



Agenda

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

To: Councillor Keane Duncan.

Date: Friday, 12th July, 2024

Time: 2.00 pm

Venue: Via Microsoft Teams

Business

Items for Corporate Director decision

1. Consideration of Objectives - NYC (Various roads, Borough of Harrogate) (Disabled Person's Parking bays) (No 12) Order 2024 (*Pages 3 - 18*)
2. Proposed Introduction of a 40mph Speed Limit on Bishopdyke Road (B1222), Sherburn in Elmet (*Pages 19 - 36*)
3. Victoria Avenue Active Travel Fund (ATF) 2 (*Pages 37 - 66*)
4. Bikeability Scheme 2025-26 (*Pages 67 - 80*)
5. Highways Capital Programme 2025-26 - Headline Allocations (*Pages 81 - 98*)
6. Filey Sea Wall Refurbishment – Award of Contract (*Pages 99 - 102*)

Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

03/07/2024

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North Yorkshire Council

Environment Executive Members

12 July 2024

Consideration of Objectives - North Yorkshire Council (Various roads, Borough of Harrogate) (Disabled Person's Parking bays) (No 12) Order 2024

Report of the Assistant Director, Highways & Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Corporate Director of Environment and the Executive Member for Highways and Transportation of the outcome of the public consultation and for a decision to be taken on whether the following proposals be introduced or set aside in light of the objections received to a number of traffic regulation order proposals advertised for public comment in November/ December 2023.

2.0 BACKGROUND

- 2.1 Resident's Disabled Parking Bays (RDPB's) can be introduced to provide on-street parking in residential areas for 'blue badge' holders. The Council's policy states that the provision of these bays should only be considered when an individual does not have access to off-street parking such as a driveway or garage. Where a RDPB is provided it is not for the exclusive use of one resident but is available for use by any 'blue badge' holder.
- 2.2 RDPB's require a Traffic Regulation Order (TRO) to be introduced in order to be enforceable. Historically, some advisory and therefore unenforceable RDPB's were introduced without a TRO. The Traffic Signs Regulations and General Directions 2016 (as amended) do not permit the use of disabled parking bay road markings without a TRO and consequently enforcement action cannot be taken against those that misuse the advisory bays.
- 2.3 Under Sections 32 and 35 of the Road Traffic Regulation Act 1984, a local authority may by order authorise the use as a parking place of any part of a road within their area for the purpose of relieving or preventing congestion of traffic and make provision as to the use of the parking place, and in particular the vehicles or class of vehicles which may be entitled to use it and the conditions on which it may be used.
- 2.4 The RDPB Policy was approved in August 2011 which determined that only enforceable bays would be provided. In line with this decision, a two-stage assessment process was introduced against which applications are assessed. The assessment criteria for both stages are outlined in Appendix A.

3.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

- 3.1 The first stage of the assessment is undertaken by officers in the Councils Service Delivery Team and assesses whether applicants meet the Stage 1 criteria. RDPB's proposed at Avenue Grove, and Dene Park, Harrogate met the criteria and were forwarded to the Area 6 Highways team for consideration under Stage 2 of the process.
- 3.2 Stage 2 of the process requires that the Local Area Highways Office assesses the application against the relevant highway and site assessment criteria and where those criteria are achieved, taken forward for consultation and advertising under the statutory TRO process.

- 3.3 Officers at the Local Area Highways Office were made aware of a representation by Councillor Monika Slater dated 06 March 2023, initially addressed to the Corporate Director for Health and Adult services and subsequently forwarded to the Assistant Director, Highways & Transportation, Parking Services, Street Scene, Parks and Grounds relating to an application for a RDPB at Electric Avenue, Harrogate. As the applicant had not passed the Stage 1 criteria, details of the application had not been supplied to the Local Area Highways Office (Area 6) by the Service Delivery Team.
- 3.4 Enquiries identified that an application for a RDPB was made in September 2022 which had been rejected by colleagues in the Service Delivery team as the application did not meet the Stage 1 criteria. An appeal by the applicant and Councillor Monika Slater had been further rejected on the 13 March 2023.
- 3.5 The Local Area Highways Office were instructed to proceed with the Electric Avenue application by the Assistant Director, Highways & Transportation, Parking Services, Street Scene, Parks and Grounds as an 'exception' on the 22 March 2023.
- 3.6 Two of the RDPB's were minor adjustments to the position of existing bays following representations from the applicant's following implementation of recent TRO proposals.
- 3.7 One RDPB application for Electric Avenue did not pass the Stage 1 assessment criteria having been considered by officers in the Service Delivery Team in late 2022/ early 2023. Councillor Monika Slater and the applicant submitted an appeal on that decision on the 23 January 2023. That appeal was rejected by the Operational Team Leader on the 13 March 2023. As it had not passed the Stage 1 assessment, the application had not been forwarded to the Area 6 Highways team for the Stage 2 assessment.
- 3.8 Councillor Monika Slater submitted an additional representation to the Corporate Director, Health and Adult Services on the 06 March 2023, which was forwarded to the Assistant Director, Highways & Transportation, Parking Services, Street Scene, Parks and Grounds. Area 6 officers were instructed to proceed with the application by the Assistant Director on the 22 March 2023 as an exception following further assessment of the request.
- 3.9 It is therefore considered that Stage 01 and 02 of North Yorkshire Council RDPB Policy has been met. North Yorkshire Council is complying with its duty under Section 122 of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway by introducing the proposed Traffic Regulation Order.

4.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 4.1 Local Members' comments were sought initially on the proposed measures in November 2023 prior to the advertising the TRO.
- 4.2 The enabling TRO was advertised for public comment on Thursday 30 November 2023 as the North Yorkshire County Council (Various Roads, Borough of Harrogate) (Disabled Persons' Parking Bays) (No.12) Order 2024 in both the local press and by means of a notice erected on street. The TRO process allows 21 days for formal objections to the proposed restrictions to be lodged with the local Highways office following public advertisement in the local press, as prescribed by the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 4.3 The statement of reasons and schedules for the enabling TRO are detailed in Appendix B.
- 4.4 The last date for receipt of objections was Monday 18 December 2023.

- 4.5 In total three (3) new RDPB's were advertised within the TRO which also sought to slightly relocate two existing RDPB's and revoke seven (7) RDPB's which had been introduced in previous TRO's and which were no longer required as the former applicants had moved property or were deceased.
- 4.6 Two of the proposed new RDPB's and the two realigned RDPB's received no objections and therefore will be implemented under the powers delegated to the Corporate Director for Environment under the Council's Constitution. These sites are detailed below:
- Avenue Grove, Harrogate
 - Dene Park, Harrogate
 - Dene Park, Harrogate
 - Dene Park, Harrogate

In addition, no objections were received to the proposal to revoke seven RDPB's at various locations in Harrogate.

- 4.7 Appendix C lists the objections/representations that have been received to the remaining RDPB at Electric Avenue, Harrogate and includes a detailed report in respect of each objection together with officer's comments and recommendations.
- 4.8 Any comments received from the relevant Local Members are included in the appropriate detailed report.

5.0 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 There are no known practical alternatives that would meet the requirements of the applicant.

6.0 FINANCIAL IMPLICATIONS

- 6.1 Funding is available from the existing Highways Area 6 'Signs, Lines and TRO' budget to support the installation of all of measures detailed in this report which are estimated to be in the region of £1,500.

7.0 LEGAL IMPLICATIONS

- 7.1 Under the Council's constitution, the consideration of objections to TROs is a matter for the Executive and the role of the Area Constituency Committee is a consultative role on wide area impact TROs.
- 7.2 The consideration of objections has been delegated by the Executive to the Corporate Director of Environment in consultation with the Executive Member for Highways and Transportation. The decision-making process relates to the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute. A wide area impact TRO is classed as a proposal satisfying all of the three criteria set out below:
- The proposal affects more than one street or road and;
 - The proposal affects more than one community and;
 - The proposal is located within the ward of more than one County Councillor.
- 7.3 Since the objections received only relate to one of the proposed RDPB's this is not considered to qualify as a wide area impact TRO and hence the Area Constituency Committee's views have not been sought.

