 Improvements



News Item 8 March 2022 : [Harrogate 47 : Plans approved for new junction 47 business park](#) Plans for a business park near Harrogate which developers say could support up to 2,000 jobs have been approved. Construction is due to start in summer and, once completed, it will have 600,000 sq ft (56,000 sq m) of space.

News Item 7 March 2022 : [Final phase of A1\(M\) junction improvements to begin](#)

Harrogate York Rail Improvements



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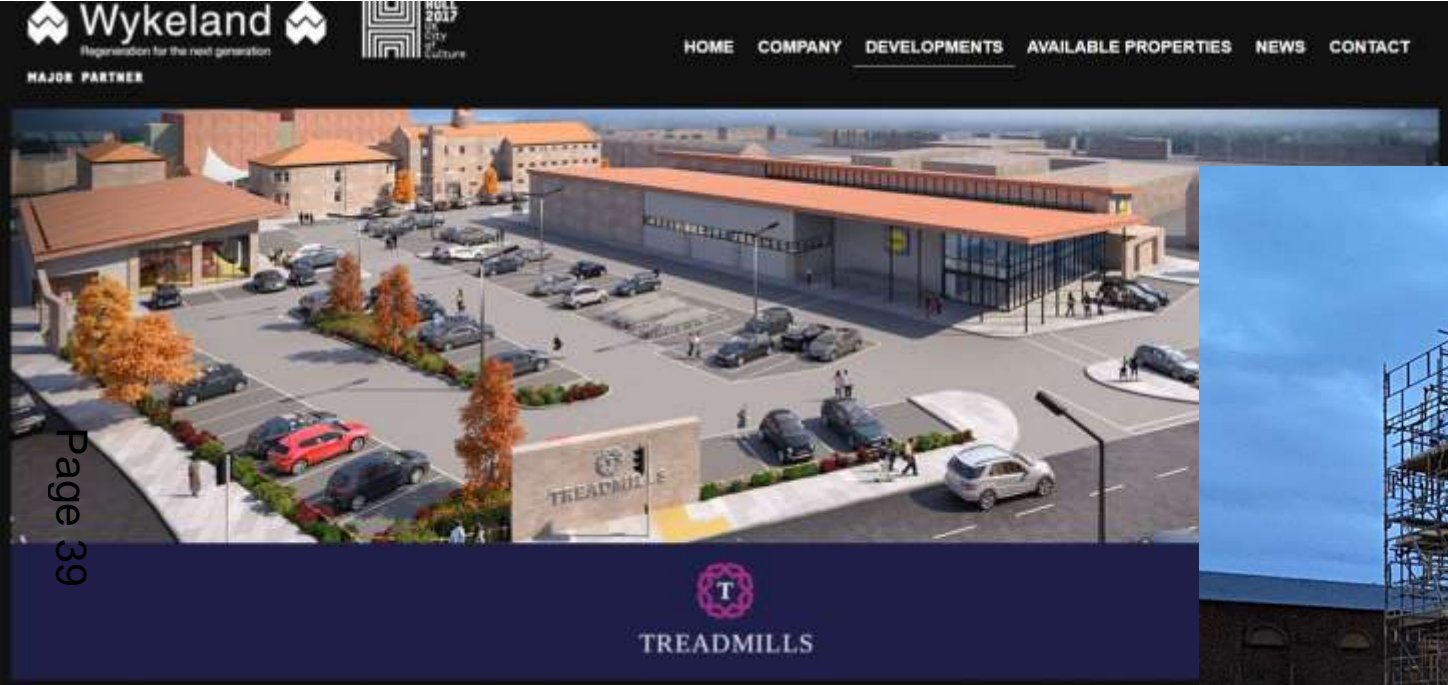


Whitby Church Street Flood Defences



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Central Northallerton



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OFFICIAL

Northallerton Digital Hub C4Di

Y&NY
LEP



North Northallerton



Skipton Housing and Employment



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Langcliffe Quarry Enterprise Centre

