

North Yorkshire Council

Harrogate and Knaresborough Area Constituency Committee

Minutes of the meeting held on Thursday, 14th March, 2024 commencing at 10.00 am at Harrogate Civic Centre.

Councillors present: Councillors Philip Broadbank, Sam Gibbs, Hannah Gostlow, Paul Haslam, Peter Lacey, John Mann, Mike Scholfield, Monika Slater, Matt Walker and Robert Windass

In attendance: Councillor Arnold Warneken

Officers present: Mark Codman (Scrutiny, Risk and Governance Manager) and Charles Casey (Democratic Services Officer).

Officers attending remotely: Alex Kay, (Senior Transport Planning Officer) and Amanda Newbold (Assistant Director, Education and Skills).

Apologies: Councillors Chris Aldred, Michael Harrison, and Pat Marsh.

Copies of all documents considered are in the Minute Book

49 Apologies for Absence

The Vice-Chair for the Committee Councillor Monika Slater chaired the meeting and welcomed everyone. Apologies were noted.

50 Minutes of the Meeting held on 12 January 2024:

Resolved

That the minutes of the meeting held on 12 January 2024, having been printed and circulated, be taken as read and confirmed and signed by the Chair as a correct record.

51 Declarations of Interest

Councillor Hannah Gostlow declared an interest regarding minute number 53 on the basis that she was a member of the Local Plan Working Group

Councillor Paul Haslam declared an interest regarding minute number 56 on the basis that he was a trustee of Yorkshire Causeway Schools Trust.

52 Public Participation

There were two statements that had been submitted to the Committee relating to items on the agenda, these would be read out when the agenda items were considered.

The following question concerned an item not on the agenda and was read out by Christopher Dunn:

A photograph was shown to the Committee titled “from Crag Hill Lane Killinghall, across the front of Crag Hill Cottage looking South East along the Definitive legal line of PROW 1565/3, its start point is the tree stumped blocked stone stile in foreground”.

“ The recent civil works at Crag Hill Cottage shows the new (double original height) front wall bending out across the NYC 1200mm verge right to the tarmac edge. NYC Highway searches have confirmed the extent of the highway includes the 1200mm verge. Safe haven Verges are critical now on single track Crag Hill Lane as Yorkshire Water are without any deference to ‘planning’ are completing a £19m refit, (with much HGV traffic!), of the Sewage works at the end of this lane.

This ‘alleged’ Verge ‘jacking’ was pointed out to your highway PROW Officers some 3 months ago, but they were not interested. To compound the ‘aggravation’ to the pedestrian public PROW 1565/3 has been totally obstructed at this point for the whole of definitive legal life for 71 years.

Why has my highway authority allowed this dreadful situation to arise and continue unabated ?”

Mark Codman (Democratic Services) read out the following statement on behalf of Council officers:

“There is a public footpath crossing the garden of Crag Lane Cottage that has in effect been obstructed by the domestic garden. An unofficial alternative path was provided along the field edge to the east of the property exit exiting onto Crag Hill Lane. It is understood that the cottage was built after information was collected from Parish Councils, a nationwide process in approximately 1951, and at the time the eventual definitive map of public rights of way was issued. As an alternative path was provided, albeit unofficially, there has been little issue with the situation.

In 2022 the legal alignment across the garden became a matter of concern for the owner of the cottage as they were minded to sell the property. A formal application was therefore made to the countryside access service for a public path diversion order for this section of footpath to be formally diverted out of the garden onto the walked route outside of the eastern boundary of the cottage garden. The countryside access team do not consider that the current new owners have moved the former boundary wall at all however as the wall is part of the highways road boundary rather than bounding the public foot path then the local highways team are able to commit to a site visit to review the verge and take appropriate action.

A public path diversion order was made in 2023 which further addressed some of the problems across the field to the east and to legally formalize the currently walked alignment. The public path diversion order process includes public consultation and there is one objection to the audit received from Mr Dunn. The council is now considering sending the opposed order and objection to the Secretary of State for resolution.