- 7.4 In the event that the Executive Member and Corporate Director of Environment resolve to follow the recommendations contained in this report, then in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the Council will be required to make a Traffic Regulation Order (with or without modifications) and publish a notice of making the Order in the local press. The Council will also be required to notify the objectors of its decision and the reasons for making that decision within 14 days of the Order being made.
- 7.5 Where an Order has been made (i.e. sealed), if any person wishes to question the validity of the Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the 1984 Act or of any instrument made under the 1984 Act has not been complied with, they may apply to the High Court within six weeks from the date on which the Order is made.
- 7.6 In recommending the implementation of the proposed TRO as advertised for the reasons set out in this Report, Officers consider that the Council is complying with its duty under Section 122 of the Road Traffic Regulation Act 1984 and has carried out the required balancing exercise in coming to that decision.
- 7.7 All other main legal aspects are covered in Section 3 to this report. Beyond that, it is the view of officers that the proposals do not have any legal implications for the Council.
- 7.8 In accordance with the protocol for Executive Member reports, the Local Elected Member will be provided with a copy of this report and be invited to the meeting on the 12 July 2024.
- 7.9 Regulation 9 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 outlines the circumstances in which the Council would be required to hold a Public Inquiry. The Council has satisfied its duty and determined that the proposals do not include any restrictions on loading and unloading, therefore paragraph 3 of Regulation 9 does not apply in this regard. There were also relatively few objections received, therefore the Council considers that the holding of a public inquiry would not be proportionate in terms of timescale, officer time and the costs to public resources in this case.
- 8.0 EQUALITIES IMPLICATIONS**
- 8.1 Consideration has been given to the potential for any equality impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010.
- 8.2 A screening form has been included in Appendix D.
- 9.0 CLIMATE CHANGE IMPLICATIONS**
- 9.1 Consideration has been given to the potential for any adverse Climate Change impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on Climate Change. A copy of the Initial Climate Change Impact Assessment decision form is attached as Appendix E
- 10.0 REASONS FOR RECOMMENDATIONS**
- 10.1 The objections received centre mainly around the eligibility of the applicant and their parking opportunities and impact on parking for all local residents.

- 10.2 Impact on parking; Electric Avenue and other residential streets in the locality experience high demand for parking because of the high density of terraced and semi-detached housing with limited off-street parking opportunity. The applicant advised that parking is difficult due to some people parking on the street to visit the adjacent Oak Beck retail park, particular on weekends as the retail car park is often at capacity. The applicant further advises that motorists often park outside their property to visit the convenience store at the junction of Skipton Road.
- 10.3 A Tesco store has recently gained planning approval for a new superstore to the rear of the applicant's property which may intensify local parking demand during construction and upon completion and officers therefore have sympathy with the concerns of residents.
- 10.4 RDPB's are 6.6 metres in length which is longer than a typical family motor vehicle and therefore the introduction of a RDPB will result in the loss of one on-street parking space, most notably extending into the neighbouring property frontage. Presently three private cars can park fronting properties 11-15 Electric Avenue and the introduction of a RDPB fronting Nos. 11-13 will reduce that capacity to two vehicles due to the presence of vehicular accesses either side of the three properties.
- 10.5 Eligibility of the applicant; The applicant is a Blue Badge holder and whilst the applicant has not met the Stage 1 criteria initially, the applicant advised that whilst there is a garage to the rear of the property (a block of six communal garages), it has never been used to park a vehicle as the garage is not of a sufficient size to be able to park and enable access and egress for the disabled badge holder. The applicant further advised that due to the condition and needs of the applicant/ blue badge holder, there is a need to park at the front of the property. Officers therefore consider that whilst a garage is available, it does not serve the needs of the applicant to be used as a garage for daily use/ parking and hence the exception that is referenced in section 3.8 above.
- 10.6 As the application meets all the Stage 1 and Stage 2 assessment criteria for the introduction of a RDPB officers consider that there is no valid reason why the bay should not be provided at this time.
- 10.7 Officers recommend the implementation of the proposed TRO as advertised for the reasons set out in this Report. Officers consider that the Council is complying with its duty under Section 122 of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway, as set out in the Statement of Reasons and has carried out the required balancing exercise in coming to that decision.

11.0 RECOMMENDATIONS

- 11.1 It is recommended that (having taken into account all of the duly made representations and objections) that;
- i. The results of the consultation are noted;
 - ii. The Corporate Director of Environment in consultation with the Executive Member for Highways and Transportation, approves the introduction of the Residential Disabled Parking Bays as advertised;
 - iii. The Assistant Chief Executive (Legal and Democratic Services) be authorised to seal the relevant Traffic Regulation Order in light of the objections received and that the objectors are notified within 14 days of the Order being sealed.

APPENDICES:

Appendix A – Assessment/Eligibility Criteria

Appendix B – Statement of reasons, location and details of proposals

Appendix C – Consultation responses

Appendix D – Initial equality impact assessment screening form

Appendix E – Initial Climate Change Impact Assessment

BACKGROUND DOCUMENTS: Letters/ Emails of objection received are held in the scheme file held by the Boroughbridge Area 6 Highways Office & Report to Executive Members, Residential Disabled Parking Bays Policy, dated 18 August 2011

Barrie Mason

Assistant Director – Highways & Transportation, Parking Services, Street Scene, Parks & Grounds

County Hall

Northallerton

26 June 2024

Report Author – Paul Ryan, Project Engineer, Area 6 Highways

Presenter of Report – Melisa Burnham, Area Manager, Area 6 Highways

Assessment/ Eligibility Criteria

Stage one - applicant conditions

The applicant must be:

- The blue badge holder
- The driver of the vehicle (evidence of driver's licence and vehicle ownership will be required).
- Requesting a disabled parking bay for the same address as their blue badge has been issued.
- Unable or virtually unable to walk or propel a wheelchair for a comfortable distance outside the home - estimation of comfortable walking distance required.
- Unable to access suitable off-street parking, for example a driveway, garage or parking place provided by a housing association or social landlord.
- Unable to regularly park their vehicle on the public highway within a comfortable distance of their household

If you do not meet all of these criteria, but feel that your case is exceptional, please contact us. We will be able to assess your eligibility and advise you on whether to proceed with an application.

Stage two – highways specific conditions

We will make our decision on the following highway specific conditions. The application may be denied if one or more of the following exist:

- (a) We believe that there is reasonable evidence to suggest that the driver can regularly park their vehicle within a comfortable distance of their household either off-street or on-street.
- (b) The request is for a highway that is not maintainable at public expense.
- (c) The driver has access to suitable off-street parking, for example a driveway or garage. The suitability of the off-street parking facility will be considered in line with government guidance, specifically:
 - whether it is located on firm and level ground
 - whether the gradient is reasonable
 - whether there is space to enable the disabled driver to get into the car easily and safely
- (d) Waiting restrictions (for example double/single yellow lines, clearways / bus stop clearways and school keep clear road markings) are already in place or have been proposed in the requested location.
- (e) The request is within a Controlled Parking Zone.
- (f) Access or visibility would be impaired by the parking bay.
- (g) The road is not wide enough to allow the free flow of traffic when a vehicle is parked in the bay.
- (h) The location is listed in the Highway Code as a place where vehicles should not be parked.
- (i) The road has a speed limit over 30mph.
- (j) The current number of disabled parking bays installed is higher than 10% of the total number of residential properties or 10% of the number of parking spaces in the street, whichever is higher i.e., 40 houses = maximum number of 4 Disabled Bays in that street.

If either the stage one or stage two criteria are not satisfied, then the request will be declined. The process includes the assessments above, and the preparation of a traffic regulation order.