Y&NY
LEP

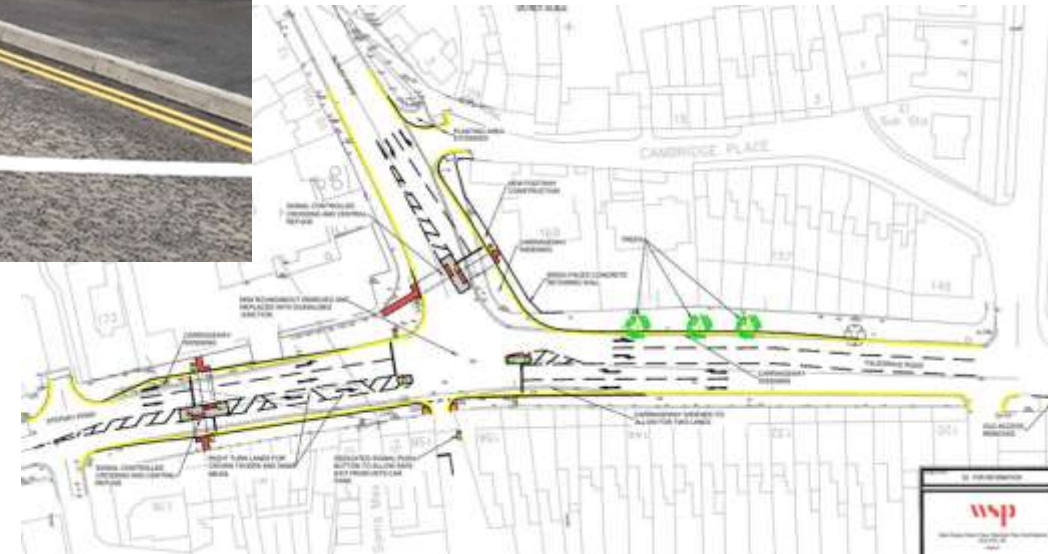


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Scarboro' Housing and Employment Growth



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Scarboro' Plaxton Park Industrial Estate



Scarborough Construction Skills Village



Green Construction: green construction techniques at the Construction Skills Village



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A165 Housing Roundabout Bridlington



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Bridlington Town Centre Seafront



OFFICIAL

Beverley Grovehill Road Widening



Getting Building Fund Programme

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North Yorkshire Digital Infrastructure



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Town Centre WIFI – Completed Roll-Out	
Boroughbridge	Ripon
Catterick Garrison	Scarborough
Easingwold	Selby
Harrogate	Settle
Knaresborough	Sherburn-in-Elmet
Leyburn	Stokesley
Malton	Skipton
Northallerton	Tadcaster
Pickering	Thirsk
Richmond	Whitby

Business Park LFFN – Completed Deployment	
Airedale Business Centre, Skipton	Rocliffe Business Park and Bar Lane, Boroughbridge
Cardale Park, Harrogate	Sherburn Business Park, Sherbrun-in-Elmet
Colburn Business park	Snaygill Industrial Estate, Skipton
Eastfield Business Park, Scarborough	Stokesley Business Park
Leeming Bar Estate	Thirsk Industrial Estate
Martree Business Park, Knaresborough	Thornton Road Business Park, Thornton-Le-Dale

Harrogate West Business Park



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Pickering Thornton Road



Page 53

Pickering Park

TO LET

A New Industrial Workspace Development

Units from 1,000 sq ft to 20,000 sq ft

WELCOME TO PICKERING PARK

Long-awaited work to build a new business park in Pickering, North Yorkshire is expected to begin Summer 2022.

[VIEW MORE](#)

The advertisement features a large, stylized white 'U' shape over a background image of a modern industrial building. Navigation arrows are visible on the left side of the image. A teal banner at the bottom contains the main heading and descriptive text.