The decision whether or not the order will be referred is to be made by the Director of Environment at the executive member meeting on Friday 15 March and as an addition to this the Parish Council have been made aware of all the developments at Crag Lane as has the local Councillor for the constituency.

Thank you Mr Dunn for your question.

53 Petition - Exclusion of Land known as H2 (Land North of Knox Lane) from the new North Yorkshire Council Local Development Plan:

Mark Codman (Democratic Services) introduced the item and outlined the Committee's possible courses of actions following consideration of the petition. The report provided a summary of the petition and some background information to enable the Committee to debate the issue and make a recommendation.

The Chair invited Alison Hayward and Adele Laurie to introduce the petition:

"The signatories urge North Yorkshire Council to exclude all the land found at Grid ref 429829 457681, known as H2 (Land North of Knox Lane) from the new North Yorkshire Local Plan. The explanation for their request is set out as follows:

That the Committee considers the petition and recommends to North Yorkshire Council that the land concerned is not included in the new NYC development plan. The changeover from Harrogate Borough Council occurred during the collection of signatures and this has been reflected in the titles under which the petition appears. The petition has been prompted by the strong feelings of people who either live in the Harrogate and Knaresborough Area, or who work in the area and are frequent visitors to Knox hamlet and its surroundings. They treasure the peace, beauty and recreational value of the area.

It is highlighted that although the land concerned was added to the Harrogate District Local Plan, it has always been unsuitable for development. The site was evaluated in the Harrogate District LDF Urban Areas Consultation – Assessment of Ste Options Volume 1: Harrogate Town (North East) dated September 2011. Nothing of Substance has changed since then and the following are still applicable:

- Developments would bring an unacceptable increase in traffic on several nearby suburban junctions.
- There is poor relationship with necessary local facilities: walking distances to five particular facilities are all greater than the accessibility requirement,
- The Special Landscape Area and Tree Preservation Orders were noted as constraints,
- Regarding Conservation and Design, Ecology and Landscape, all three items were awarded a red dot, denoting an Adverse Impact or High Adverse Impacts
- Comments from Heritage and Design HBC noted that development of this site would adversely impact on the historic environment and/or local character, and
- Access to any development would be on an unsuitable narrow country lane.

Similarly in 2016, HBC's Natural and Built Heritage Assessment gave the H2 site red ratings on five out of the seven assessment criteria and amber for the other two, meaning the site remained clearly unsuitable for development. It is not clear why the site was eventually included in the HBC Development Plan adopted 2020.

In rejection of a recent planning application, the Planning Officer relied upon the Majority of the points raised above."

Councillor Peter Lacey proposed a motion in support of the petition, the proposal was Seconded by Councillor Haslam:

"In the light of concerns as have led to the repeated refusal for development on the Knox Lane (H2) site this committee supports the case for serious consideration being given to it being removed from the local plan in the next local plan and that where other sites have been repeatedly refused development due to environmental or infrastructure concerns that

these sites are also considered carefully through the same process.”

Members voted to approve the motion with nine Members voting for the motion and there was one abstention.

Resolved –

That the Committee notes the petition and agree that:

In the light of concerns as have led to the repeated refusal for development on the Knox Lane (H2) site this committee supports the case for serious consideration being given to it being removed from the local plan in the next local plan and that where other sites have been repeatedly refused development due to environmental or infrastructure concerns that these sites are also considered carefully through the same process.

54 Harrogate Cycling Infrastructure Plan (HCIP) - (Update to inform the consideration of priority projects for the £50k fund):

The following statement was read out by Mark Codman (Democratic Services) on behalf of Gia Margolis (Harrogate District Cycle Action):

“Good Morning

At successive ACC meetings Councillors have asked for updates on active travel schemes.

For many years Harrogate District Cycle Action has tried to help officers deliver on active travel. Yet there has been and continues to be a systemic failure to deliver any of these schemes.

At a recent meeting a senior transport officer observed “that the council’s budget for active travel has been slashed since austerity in 2010, leaving little wriggle room to deliver schemes without additional government funding”. Yet the same officer then declared how successful the council had been in winning government funds for active travel.