Statement of reasons, location and details of proposals

North Yorkshire Council (Various Roads, Borough of Harrogate) (Disabled Person's Parking Bays) (No.12) Order 2023

STATEMENT OF THE COUNCILS REASONS FOR PROPOSING TO MAKE THE ORDER

Under Section 1(1) of the Road Traffic Regulation Act 1984 the Council, as traffic authority for North Yorkshire, has powers to make a Traffic Regulation Order (TRO) where it appears expedient to make it on one or more of the following grounds:-

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- (b) for preventing damage to the road or to any building on or near the road, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
- (f) for preserving or improving the amenities of the area through which the road runs; or
- (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of Section 87 of the Environment Act 1995 (air quality).

Section 122(1) of the Road Traffic Regulation Act 1984 also provides that it shall be the duty of every local authority upon whom functions are conferred by or under the 1984 Act so to exercise those functions as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

The Council considers that it is expedient to make this TRO on grounds (c) and (f) above, having taken into account its duty under Section 122(1) of the 1984 Act, for the following reasons:-

North Yorkshire Council introduced a new protocol for the introduction of designated disabled parking bays in residential areas in November 2011.

In certain circumstances, 'on-street' parking bays can be implemented in residential areas for the use of disabled people who are Blue Badge holders. These bays provide on street parking for Blue Badge holders who do not have access to off street parking facilities such as a drive or garage outside or near to their home.

Residential disabled parking bays:

- Are provided solely to address access issues
- Provide on-street parking for eligible disabled people near to their home subject to meeting specific highway conditions
- Are not person specific and may be used by any blue badge holder regardless of where they live.
- Require a Traffic Regulation Order to be created before they can be installed
- Are outlined on the road with white lines and a traffic sign

A number of applications have been received from residents across the Harrogate District at the following locations;

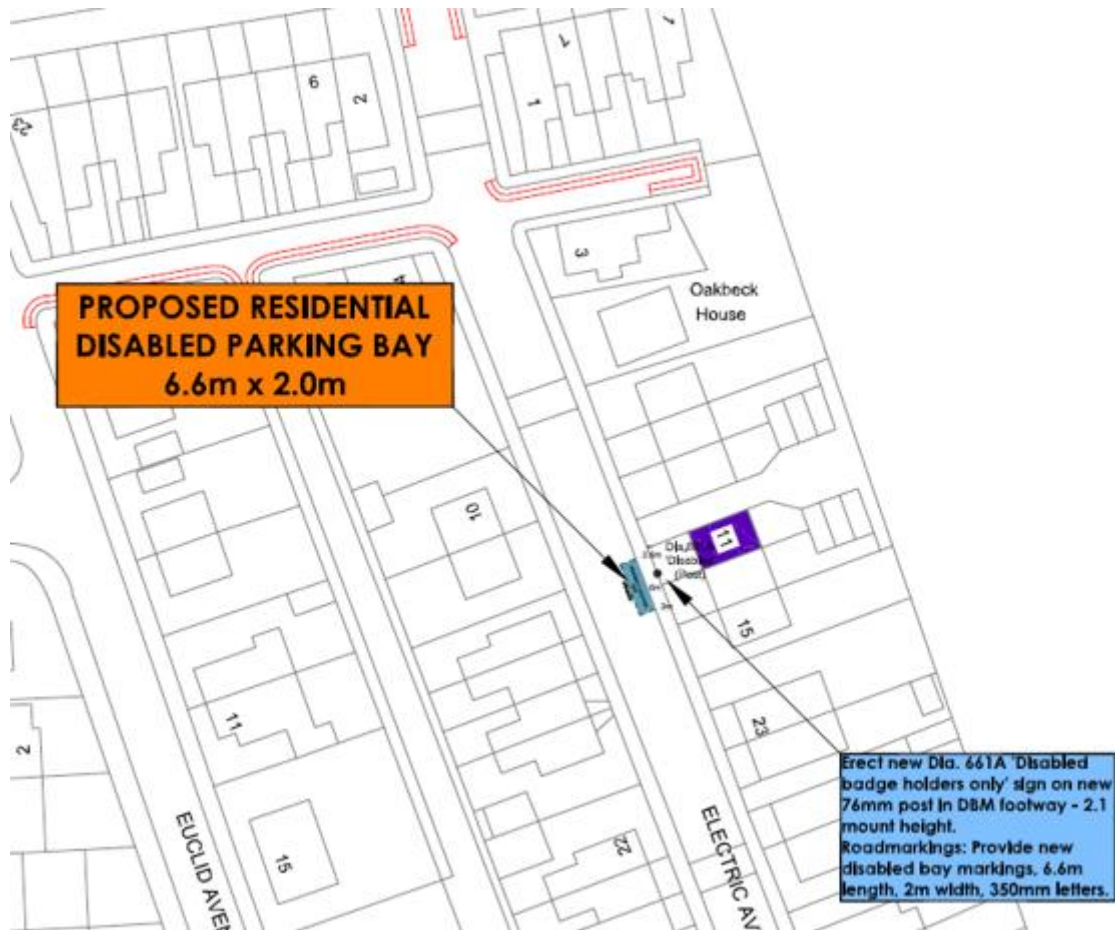
- (a) Avenue Grove, Harrogate
- (b) Dene Park, Harrogate (minor adjustment to existing RDPB)
- (c) Dene Park, Harrogate
- (d) Dene Park, Harrogate (minor adjustment to existing RDPB)
- (e) Electric Avenue, Harrogate

A number of residential disabled parking bays previously provided under the aforementioned protocol are no longer required and are therefore being revoked at the following locations;

- (a) Dene Park, Harrogate
- (b) Woodfield Drive, Harrogate
- (c) Roberts Crescent, Harrogate
- (d) Cawthorn Avenue, Harrogate
- (e) Dene Park, Harrogate
- (f) Avenue Road, Harrogate
- (g) West End Avenue, Harrogate

SCHEDULE OF REPRESENTATIONS OBJECTIONS RECEIVED AND SUBSEQUENT OFFICER COMMENT AND RECOMMENDATIONS

**1 ELECTRIC AVENUE
[BILTON GRANGE & NEW PARK DIVISION]**



Objector 1: Resident of Electric Avenue, Harrogate

Suggests that the applicant has access to off-street parking including a garage situated next to the property and that this contradicts the North Yorkshire Council website which advises;

'In certain circumstances, disabled parking bays can be created on-street in residential areas for disabled drivers. The drivers must be blue badge holders and not have access to off street parking, such as a drive or garage. If you already have off-street parking, an application will only be approved in exceptional circumstances.

Does not believe there to be exceptional circumstances as the applicant at the residence has no mobility issues and has access to off-street parking including a garage.

Considers that providing a RDPB for the property is detrimental to the other residents of the street who do afford the luxury of having any parking option other than on-street. Suggests that most of the properties on Electric Avenue rely on on-street parking and that if approved, the applicant will in effect have three (3) allocated parking spaces.

Objector 2: Resident of Electric Avenue, Harrogate

Suggests that the property has sole use of a garage next to and adjoining their back garden and that there is also a driveway that the property use for parking outside their garage/ rear garden.

Further suggests that presently the applicant has no problem parking outside their property on the public highway.

Concerned that if approved, the RDPB would grant the property two to three parking spaces solely for the use of one vehicle.

Suggests that approval of the applicant contradicts the conditions on the North Yorkshire Council website.

Objector 3: Resident of Electric Avenue, Harrogate

Suggests that the property has sole use of a garage next to and adjoining their back garden and that there is also a driveway that the property use for parking outside their garage/ rear garden.

Further suggests that presently the applicant has no problem parking outside their property on the public highway.

Concerned that if approved, the RDPB would grant the property two to three parking spaces solely for the use of one vehicle.

Suggests that approval of the applicant contradicts the conditions on the North Yorkshire Council website.

Objector 4: Resident of Electric Avenue, Harrogate

Suggest that the applicant has separate parking facilities - namely a garage, is able to park regularly within a suitable distance from their property and that it is unreasonable to install a RDPB outside a property that already has access to off-street parking and that this goes against the conditions implied on the North Yorkshire Council website.