Whitby Business Park



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A19 Chapel Haddlesey



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OFFICIAL

Northallerton E-Campus



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OFFICIAL

Askham Bryan Digital Skills Academy

Y&NY
LEP



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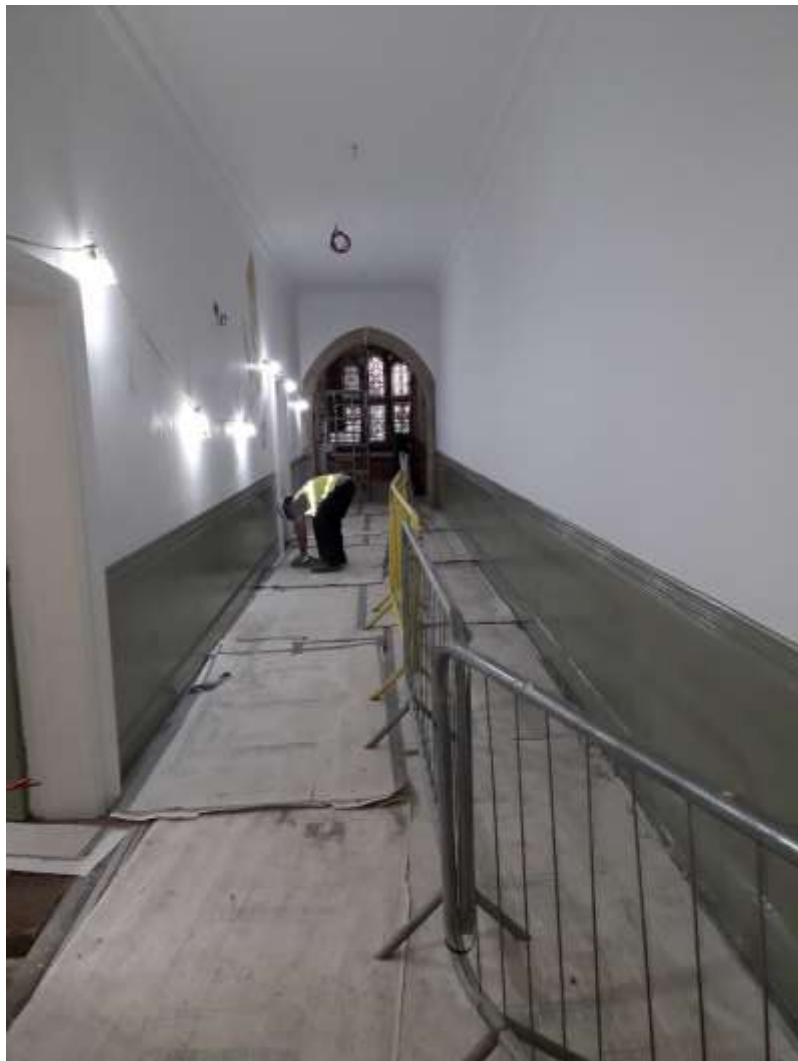


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York Guildhall



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North Yorkshire Council

Transport, Economy, Environment and Enterprise Overview & Scrutiny Committee

19 October 2023

Allerton Waste Recovery Park Performance Update

Report of the Corporate Director of Environment

1.0 PURPOSE OF REPORT

- 1.1 To provide members of the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee with an update on Allerton Waste Recovery Park (AWRP) contractual performance since services commenced in 2018.
- 1.2 To provide information about options being considered around how to decarbonise AWRP in the future.

2.0 SUMMARY

- 2.1 This report summarises the contractual performance of the Allerton Waste Recovery Park (AWRP) facility since services commenced on 1 March 2018 to the most recent contract year of 2022/23.
- 2.2 Having regard to the current legislative framework and the likely changes required by a number of Government consultations around Climate Change and Carbon, the report also outlines options being considered for utilisation of the asset and future decarbonisation of AWRP.