The undisputable fact is that the County Council has received many millions of pounds of government funding most of which has been spent – and much of it apparently wasted - on consultants with virtually no delivery of any significant scheme.

The following are examples of three small schemes which should have been delivered but still have no timetable for delivery.

1. The Wetherby Road crossing from Slingsby Walk to Willaston Road by the hospital, is a vital missing link in the cycle network, proposed and discussed for over a decade and fully funded since 2021. Discussions, reports, consultations continue . There is still no timetable.
2. The Oatlands Drive crossing. No timetable.
3. The Bilton Lane raised table to the Greenway. A very small scheme for which contractors were booked to start work in August 2023. It was then discovered that another consultation was required and in January 2024 it was revealed that a safety audit, which officers were told last year wasn’t needed, was in fact required. That process has still to take place.

Other larger cycle schemes have all been abandoned - for example the A59

Knarborough Road, Victoria Avenue, Beech Grove, Otley Road Phase 2, Oatlands Drive.

There are officers who are keen to deliver projects but it appears that the processes to ensure delivery in a timely way simply don't exist, that and the lack of meaningful support from senior management add up to a systemic problem which will almost certainly continue to slow or prevent delivery for the foreseeable future.

What questions are you going to ask of the leadership team of the ongoing failure of any delivery of any project despite the millions of funding received over the last few years? And what changes will you seek to ensure North Yorkshire at last becomes a champion of active travel rather than a failing authority, as reflected, regrettably but deservedly, in its very low rating with Active Travel England.

Mark Codman (Democratic Services) read out the following statement on behalf of the Council's Highways officers:

"North Yorkshire Council is committed to delivering active travel schemes and that commitment and particular demand in Harrogate has been demonstrated by a newly created post to have oversight and manage these schemes. The new Improvement project delivery manager joined the team in November and whilst only being in post for just over four months has helped ensure focused delivery and progress amongst a demanding service delivery requirement across the local team. In previous updates to the ACC the local team have provided information regarding challenges on delivery time scales and the reason for these and details of mitigation measures and next steps.

As well as the active travel updates to ACC meetings the team also ensure the local members are updated with key milestones of the projects. The local team met with Harrogate and District Cycle Action Group in January and agreed to focus meetings every 3 months to facilitate information sharing and updates the specific sites highlighted were discussed at that meeting and have also been brought to the team's attention through a separate channel in an email from Mrs Margolis, updates for the scheme's reference are as follows;

- the Wetherby Road and Oatlands Crossing points - officers advised Mrs Margolis in January that discussions were required with third party landowners that these had been had and that they would be engaging with necessary stakeholders and residents and businesses in the vicinity of the works from the end of this month of March. We also advise that there are legal processes to complete which must be concluded before works can start on site. The team are working on a program of program for delivery in the coming financial year and will provide a more detailed update when there is more certainty around the construction program.
- Bilton Lane Crossing - whilst a relatively simple scheme to physically deliver it has not been supported by all. Contractors lined up as part of the forward planning exercise to deliver following a consultation. As shared with Mrs Margolis in January there were a number of objections raised in relation to the proposals and a road safety audit has been requested to review the issues raised and allow the team to consider mitigations this independent audit will help officers ensure risks are adequately mitigated which is in the best interest for all parties
- Victoria Avenue and Oatlands drive - updates were provided to Mrs Margolis and the Harrogate District Cycle Action group in January. Consultation for Victoria Avenue will commence in the spring with a public engagement event to discuss the designs proposed. Design work has commenced for the Oatlands Drive 20 mph implementation and next steps for a wider scheme on Oatlands Drive are currently in discussion.

- Beech Grove and Otley Road Phase 2 - whilst it was determined that Beech Grove load traffic neighbourhood scheme and Otley Road Phase 2 would not commence alternatives have been identified such as the proposed 20 mph implementation in the area and the sustainable transport package which addresses a range of active travel enhancements. Updates for both these projects which will feature on the May ACC agenda.”

Alex Kay (Senior Transport Planning Officer) attended the meeting remotely and began his presentation by covering key points including an update on current Active Travel development progress, further schemes that were being considered and potential funding routes. The information would enable the Committee to consider potential projects to prioritise in the £50k fund allocation for the ACC.