Officer comments and recommendations:

Officers are aware of the concerns and parking impact of the introduction of a 6.6m bay and prior to 2015, sought to reduce the length of the bays through special authorisations from the Department for Transport (DfT). The DfT will no longer issue special authorisations for reduced length disabled bays following advice sought from the disabled advisory team in the Department during the consultation over the revised Traffic Signs Regulations and General Directions.

The applicant meets all the stage 1 and stage 2 assessment criteria for the introduction of a residential disabled parking bay and officers therefore consider that there is no valid reason why a bay could not be provided at this time.

The applicant is a Blue Badge holder and whilst the applicant has not met the Stage 1 criteria initially, the applicant advised that whilst there is a garage to the rear of the property (a block of six communal garages), it has never been used to park a vehicle as the garage is not of a sufficient size to be able to park and enable access and egress for the disabled badge holder. The applicant further advised that due to the condition and needs of the applicant/ blue badge holder, there is a need to park at the front of the property. Officers therefore consider that whilst a garage is available, it does not serve the needs of the applicant to be used as a garage for daily use/ parking.



GOOGLE EARTH IMAGES OF 11 ELECTRIC AVENUE PROPERTY AND GARAGE LAYOUT



Photo showing garage layout to rear of 11 Electric Avenue

RECOMMENDATION: that the disabled parking bay at 11 Electric Avenue, Harrogate be introduced as proposed and that the Director and Members note that this may impact upon parking opportunity for neighbouring residents.

| Initial equality impact assessment screening form | | | |
|---|--|----|------------------------------|
| This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate. | | | |
| Directorate | Environment | | |
| Service area | Highways & Transportation | | |
| Proposal being screened | TRO – Proposed Residential Disabled Parking Bay, Electric Avenue, Harrogate | | |
| Officer(s) carrying out screening | Paul Ryan | | |
| What are you proposing to do? | Installation of Residential Disabled Parking Bay – Electric Avenue, Harrogate | | |
| Why are you proposing this? What are the desired outcomes? | An eligible resident has applied for a RDPB outside or near their property going through the application process set out by NYC. | | |
| Does the proposal involve a significant commitment or removal of resources? Please give details. | No | | |
| Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC’s additional agreed characteristics | | | |
| As part of this assessment, please consider the following questions: | | | |
| <ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? | | | |
| If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked ‘Don’t know/no info available’, then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt. | | | |
| Protected characteristic | Potential for adverse impact | | Don’t know/No info available |
| | Yes | No | |
| Age | | No | |
| Disability | | No | |
| Sex | | No | |
| Race | | No | |
| Sexual orientation | | No | |
| Gender reassignment | | No | |
| Religion or belief | | No | |
| Pregnancy or maternity | | No | |
| Marriage or civil partnership | | No | |
| People in rural areas | | No | |
| People on a low income | | No | |
| Carer (unpaid family or friend) | | No | |
| Are from the Armed Forces Community | | No | |
| Does the proposal relate to an area where there are known inequalities/probable impacts (for | Not known | | |

| | | | | |
|---|---|-------------------------------------|-----------------------|--------------------------|
| example, disabled people's access to public transport)? Please give details. | | | | |
| Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion. | No | | | |
| Decision (Please tick one option) | EIA not relevant or proportionate: | <input checked="" type="checkbox"/> | Continue to full EIA: | <input type="checkbox"/> |
| Reason for decision | <p>The implementation of the disabled parking bay will be a benefit to those with blue badges at the location. The loss of the space may have a negative impact on the nearby residents some of whom may have protected characteristic such as older people and families with young children.</p> <p>However the applicant has met all the criteria for a disabled bay. NYC have a specific duty to have due regard to the needs of disabled people and hence not implementing the bay would appear to go against this duty.</p> <p>Whilst it is recognised that drivers will generally prefer to park outside their own home, it is important to recognise that this is not an automatic 'right'. It is not always possible and, in addition to local residents, other road users also have the right to park on any section of unrestricted public highway, providing they are not contravening the Highway Code.</p> <p>On balance, the proposed RDPB will have no negative impact on people with protected characteristics (or NYCs additional characteristics) and will enable the Council to comply with its duties under Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004</p> | | | |
| Signed (Assistant Director or equivalent) | Barrie Mason | | | |
| Date | 01/07/2024 | | | |

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

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

| | |
|---|---|
| Title of proposal | TRO – Proposed Residential Disabled Parking Bay, Electric Avenue, Harrogate |
| Brief description of proposal | To introduce a disabled bay at the above location which will involve road markings and associated signage |
| Directorate | Environment |
| Service area | Highways & Transportation |
| Lead officer | Paul Ryan |
| Names and roles of other people involved in carrying out the impact assessment | Paul Ryan, Project Engineer (Area 6 Boroughbridge Highways Office) |

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

Remember to think about the following;

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

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

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

| | | | | |
|--|---|---|------------------------|--|
| Decision (Please tick one option) | Full CCIA not relevant or proportionate: | ✓ | Continue to full CCIA: | |
| Reason for decision | All the above factors are likely to have no impact from the installation of the residential disabled parking bay. There will be a positive impact for the applicant of the disabled bay and other blue badge holders who could use the bay. | | | |
| Signed (Assistant Director or equivalent) | Barrie Mason | | | |
| Date | 01/07/2024 | | | |

North Yorkshire Council

Environment Executive Members

12 July 2024

Proposed Introduction of a 40mph Speed Limit on Bishopdyke Road (B1222), Sherburn in Elmet.

Report of the Assistant Director – Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Corporate Director for Environment in consultation with the Executive Member for Highways and Transportation of the outcome of the public consultation and statutory advertisement which took place with regard to this proposal and ask for a decision to be made on whether or not the proposal to reduce the speed limit to 40mph on Bishopdyke Road (B1222), Sherburn in Elmet, be introduced or set aside in light of the objection received.

2.0 BACKGROUND

- 2.1 Bishopdyke Road (B1222) is a single carriageway, rural road which leads from the A162 Sherburn in Elmet by-pass to Cawood Village. A large industrial estate and 10 residential premises are accessed directly from Bishopdyke Road. The speed limit is currently 60mph; the national speed limit for single-carriageway derestricted roads.
- 2.2 The proposal is in response to requests by residents and local business owners, to reduce the existing national speed limit on Bishopdyke Road (B1222) to 40mph, at the location shown on the attached plan Appendix A. This route has seen significant development over the years and as a consequence, the existing 60mph speed limit now needs updating in part due to the changing environment of the road to a mainly industrial and more heavily trafficked route. The Department for Transport's "Setting Local Speed Limits" guidance highlights the importance of traffic authorities' delivering speed limits that are "safe and appropriate for the road and its surroundings".
- 2.3 As part of the assessment of the proposed 40mph speed limit, one Automatic Traffic Count (ATC) survey was undertaken in order to ascertain whether a 40mph speed limit would be self-enforceable and complied with by drivers. The surveys demonstrated that the existing mean speeds were suitable for a 40mph speed limit and were within the Association of Chief Police Officers (ACPO) guideline intervention level of 46mph. The results of the ATC survey are attached in Appendix B.
- 2.4 Analysis of collision data from 30 April 2019 – 30 April 2024 (inclusive) showed 4 serious and 10 slight personal injury collisions having taken place within the investigation area, highlighted on the accident location plan found in Appendix C.