3.0 BACKGROUND AND RECENT LEGISLATIVE CHANGES

- 3.1 The long-term waste Public Private Partnership (PPP) contract was signed by North Yorkshire County Council and AmeyCespa (AWRP) SPV Limited (Amey) on 30 October 2014. Following contract completion, the development commenced on 5 January 2015 and Amey completed a three-year construction and commissioning programme.
- 3.2 AWRP has been operational since 1 March 2018 and consists of a Mechanical Treatment (MT) plant, an Anaerobic Digester (AD) and Energy from Waste (EfW) facility to receive and treat residual waste from across York and North Yorkshire.
- 3.3 The site also has a Visitor and Education Centre where members of the public and groups can visit the facility to learn about management of waste. AWRP has hosted over 6,500 tours either in person or virtually (which commenced during the COVID-19 pandemic). Between March 2018 and August 2023, online carbon pledges have offset 1,538kg of carbon.
- 3.4 Amey's parent company Ferrovial sold the Amey business at the end of 2022. The Amey waste treatment business unit was not part of this sale and this business unit, which operates the AWRP facility, was retained by Ferrovial. The waste treatment business unit has been renamed and re-branded as Thalia Waste Management. There was no change to the managerial or operational staff as part of this transfer.

- 3.5 At the end of 2022, HMT published draft legislation on the Electricity Generator Levy relating to a tax on exceptional profits to apply from 1 January 2023 – March 2028. The EfW sector has been included as an industry that would be in scope – which broadly speaking is a 45% tax on exceptional generation receipts (above a floor price of £75/MWh and a company/group has an allowance of £10m income prior to the tax being applied). Currently the legislation is still in draft, and the project revenues for 2022-23 may need to be revisited once the Bill has been published.
- 3.6 Following a consultation exercise in March 2022, on 3 July 2023, UK Government released a consultation response which looks to include Energy from Waste facilities in the UK Emissions Trading Scheme (UK ETS) from 2028
<https://www.gov.uk/government/consultations/developing-the-uk-emissions-trading-scheme-uk-ets>.
- 3.7 This proposal could have potentially significant impacts on the contractual costs for the AWRP facility. The UK ETS places a tax on the amount of carbon produced which is derived from fossil¹ sources in the waste stream when waste is incinerated and incentivises decarbonisation measures which are further discussed in section 11.

4.0 PERFORMANCE AGAINST CONTRACTUAL TARGETS

4.1 The AWRP contract contains two main targets relating to recycling and diversion from landfill. The table below sets out performance since the first full year of operations (2018/19).

	Target	2018-19	2019-20	2020-21	2021-22	2022-23
Recycling of Contract Waste	5%	1.16%	1.58%	1.08%	1.04%	2.02%
Diversion of Contract Waste from Landfill	70%	82.22%	82.82%	80.94%	89.40%	92.64%

Table 1 – Performance against Contractual Targets

5.0 RECYCLING PERFORMANCE

- 5.1 The contractual target is to recycle or compost a minimum of 5% of Contract Waste annually. For material to count towards this target, any recyclates that are extracted from the processes at AWRP need to be placed into recycling markets. AWRP separates recyclables from residual waste meaning that the quality of the product is poorer than recyclables collected separately from households at the kerbside.
- 5.2 Since operations commenced, there have been several factors effecting recycling markets including the Covid - 19 pandemic, which saw an increased supply of clean material collected from the kerbside. Recycling re-processors choose higher quality materials over poorer quality ones meaning that despite the materials being separated at AWRP, there were times when they could not be placed into the market.
- 5.3 During 2022 and 2023, rising energy costs meant that a number of offtakers either slowed production or closed processing plants for periods of time. This impacted the contractor’s ability to access recycling markets resulting in lower annual recycling performance.

¹ Some waste materials, including plastics, are made from fossil fuels (such as oil) and the carbon stored in them is known as ‘fossil carbon’. It is important to understand if carbon in waste is biogenic or fossil in origin as they are accounted for differently in terms of their contribution to global emissions.

- 5.4 The majority of local Authority long-term energy from waste facilities are not able to extract any materials for recycling so all their waste is burnt, whereas AWRP has a Mechanical Treatment plant that recovers materials which contribute to the overall NYC recycling figures which are reported annually.
- 5.5 The recycling/composting performance for NYC for 2022-23 was 43.6% which is slightly above the mean derived from 26 other Waste Disposal Authorities. The Authority continues to work with Thalia to build upon the progress made in 2022-23, both in terms of recovering plastics from residual waste but also seeking behaviour change so that residents deposit plastic containers in their kerbside recycling container as opposed to the residual bin.