The presentation began by giving an overview of key Active Travel national guidance and how that informed active travel development in the Harrogate District. The presentation advised that key corridor routes were in early stage planning for walking routes but were at feasibility design stage for key cycling corridor routes. The presentation went on to give detail about budget and indicative costs for key proposed cycle corridor routes, these were early stage estimates but would enable the Council to begin bidding for funding. Key funding routes for the proposed schemes could potentially be accessed from several sources with the Future Active Travel Fund Tranche and Local Transport Fund being highlighted.

- In response to a question from Councillor Lacey, Alex Kay explained that a value for money rating of 1:6 meant that for every pound invested six pounds would be returned. The key highlighted schemes were the most advanced in design and therefore the closest to being bid ready and the bidding that was being discussed was for external money.
- In response to a question from Councillor Haslam, Alex Kay advised that he would be able to provide information on uplifts to walking and cycling related to the proposed schemes and he would happily consider any ‘quick wins’ that Members proposed.
- In response to a question from Councillor Walker, Alex Kay responded that money had previously been awarded for five proposed schemes, those schemes had not, however, progressed and had now become unaffordable. The Council was in discussion with Active Travel England to use the money previously won for the Victoria Avenue Scheme. The Council had progressed the A59 scheme to the feasibility stage but the remaining £250K had been directed to another scheme under the advice of Active Travel England. In terms of learned lessons the Council was now in good dialogue with Active Travel England and was hopeful of future success in terms of bidding for funding and delivery of schemes.
- In response to Councillor Haslam, Alex Kay advised that he would look at the proposal to join Killinghall to the Nidderdale Greenway, he would develop a proposal and costs and return to the Committee with further detail.
- In response to a question from Councillor Broadbank regarding rising costs Alex explained that rising costs were in part due to inflation but also increasing standards of design relating to walking and cycle routes.

Members had further discussion regarding quick wins and improvements including improvements to signage and repairing of potholes. Mark Codman (Scrutiny, Governance and Risk Manager) advised that there would be an informal meeting of the committee to consider priority projects for consideration for the 50k fund allocation for the ACC where Members would have the opportunity to scrutinise proposed schemes in more detail and would be able to propose quick wins to the Active Travel Team.

The Chair thanked Alex for attending.

55 Residential Parking Schemes (Presentation):

The following statement was read out by John Birkenshaw:

“The following three streets on Springfield Avenue.

1. Spring Grove (HG1 2HT)
2. Spring Mount (HG1 2HX) and
3. Springfield Mews (HG1 2HT)

Are all cul-de-sac streets (not through roads), where parking for residents has become critical, and is now at a premium.

There are ‘Access Only’ signs at the entrance of the streets; however, and bizarrely the streets are designated for free, 3-hour Disc Parking, which is in direct contradiction with the ‘Access Only’ signage. This contradiction could possibly lead to legal action if a motorist appealed a parking ticket.

Guests staying at nearby hotels, (Majestic Hotel, Crown Plaza, and Premier Inn), together with visitors to the Conference Centre and Royal Hall regularly park in these streets, often overnight, in order to save car parking fees at the venues, that provide ample parking for guests and visitors.

Residents living in these streets purchase parking permits to enjoy the privilege of parking their own vehicles on these streets; together with books of visitor permits for visitors to park their vehicles when visiting. However, residents regularly find there are no parking spaces for their own, or their visitors’ vehicles, (especially after 6pm at the end of the parking disc time restrictions) and have to park many hundred yards away, which becomes a serious safety issue for residents, having to content with inclement weather, dark nights and uneven pavements.

Sixty-one households out of then ninety in these streets have signed a petition requesting that the free parking ‘Disc Parking’ signage be replace with ‘Resident Only’ parking, to ensure there are parking places for residents and stop abuse of parking by users of the nearby hotels and conference centre.