3.0 CONSULTATION

- 3.1 The proposal has been subject to consultation and public advertisement in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The enabling Traffic Regulation Order (TRO) was advertised for public comment in the local press, published on North Yorkshire Council's website and by means of a legal notice placed on the relevant street in accordance with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations.
- 3.2 The TRO was advertised for public comment on 15 February 2024 as follows: North Yorkshire Council (40mph Speed Limit) (A162 & B1222, Sherburn in Elmet) Order 2024. The last date for receipt of objections was 7 March 2024.
- 3.3 Under the constitution of the council the consideration of objections to Traffic Regulation Orders (TROs) is a matter for the Executive and the role of the Area Constituency Committee has a consultative role on 'wide area impact TROs'. The consideration of objections has been delegated by the Executive to the Corporate Director of Environment in consultation with Executive Members. The decision-making process relates to the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute. A 'wide area impact TRO' is classed as a proposal satisfying all of the three criteria set out below.
- The proposal affects more than one street or road and.
 - The proposal affects more than one community and.
 - The proposal is located within the ward of more than one County Councillor.
- 3.4 Since the objection received only relates to an individual opposed to the reduction in the speed limit, contained within one street, one community and one Council Ward, this does not have a 'wide area impact TRO' and therefore the Area Constituency Committee's views have not been sought.
- 3.5 Local Member Councillor Bob Packham (the ward member representing Sherburn in Elmet) was contacted during and after the consultation on his views to the proposals. Cllr Packham is fully supportive of the proposals.
- 3.6 In accordance with the protocol for Environment Executive Member reports, the Local Elected Member will be provided with a copy of this report and be invited to the meeting on the 12 July 2024.

4.0 OFFICER COMMENTS

- 4.1 Officers have considered the objection received and have summarised the response along with officer comments in Appendix D.
- 4.2 With regard to the objection, it is suggesting that the reduction of the speed limit to 40mph is too low, as it would increase journey times and discourage people from attending a local automotive venue (The Motorist). The speed limit is considered appropriate for the road as it reflects current usage and is expected to be self-enforcing. Setting appropriate speed limits with the aim of achieving safe and appropriate driving speeds can play an important role in improving the quality of life of those who work and live within our communities. Evidence collected by the Department of Transport (Setting Local Speed Limits), suggests that when traffic is travelling at constant speeds, even at a lower level, it may result in shorter and more reliable overall journey times. Officers do not consider that a lower speed limit will be detrimental to the local economy and increase journey times.

- 4.3 Officers use a number of factors when determining appropriate speed limits; these are based on the Department for Transport's guidance "Setting Local Speed Limits" and include factors such as existing traffic speeds, history of collisions, road purpose/function, population size, expected vulnerable road users and environmental affect. These factors were all considered, and it was concluded that a speed limit of 40mph was appropriate for this part of Bishopdyke Road. This was further discussed with North Yorkshire Police, as the body responsible for enforcing speed limits, they were fully supportive of the proposal.
- 4.4 Officers consider that the proposed measures set out in this report will assist in addressing the problems identified and thereby enable the Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise its functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and for preventing the likelihood of any such danger arising and preserves/ improves the amenities of the area through which the road runs, as set out in the Statement of Reasons for proposing to make the Order attached to this report in Appendix E. The proposed measures will also enable the Council to carry out its network management duty under Section 16 of the Traffic Management Act 2004 to secure the expeditious movement of traffic on the authority's road network and both the more efficient use and the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The cost of advertising the Traffic Regulation Order and installing the road markings is estimated at approximately £2,500 which will be funded from the local highways (Signs Lines and TROs) budget.

6.0 LEGAL

- 6.1 In the event that the Executive Members and Corporate Director for Environment resolve to follow the recommendations contained in this report, then in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the Council will be required to make the relevant Traffic Regulation Order (with or without modifications) and publish a notice of making the Order in the local press before the Order comes into operation. The Council will also be required to notify the objectors of its decision and the reasons for making that decision within 14 days of the Order being made.
- 6.2 Where an Order has been made (i.e. sealed), if any person wishes to question the validity of the Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the 1984 Act or of any instrument made under the 1984 Act has not been complied with, they may apply to the High Court within six weeks from the date on which the Order is made.
- 6.3 In recommending the implementation of the proposed TRO, officers consider that it will enable the Council to comply with its duties under Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004. In light of the objection being received it has also been considered whether it would be appropriate to hold a public inquiry. As there is just a specific objection to be considered it would not be proportionate in terms of both time and costs to hold an Inquiry. The objection can be given proper regard in the report and decision making process.

7.0 EQUALITIES IMPLICATIONS

7.1 Consideration has been given to the potential for any equality impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010. A reduction in speed allows all people longer time in which to make decisions and cross roads. A screening form has been included in Appendix F

8.0 CLIMATE CHANGE IMPACT

8.1 Consideration has also been given to the potential for any adverse Climate Change impacts arising from the recommendation. The proposal is to reduce the existing speed limit by the factor, 20mph. The effects of speed limits on vehicle emissions depend upon driver behaviour. However, emissions rural areas can generally be reduced if vehicles are driven at a lower speed, and drivers observe speed limits. The speed limit changes are unlikely to increase fluctuations in driver speeds or in pollution to any significant degree. It is therefore considered that there are no significant environmental implications arising from this report. A copy of the Climate Change Impact Assessment decision form is attached as Appendix G.

9.0 REASONS FOR RECOMMENDATIONS

9.1 Bishopdyke Road, at the location shown on the attached plan Appendix A, has seen significant development over the years and as a consequence of this the existing 60mph speed limit now needs updating in part due to the changing environment of the road to a mainly industrial and more heavily trafficked route. The Department for Transport's "Setting Local Speed Limits" guidance highlights the importance of traffic authorities' delivering speed limits that are "safe and appropriate for the road and its surroundings". This allows the Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and for preventing the likelihood of any such danger arising and preserves/ improves the amenities of the area through which the road runs, as set out in the Statement of Reasons, for proposing to make the Order.

10.0 RECOMMENDATIONS

10.1 It is recommended that: -

- i. The results of the consultation exercise are noted.
- ii. The Corporate Director, Environment, in consultation with the Environment Executive Member for Highways and Transportation, approves the introduction of a 40mph speed limit as advertised and as shown in the Plan contained in Appendix A.
- iii. That the Assistant Chief Executive (Legal and Democratic Services) be authorised to seal the relevant Traffic Regulation Order by the Corporate Director, Environment and Environment Executive Member for access in light of the objections received and that the objectors are notified within 14 days of the order being made.

APPENDICES:

Appendix A – Location plan

Appendix B – Traffic Count (ATC) surveys.

Appendix C – Accident Reports plan

Appendix D – Summary of the objections received, together with officer comment.

Appendix E - Statement of Reasons for proposing.

Appendix F – Initial equality impact assessment screening form.

Appendix G – Climate change impact assessment.

Background Documents: Letter of objection received are held in the scheme file held by the Selby Area 7 Highways Office.

Barrie Mason

Assistant Director – Highways & Transportation, Parking Services, Street Scene, Parks & Grounds