6.0 LANDFILL DIVERSION PERFORMANCE AND CONTRACT WASTE TONNAGES

- 6.1 Since operations commenced, landfill diversion performance has been higher than the contractual target and has improved year on year. 2022-23 saw the lowest amount of waste sent to landfill since service commencement. The planning permission for AWRP allows the facility to receive up to 320,000 tonnes of waste per annum.
- 6.2 The facility is sized to ensure there is sufficient capacity to treat NYC and CYC waste for the 25-year contract term. Thalia can accept and treat waste from third parties to maximise plant inputs and generate third party income.
- 6.3 AWRP has two planned maintenance shutdowns per year (Thalia are looking to move to annual shutdowns from 2025). During this time, some of the Contract Waste is diverted to Contingency Delivery Points. Historically, these have mainly been landfilling sites, however, work is ongoing to secure more treatment facilities when AWRP is undergoing planned maintenance.
- 6.4 There is a provision in the contract called Tonnage Not Accepted (TNA), where if the Contractor cannot accept Contract Waste at AWRP, the Authority can make disposal arrangements and re-charge the costs. There have been a small number of occasions where this has happened in prior years, however in 2022-23 there were no instances of either unplanned shutdowns or TNA.
- 6.5 The table below sets out the amount of Contract Waste treated at AWRP, sent to Contingency Delivery Points, or reported as TNA since 2018-19. Local Authority tonnages increased throughout the Covid-19 pandemic; however, these have now returned to pre-pandemic levels. The figures contained in the 'Tonnage origins' section of the table shows whether the Contract waste originated from NYC, CYC or Yorwaste commercial (which is classed as Contract Waste and enables the Authority to access the most cost-effective rates under the Contract).

Total Contract Waste	2018-19	2019-20	2020-21	2021-22	2022-23
Treated at AWRP	216,295	221,566	221,615	253,097	245,593
Contingency tonnage	50,996	23,762	40,944	21,852	32,471
TNA tonnage	1,349	25,249	11,164	1,182	0
	268,640	270,577	273,723	276,131	278,064
Tonnage origins					
NYCC	167,006	165,995	168,551	174,609	166,261
CYC	51,951	50,731	52,031	52,556	49,252
Yorwaste Commercial	49,683	53,851	53,141	48,966	62,552
	268,640	270,577	273,723	276,131	278,064

Contract Waste to Landfill	47,529	45,698	49,059	22,645	17,749
Contract Waste to alternative Treatment	4,817	3,313	3,049	389	14,722

Table 2 – Contract Waste tonnages

7.0 ENERGY FROM WASTE PLANT PERFORMANCE

7.1 EfW plants are complex, and it is not uncommon to encounter technical issues in their early years of operation. AWRP is no exception, however, the plant has been performing more consistently and at a higher level over the last two years in terms availability and electricity production as issues have been addressed and resolved. As a result, the tonnage throughput of the EfW has increased since 2020-21 and the Contractor is working to optimise plant performance.

7.2 In 2020-21, Thalia began recording whether downtime of the EfW was as a result of planned or unplanned events. Unplanned downtime is categorised as ‘defects’ or ‘other’ (which includes any operational or system issues impacting the EfW availability). It is important to note that not all the unplanned downtime events resulted in diversions of waste, and time lost to unplanned downtime has reduced year on year.

	2018-19	2019-20	2020-21	2021-22	2022-23
EfW Availability %	81.13%	75.16%	77.82%	84.25%	84.87%
Planned downtime %			5.73%	7.64%	9.27%
Unplanned downtime %			16.45%	7.99%	5.80%
Tonnage throughput	231,774	230,054	227,653	256,728	262,400

Table 3 – EfW availability and throughput

7.3 Each year a consultancy company called TOLVIK produces a report on the UK Energy from Waste sector summarising information provided in annual reports submitted by Contractors. The weighted average availability information reflects the differing ages of facilities, input specifications for waste, approach to management and technical specifications. Historic reports up until 2021 listed individual operators weighted average availability performance. The 2021 report listed a range of plant availability between 79.9% – 94.3% with AWRP performing at 84.25% in 2021/22.