I wish to stress that this matter has become worse over recent years at the expense of residents who not only pay council tax, vehicle tax, residents parking permits and separate permits for visitors, to find they cannot gain the benefit of the paid for permits”

Mark Codman (Democratic Services) read out the following statement on behalf of Melissa Burnham (Area 6 Highways Manager):

“Officers acknowledge the statement of support by Councillor Lacey and would draw the committee’s attention to both the Residents Parking policy documents and the Champion’s Guide. Links of which can be provided to members.

The stages within the guidance states that the support of the ACC chair is sought for in stage one, after which an appropriate resource will be allocated, and necessary reviews would be carried out by the local team. It states in stage 5 that if a recommendation identifies a proposed Traffic Regulation Order with a wider area impact it would be presented to the ACC by officers for feedback, in advance of the final recommendation to go to Environment Exec meeting for a final decision.

The local team would be happy to pick this up separately with Cllr Lacey, to identify next steps with this particular case”.

The Chair noted that Members were unanimously supportive of the public statement and Melissa Burnham’s response.

56 Schools, Educational Achievement and Finance:

Amanda Newbold (Assistant Director, Education and Skills) attended the meeting remotely to present the Annual Schools Educational Achievement and Finance Report and responded to questions from the Members.

- in response to a question from Councillor Walker, Amanda explained that there were varying reasons for differing levels of performance between schools or individual pupils, this included differing pupil cohorts and timetabling of core subjects (something for individual school leaders to design) – Amanda would be happy to approach schools leaders and gather information on how underperforming students are being assisted and how they are using their allotted pupil premium money. The earliest the new Knaresborough Manse Farm School could be delivered was September 2026 but would be reviewing this date following the primary allocations have been allocated in April.
- in response to questions from Councillor Haslam, Amanda responded that there had been a rise in suspensions and exclusions in the last couple of years, Council officers had looked at individual case studies and discovered that these rises linked to wider family and societal issues. North Yorkshire’s Children and Safeguarding Partnership were looking at this issue and the wider vulnerabilities and this remained on the list of priorities for the multiple partners across the County.
- Amanda answered further questions regarding future predicted allocations and spaces, staff retention and recruitment, including the use of child psychologists and the drop offs and issues related to core subjects of English and Maths from KS3 to KS4.

Amanda confirmed she would provide written responses to Members relating to the questions she was unable to answer.

The Chair thanked Amanda for attending

57 Committee Work Programme

Considered – The report of the Democratic Services and Scrutiny Manager that invited Members to consider, amend and add to the Committee’s work programme.

Mark Codman (Democratic Services) provided an overview of the Committee’s current programme. He advised that he was still pursuing the Member visit to Bilton Water Tre Works and was awaiting confirmation from Yorkshire Water.

The Voluntary and Community Sector Working Group:

- Councillor Lacey advised that the group would meet within the next three months to consider the review into the voluntary and community sector across the County.

Climate Change Working Group Update:

- Councillor Haslam advised that he had formulated a briefing paper that concerned how the climate change strategy could help inform the development of the local plan and how the local plan could help deliver the climate change strategy and would share this with Members of the ACC after the meeting.

Harrogate and Knaresborough ACC River Water Quality Working Group:

- A number of points had been raised with responses provided in the report. The report detailed the potential for Planning Officers to attend the Committee and respond to Members questioning regarding planning applications and environmental implications..

Informal Sessions:

- Mark advised that there were to be briefings on the Local Nature Recover Strategy, the Otley Road Sustrans Package, Active Travel Schemes and an update on the 20mph schemes on the south west of Harrogate once arranged with officers
- Two other briefings had been suggested – Rural Connectivity (relating to phone and broadband) and Let's Talk Food – Members agreed they would like these sessions to be scheduled.

Future work programme:

- Councillor Gostlow requested that an item was included on the work programme – to look at the decision to bring leisure centres back 'in house' and how this relates to the community well-being approach in the various hubs across the district.
- Councillor Haslam requested that the ACC look at bus and train services in the Harrogate area

The Committee agreed to add these two items to the Work Programme

58 Any Other Items

There was no urgent business.

59 Date of Next Meeting

Thursday 30 May 2024

The meeting concluded at 12.15 pm.