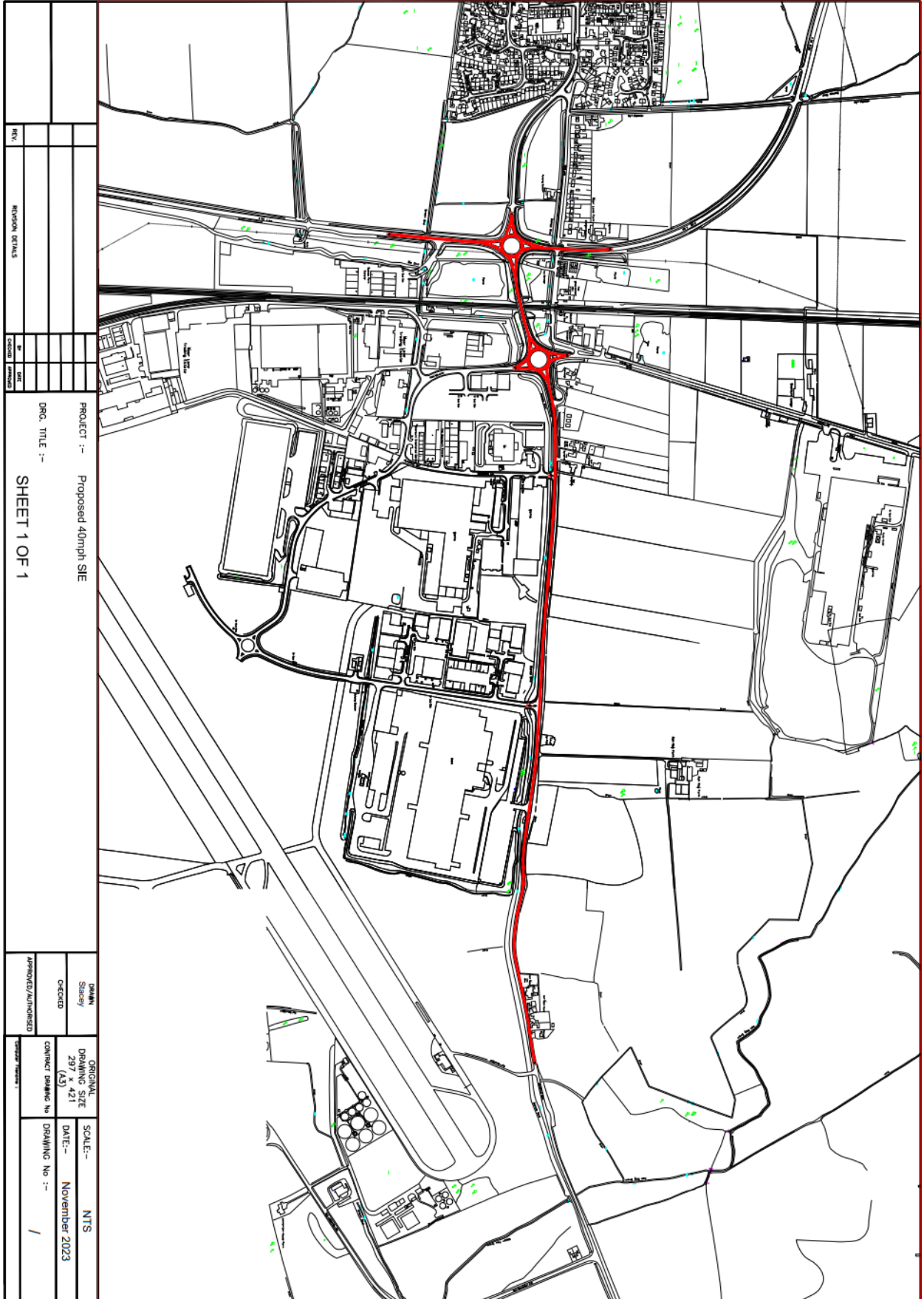
County Hall

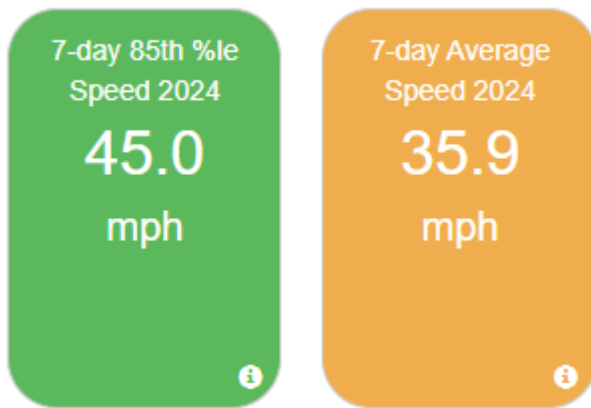
Northallerton








12 July 2024

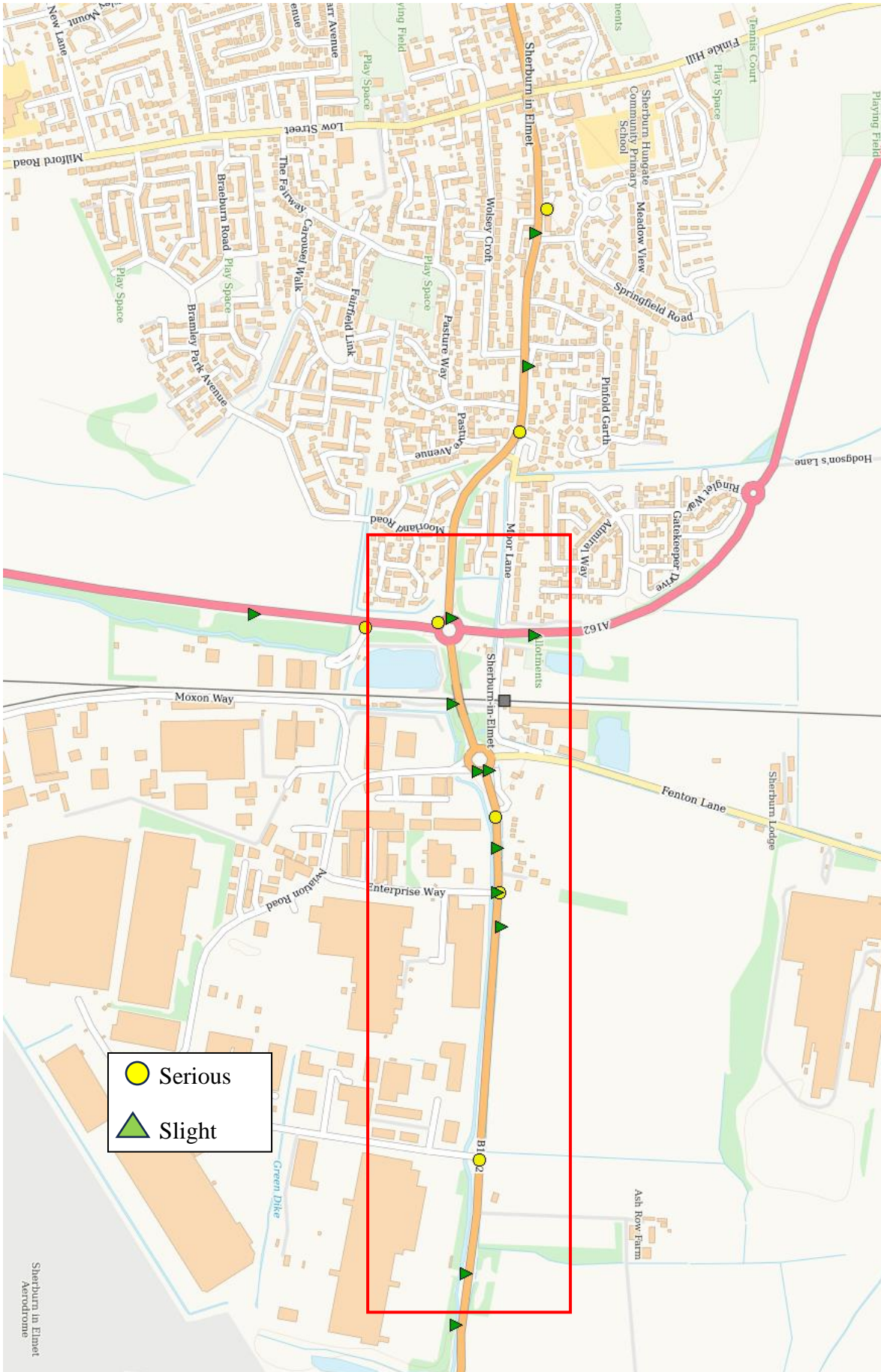
Author of Report - Gary Lumb

Presenter of Report - Gary Lumb





| Vehicle Classification | | |
|-------------------------------|---|--------|
| Car Car |  | 30.46% |
| HGV HGV |  | 14.08% |
| PSV Public Service Vehicle |  | 0.67% |
| LGV Light Goods Vehicle |  | 47.72% |
| MCL Motorcycle |  | 5.72% |
| PED Pedestrian |  | 0% |
| Other Non-Vehicle |  | 0.25% |



| Summary of Comments | Officer Comments |
|---|--|
| Resident of Bishopdyke Road (A19) | |
| The reduction of the speed limit to 40mph is too low, this will increase journey times and discourage people attending the local automotive venue (The Motorist). | The speed limit is considered appropriate for the road as it reflects current usage and is expected to be self-enforcing. Officers do not consider that a lower speed limit will be detrimental to the local economy and increase journey times. |