7.4 In 2022, the weighted average availability of all EfW plants included in TOLVIKs report was 87.7%. AWRP achieved 84.87% availability for 2022-23. Although AWRP is slightly behind the TOLVIK average, availability has improved over the last two years due to utilising planned down time to install a ‘best in class’ refractory lining. Unplanned downtime has reduced from 16.45% to 5.80%. In 2023-24 Thalia forecast both planned and unplanned down time of 6% each as the major refractory bullnose issues have now been resolved, which will bring plant availability in line with the TOLVIK average in the EfW market.

8.0 FINANCIAL IMPLICATIONS

8.1 This report is a factual summary of the information provided by AWRP SPV as part of the Annual reports required under the AWRP contract. There are no financial implications of this report.

9.0 LEGAL IMPLICATIONS

9.1 This report is a factual summary of the information provided by AWRP SPV as part of the Annual reports required under the AWRP contract. There are no legal implications of this report.

10.0 EQUALITIES IMPLICATIONS

10.1 There are no significant equalities implications arising from this report.

11.0 CLIMATE CHANGE IMPLICATIONS AND OPTIONS TO DECARBONISE AWRP

11.1 A climate change impact assessment is attached at Appendix A of this report. No significant impacts have been identified relating to this report, which is a summary of contractual performance of AWRP since 2018.

11.2 The UK Government has committed to achieve net zero greenhouse gas emissions by 2050. Waste sector emissions accounted for c6% of the UK's greenhouse gas emissions in 2018. There are several government consultations and initiatives around carbon reduction and climate change that may impact on the AWRP facility over the life of the contract.

11.3 EfW's produce around 25 times less carbon than landfill sites, however, AWRP still emitted around 289,600 tonnes of carbon during 2022-23. UK Government plan to include EfW plants in the UK ETS from 2028 which is likely to affect the AWRP facility by taxing the amount of fossil derived carbon produced. Further consultation on the UK ETS is expected from Government later in 2023.

11.4 AWRP has been designed so that heat and/or electricity could be taken from the plant and utilised. There have been a number of discussions since operations began around maximising the asset at AWRP, however, no firm proposals have been put forward to date.

11.5 At the end of 2022, the waste team undertook some soft market testing to assess whether any companies could prepare a feasibility study identifying preferred options for the following decarbonisation projects:

- Heat/power offtake from AWRP for either domestic or commercial premises or a mixture of both.
- Production of green hydrogen utilising some of the electricity or waste heat produced at AWRP and options to deploy either commercially or for NYC/CYC/Yorwaste vehicles.
- Options for Carbon capture usage, storage, or transport from AWRP.

11.6 Five companies responded to the market testing exercise and in January 2023, the team applied for funding from the York and North Yorkshire Local Enterprise Partnership Devolution Deal Net Zero Fund to support preparation of feasibility study considering decarbonisation options for AWRP.

11.7 The NYC team are working closely with Thalia and hope to undertake a procurement exercise in the Autumn to appoint a consultant to prepare the feasibility study and options appraisal. It is anticipated that the study will be available in the summer of 2024. Once a preferred option has been identified, this will be brought to Members with a view to developing an investible Financial Business Case.

12.0 RECOMMENDATION

12.1 To note the content of this report

APPENDICES:

Appendix A – Climate Change Impact Assessment

BACKGROUND DOCUMENTS:

Karl Battersby
Corporate Director – Environment
County Hall
Northallerton
19 October 2023

Report Author – Lisa Cooper – Commercial Manager, Waste
Presenter of Report - Peter Jeffreys – Head of Waste (Contracts) and Lisa Cooper - Commercial
Manager, Waste

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

Climate change impact assessment

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

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

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

Version 2: amended 11 August 2021

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

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

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

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

Title of proposal	Allerton Waste Recovery Park performance update
Brief description of proposal	Performance report summarising contractual performance since operations began (2018-19) and options for decarbonising AWRP in the future.
Directorate	Environment
Service area	Environmental Services and Climate Change
Lead officer	Lisa Cooper
Names and roles of other people involved in carrying out the impact assessment	Jos Holmes Climate Change Policy Officer
Date impact assessment started	11 Aug 2023

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

N/A

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

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

Contractual payments are part of the waste management budget.

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	<p>Emissions from travel</p>	<p>x</p>			<p>Although the feasibility study has not yet been completed, one of the deliverables is to identify options to decarbonise the waste vehicle fleet using green hydrogen as a fuel.</p>		
	<p>Emissions from construction</p>		<p>x</p>				

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Page 67	Emissions from running of buildings	x			The feasibility study will investigate options to decarbonise the operations of AWRP by utilising waste heat and renewable energy generation		
	Emissions from data storage		x				
	Other	x			Since operations commenced, AWRP has treated over 1.5m tonnes of waste and saved over 330,000 tonnes of carbon emissions.		
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic		x			Allerton Waste Recovery Park (AWRP) processes residual waste from across York and North Yorkshire. The facility extracts recycles from the black bag waste and treats organic material through an anaerobic digestion process. AWRP uses Energy from Waste technology to process waste and divert material away from		

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Page 68</p>				<p>landfill. Whilst the process does generate carbon emissions, EfW produces 25% less greenhouse gas emissions than landfill.</p> <p>We are waiting for consultation responses from Government on the Resources and Waste Strategy which will change the composition of waste particularly looking to reduce plastics and ensure producers are responsible for using more recyclable materials in packaging.</p> <p>The feasibility study will consider options to utilise waste heat from the processes used at AWRP.</p>		
<p>Reduce water consumption</p>		<p>x</p>				
<p>Minimise pollution (including air, land, water, light and noise)</p>		<p>x</p>				

APPENDIX A

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		x		<p>Contract management will consider the risks associated with climate change such as extreme heat / intense storms as part of risk management protocols</p>		
<p>Enhance conservation and wildlife</p>		x				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		x				
<p>Other (please state below)</p>		x		<p>AWRP has a Visitor and Education Centre where members of the public and groups can visit the facility to learn about management of waste. AWRP has hosted over 6,500 tours either in person or virtually (which commenced during the COVID-19 pandemic). Between March 2018 and August 2023, online carbon pledges have offset 1,538kg of carbon.</p>		

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

The waste team are working with the contractor at AWRP and have submitted a bid to the net zero fund to support a feasibility study to consider options for decarbonising AWRP. Options to be considered will include heat and power offtake, production of green hydrogen and Carbon Capture. Once the feasibility study had been completed, a preferred option will be developed into an investible business case.

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.

To note the contents of the performance report.

Sign off section

This climate change impact assessment was completed by:

Name	Lisa Cooper
Job title	Commercial Manager (Waste)
Service area	Central Waste Management Team
Directorate	Environment
Signature	Lisa Cooper
Completion date	

Authorised by relevant Assistant Director (signature): Michael Leah

Date: 14.8.2023

North Yorkshire Council
Transport, Economy, Environment and Enterprise
Overview and Scrutiny Committee
19 October 2023
Work Programme 2023/2024

1.0 Purpose of Report

- 1.1 This report invites Members to consider the Committee's Work Programme for 2023/2024.
- 1.2 The Work Programme schedule is enclosed at Appendix A.

2.0 Introduction

2.1 The role of the Committee is to:

- Scrutinise the transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.
- Supporting business, economic development and regeneration, scrutinising the work of the Local Enterprise Partnership and helping people develop their skills, including lifelong learning.
- The committee will also study sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement flooding and cultural issues.