| | |
|---|---|
| <p>STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER:</p> | <p>The County Council as the traffic authority for North Yorkshire considers that it is expedient to make the traffic regulation order:-</p> <ul style="list-style-type: none"> a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising b) for preventing damage to the road or to any building on or near the road c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians) d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property. e) for preserving or improving the amenities of the area through which the road runs |
| | <p>Proposal location: Bishopdyke Road (B1222), Sherburn in Elmet. Introduction of 40mph Speed Limit for road safety reasons due to the changing environment of the road to a mainly industrial and more heavily trafficked route.</p> |

| | | | |
|---|--|----|------------------------------|
| <p>Initial equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')</p> <p>This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.</p> | | | |
| Directorate | Business and Environmental Services | | |
| Service area | Highways & Transportation | | |
| Proposal being screened | Proposed 40mph Speed Limit. | | |
| Officer(s) carrying out screening | Gary Lumb | | |
| What are you proposing to do? | Introduce a 40mph Speed Limit on Bishopdyke Road, Sherburn in Elmet. | | |
| Why are you proposing this? What are the desired outcomes? | Bishopdyke Road, at the location shown on the attached plan Appendix B, has seen significant development over the years and as a consequence of this the existing 60mph speed limit now needs updating in part due to the changing environment of the road to a mainly industrial and more heavily trafficked route. The Department for Transport's "Setting Local Speed Limits" guidance highlights the importance of traffic authorities' delivering speed limits that are "safe and appropriate for the road and its surroundings". This allows the County Council's to comply with its duties under Section 122(1) of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004 | | |
| Does the proposal involve a significant commitment or removal of resources? Please give details. | NO | | |
| <p>Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics?</p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.</p> | | | |
| Protected characteristic | Yes | No | Don't know/No info available |
| Age | | √ | |

| | | | |
|---|---|---|-----------------------|
| Disability | | √ | |
| Sex (Gender) | | √ | |
| Race | | √ | |
| Sexual orientation | | √ | |
| Gender reassignment | | √ | |
| Religion or belief | | √ | |
| Pregnancy or maternity | | √ | |
| Marriage or civil partnership | | √ | |
| NYCC additional characteristic | | | |
| People in rural areas | | √ | |
| People on a low income | | √ | |
| Carer (unpaid family or friend) | | √ | |
| Are from the armed forces community | | √ | |
| Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details. | NO | | |
| Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion. | NO | | |
| Decision (Please tick one option) | EIA not relevant or proportionate: | √ | Continue to full EIA: |
| Reason for decision | It is considered that all classes of road user will benefit from the proposed 40mph Speed Limit Order. Officers use a number of factors when determining appropriate speed limits; these are based on the Department for Transport's guidance "Setting Local Speed Limits" and include factors such as existing traffic speeds, history of collisions, road purpose/function, population size, expected vulnerable road users and environmental affect. These factors were all considered, and it was concluded that a speed limit of 40mph was appropriate for this part of Bishopdyke Road, achieving a safe environment for all types of road users. | | |
| Signed (Assistant Director or equivalent) | Barrie Mason | | |
| Date | 27/06/2024 | | |

Climate change impact assessment

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

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

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

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

Planning Permission
 Environmental Impact Assessment
 Strategic Environmental Assessment

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

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

| | |
|---|---|
| Title of proposal | Proposed waiting restrictions |
| Brief description of proposal | Introduce a 40mph Speed Limit on Bishopdyke Road (B1222), Sherburn in Elmet. |
| Directorate | Environment |
| Service area | Highways and Transportation |
| Lead officer | Gary Lumb |
| Names and roles of other people involved in carrying out the impact assessment | None |
| Date impact assessment started | 11/06/2024 |

Options appraisal

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

None. It is considered that the proposed restriction will assist in addressing the road safety problems which have been observed to occur on site and thereby enable the Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and for preventing the likelihood of any such danger arising and preserves/ improves the amenities of the area through which the road runs.

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

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

The cost of advertising the Traffic Regulation Order and installing road signs and markings will be funded from the local highways (Signs Lines and TROs) budget.

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

| <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> | | <p>x</p> | | | | |
| <p>Enhance conservation and wildlife</p> | | <p>x</p> | | | | |
| <p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p> | | <p>x</p> | | | | |
| <p>Other (please state below)</p> | | <p>x</p> | | | | |

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

N/A

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

The proposed speed limit order will require the installation of traffic signs and new road markings but will not otherwise have an impact on the Environment. However, steps will be taken to ensure that construction emissions are reduced as far as possible.

Sign off section

This climate change impact assessment was completed by:

| | |
|------------------------|------------------------------------|
| Name | Gary Lumb |
| Job title | Improvement Manager |
| Service area | Highways and Transportation |
| Directorate | BES |
| Signature | |
| Completion date | 11/06/2024 |

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

Date: **27/06/24**

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North Yorkshire Council

Environment Executive Members

12 July 2024

Victoria Avenue Active Travel Fund (ATF) 2 – ATF2- Phase 1- Pedestrian Improvement Scheme Delivery and Phase 2- Design of the Cycle Phase

Report of the Assistant Director, Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 To seek permission to produce an alternative design for the Victoria Avenue Active Travel Fund 2 (ATF 2) scheme to include a central bi-directional cycle lane, in readiness for future funding bid options.
- 1.1 To confirm that officers will look to deliver the pedestrian only scheme as soon as practicable since this is not contingent on gaining extra funding.
- 1.2 To notify the Corporate Director, Environment and the Executive Member for Highways and Transportation that officers intend to commence the advertisement of the Traffic Regulation Orders required to deliver the two scheme options.

2.0 BACKGROUND

- 2.1 The former North Yorkshire County Council (NYCC) as Highway Authority was awarded a total of £1,011,750 from the ATF2 Funding bid in 2020. This was to be split 80/20 for capital (scheme delivery) and revenue (scheme development) and allocated towards four improvement schemes.
 - A59 Maple Close Harrogate to Knaresborough (£250k)
 - Victoria Avenue, Harrogate (£250k)
 - Guisborough Road, Whitby (£250k)
 - Oatlands Drive, Harrogate (£261,750)
- 2.2 Approximately £205,505 has been spent on scheme development, leaving a remaining budget of £806,245.
- 2.3 Working with framework consultants WSP a design had been developed for Victoria Avenue including cycleways to both sides of the carriageway, appropriate upgrades/modifications for junctions either end; and a number of pedestrian improvements including signalisation of currently uncontrolled pedestrian crossings. This was costed at £1.573m in February 2023.
- 2.4 Officers met with Active Travel England representatives in York in May 2023. Following discussions, it was agreed that due to there being insufficient budget to deliver the full scheme on Victoria Avenue that cycle elements would be removed and the funding allocated to pedestrian improvements to allow it to be delivered within the remaining budget. It was intended that the cycle elements could be added in a second phase of works, subject to a future funding bid.

- 2.5 Separately North Yorkshire Council (NYC) submitted a bid for the ATF4 funding to “top up” the ATF2 to the required amount to deliver the full scheme in early 2023. However, this was rejected, due to the scheme not reaching an adequate Value for Money score.
- 2.6 A “Change control” in respect of ATF2 was submitted in March 2024 to ATE to allocate all remaining capital budget towards the Victoria Avenue Pedestrian Improvement Scheme. Officers subsequently met with ATE (Active Travel England) representatives in May 2024 to discuss the change control submission in detail. Three Critical design issues were identified, the route check tool gave an overall ATE score of 51% from a baseline of 29%. Two of the critical issues are related to cycling and could be resolved within a future cycle phase, whilst the remaining critical issue could also be designed out. As such, the Victoria Avenue Pedestrian Improvement Scheme is considered to be deliverable in principle and NYC will set out plans to resolve the three critical issues in a response to ATE through the design review report. NYC will also provide further detail to ATE around perceived high scheme costs and links into the TCF scheme. ATE’s feedback is included in Appendix A. Deliverability is also subject to the outcome of the publication of traffic regulation orders which are required for the Scheme.
- 2.7 In the meeting with ATE in May 2024, the potential to include cycle facilities within the scheme was discussed; options were considered during the subsequent site meeting for a future phase of works.