3.0 Scheduled Committee and Mid Cycle Briefing dates for 2023/2024

3.1 Forthcoming Transport, Economy, Environment and Enterprise O&S Committee Meeting Dates

- Thursday 18th January 2024 at 10am
- Wednesday 10th April 2024 at 10am

3.2 Mid Cycle Briefing Dates

- Thursday 7th December 2023 at 10am
- Thursday 22nd February 2024 at 10am

Please note that the Mid Cycle Briefings are not public meetings and are attended by the Chair, Vice-Chair and Spokespersons from each of the other political groups represented on the committee. These meetings are used to develop the committee work programme and determine the scheduling of key items.

4.0 Recommendation

- 4.1 The Committee is asked to confirm, comment, or add to the areas listed in the Work Programme Schedule.

Appendices

Appendix A – Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee Work Programme Schedule.

Barry Khan
Assistant Chief Executive – Legal and Democratic Services
County Hall
Northallerton

Report Author and Presenter - Will Baines, Principal Democratic Services & Scrutiny Officer

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NORTH YORKSHIRE COUNCIL		
Transport, Economy, Environment & Enterprise Overview and Scrutiny Committee - Work programme		
Meeting dates		
Scheduled future Committee Meetings (all 10am) - Thursday 18 January 2024, Wednesday 10 April 2024		
Scheduled Mid-Cycle Briefings (all 10am) - Thursday 7 December 2023, Thursday 22 February 2024		
Meeting	Subject	Aims/Terms of Reference
Thurs 19 October 2023	Notice of Motion - Water quality improvements in health, wildlife, biodiversity and economy	To consider a response to the Motion regarding water quality for improvements in, health, wildlife, biodiversity and economy that was submitted to Full Council in July.
	Allerton Waste Recovery Park	To receive an annual report on the performance of Allerton Waste Recovery Park - Peter Jeffreys, Head of Service – Waste (Environment)
	Rural Connectivity	To receive an update on the rollout of superfast broadband to North Yorkshire and the initiatives to address rural areas where fibre-based coverage is unavailable – Alastair Taylor, NYnet and Robert Ling, AD Transformation
	Y&NY Local Enterprise Partnership Delivery Plan Review and Capital Projects Update	To update members on the progress of the York & North Yorkshire LEP against its Delivery Plan and capital projects delivery – James Farrar, COO YNY LEP
Thurs 18 January 2024	NYC Environment Directorate – Transformation Update	To update members on the transformation proposals for the Environment directorate as part of the new unitary council – Karl Battersby, Corporate Director of Environment.
	Local Transport Plan	Consideration of the refresh of the Local Transport Plan, the Council's key transport policy document – Allan McVeigh, Head of Network Strategy
	Rural Bus Services	To update members on rural bus services in North Yorkshire – Paul Thompson, Assistant Director – Integrated Passenger Transport, Licensing, Public Rights of Way & Harbours

	National Highways – Strategic View	To receive an update on major strategic projects, in particular the A64 Hopgrove scheme and the A66 Transpennine route. Furthermore, a focus on the Value for Money statements around how these are calculated for projects and the factors involved.
	Draft North Yorkshire Council Climate Change Action Plan	To consider the draft Climate Change Action Plan for North Yorkshire Council – Jos Holmes, Climate Change Policy Officer
Weds 10 April 2024	Annual Report of the Member Champion for Climate Change – Cllr Paul Haslam	
	Air Quality	Dr Kevin Carr and Vikki Flowers
	Tree and Woodland Policy	To consider a proposed countywide policy for trees and woodland
	Preventing Flooding on Highways – Gully Clearance and Maintenance	Update members on the progress with gully clearance and maintenance – Nigel Smith, Head of Highway Operations (Environment).
	Scrutiny of Climate Change Strategy	Bi-annual TEEE O&S scrutiny of the Climate Change Strategy – Jos Holmes, Climate Change Policy Officer
Items suggested for future meetings	DNOs and Off-grid energy	
	Offshore Energy	
	Tree Planting (future policy)	
	Waste and Recycling collections harmonisation proposals	
	Development of Parking Strategy	
	Peat and moorland conservation	
	Contaminated Land	
	Scrutiny of Climate Change Strategy (Twice a year – October and April)	
	North Yorkshire and York Local Nature Recovery Strategy	