3.0 DETAILED PRESENTATION OF THE SUBSTANTIATIVE ISSUE

- 3.1 NYC had previously developed a pedestrian only improvement scheme to a preliminary design stage. Following submission of the change control in March 2024, design work has been paused so as to avoid potential abortive work arising from any feedback from Active Travel England. Now that officers have certainty that the proposed scheme reaches the appropriate scoring following the Active Travel England review, it is proposed to commence the detailed design stage. This will allow the scheme to be costed more accurately and upon completion for the works to be tendered.
- 3.2 A plan of the proposals for the pedestrian only scheme is attached in Appendix B. Due to there being insufficient funding available to deliver pedestrian and cycle improvements together, a phased approach is to be utilised with delivery of pedestrian improvements in an initial phase and cycle improvements in a future phase, subject to the availability of additional funding.
- 3.3 During a site visit with Active Travel England, it was suggested that NYC could look to develop a design for a central bi-directional cycleway. This would have a number of benefits, including resolving the critical issues identified by Active Travel England, removing conflicts between bus stops and cycle ways and conflicts between pedestrians and cyclists. Removing the central parking would also have safety benefits for all road users.
- 3.4 As such officers are proposing to allocate £10,000 capability funding to produce a feasibility study for the bi-directional cycleway, to allow the scheme to be costed and de-risked. If viable, this could be developed into a preliminary design (bid-ready status) and submitted for future funding opportunities as they arise.

- 3.5 The proposal is to develop the Pedestrian only improvement scheme to detailed design status and tender the works upon completion. The pedestrian elements can then be delivered onsite. The cycleway proposals can be developed in tandem and if future funding is secured delivered as part of a second phase of works. This is in line with the approach previously agreed with Active Travel England.
- 3.6 As both schemes require Traffic Regulation Orders (TRO's) and this process can impact timescales for delivery it is proposed to commence advertisement of the relevant TRO's for both scheme options as soon as possible. This is covered in more detail in section 7.
- 3.7 There are a number of advantages to delivering the pedestrian only scheme and undertaking the feasibility study for bi-directional cycleway scheme for delivery in a future phase. Firstly, the pedestrian only scheme is deliverable within the funding allocated. The majority of the works are outside of the main carriageway footprint, which should minimise disruption, which is especially pertinent given the likely overlap with TCF delivery.
- 3.8 Whilst some consultation responses expressed disappointment that the cycle elements had been removed from the scheme, this was not deliverable within the available funding. However, investing in the feasibility study and developing this proposal to bid ready status means that this future phase of works has much greater potential of coming forward, either through external funding or through the recently announced Local Transport Fund.

4.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 4.1 A consultation was held on the proposals between 15 April and 05 May 2024. From around 1,500 letters and two in person events, approximately 70 responses were received. Many highlighted the lack of cycling provision, did not think the proposed changes were worthwhile and criticised the proposal to ban the right turn from Belford Avenue. As a result of the consultation responses a revised plan was produced removing the Left turn only from Belford Avenue, keeping the zebra crossing on the same side of the carriageway as it is at present and improving the cycle storage near the library (see Appendix C).
- 4.2 Please see Appendix D for a summary of the responses received and Appendix E for a sample of the responses received.
- 4.3 In contrast other respondents were pleased to see the cycle lanes removed and parking retained, including representatives from St Peters School. The pedestrian improvement proposals would offer significant benefit to pedestrians and are in line with ATE's hierarchy of "walking, wheeling & cycling" and some local residents were pleased to see the focus on pedestrian improvements.
- 4.4 It was explained to local cycle group representatives that the intention was to deliver Victoria Avenue works in two phases and that there was insufficient funding available to deliver the whole scheme in one phase. Their response (also received around 30 times by members of the group) expresses disappointment that the cycling elements have been removed. The HDCA (Harrogate District Cycle Action) response can be seen within the sample responses (ref Appendix E Sample response 1).
- 4.5 The HDCA response also did not approve of using the funds to construct a new bus stop on Victoria Avenue. However, measures that support sustainable transport

(improved bus infrastructure) are appropriate as part of an Active Travel Scheme. There was also a desire to see the modal filters on Beech Grove reinstated, however objections to the previous consultation on this matter could not be readily overcome, which contributed towards the decision to remove the filters after the Experimental Traffic Order concluded.

- 4.6 There was a mixed response to the proposals to make the banned straight-ahead movement from Beech Grove more difficult. Some respondents supported this whilst others strongly opposed it and desired for the straight-ahead movement to be permitted. Options in this area can be considered within the detailed design and feasibility study.
- 4.7 Some respondents also did not support any proposed parking loss. These comments can be assessed during the future TRO process.
- 4.8 It is proposed to commence consultation on the traffic regulation orders required to deliver the scheme. For both the pedestrian only scheme and the potential central cycleway scheme, TROs are required as follows:
- Removal of parking associated with relocation of bus stop from West Park to Victoria Avenue
 - Re-arrangement/relocation of zebra crossing
- 4.9 For the central cycleway scheme modifications to existing TRO's will be required to remove the parking from the centre of the carriageway. Whilst this will not be required if only the pedestrian improvements are delivered, it is proposed to consult on this element at the earliest opportunity as the TRO process has the potential to delay the potential cycle scheme coming forward.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 5.1 Victoria Avenue is a key pedestrian link in Harrogate Town Centre providing links from residential areas to the West accessed from Beech Grove and Otley Road to the central commercial zone. Desire lines in the area include links to St Peters Primary School, several car parks and parking zones including on Victoria Avenue itself with the opportunity for onward journeys via bus or train from Harrogate Station which is approximately 200m from the Junction of Victoria Avenue/Station parade.
- 5.2 The pedestrian only scheme provides the opportunity to improve the environment for those making journeys by foot. Signalising the crossings at the Junctions with West Park and Station Parade will make these crossings safer for all road users. Removing the stagger from the Zebra crossing on Victoria Avenue makes the crossing more direct, the central islands proposed still allow more vulnerable users to make the crossing in stages. Improved footway lighting will make the environment feel brighter and safer and providing kerbside ticket machines also removes some unnecessary pedestrian crossing manoeuvres.
- 5.3 Victoria Avenue forms part of the central Harrogate signed Cycle Network, forming a connection from the West (Otley Road, Beech Grove) to the Centre of town (Station Parade S) with onward connections to the East and North. As such Victoria Avenue is a key part of the Harrogate Cycle Network and there has been a long-term aspiration to upgrade the cycling provision in this area. Undertaking an initial feasibility study of the central cycleway option with the potential to develop this to bid ready status, subject to the feasibility study results will enable these improvements to be delivered if funding is made available.

- 5.4 The Department for Transport's Cycling and Walking Investment Strategy (CWIS), sets out the ambition to make walking and cycling the natural choices for shorter journeys or as part of a longer journey. The CWIS states that the benefits to doing this would be substantial, potentially leading to cheaper travel and better health, increased productivity for business and increased footfall in shops, and lower congestion, better air quality, and vibrant, attractive places and communities for society as a whole.
- 5.5 The CWIS outlines a set of ambitious targets for the period up to 2025, including a doubling of cycling trip stages each year (from 0.8 billion in 2013 to 1.6 billion by 2025), whilst also reversing the current year-over-year decline in walking trip stages. The CWIS also identifies a need to decrease the number of cycle user fatalities and serious injuries each year. NYC shares this ambition for promoting cycling and walking as the natural choice for shorter journeys or as part of a longer journey.
- 5.6 In response to the Covid-19 global pandemic, the Department for Transport released Gear Change: A bold vision for Cycling and Walking in summer 2020 to support a new direction in local transport strategy. The recent COVID-19 restrictions have profoundly impacted the way people live, work and travel as evidenced by the public's desire to be more active, and the rise in popularity of cycling and walking (Sport England, 2020). The document states the need to embed those changes in people's travel behaviour, increase active travel, and transform permanently how many people move around. Increasing cycling and walking can help tackle some of the most challenging issues we face as a society – improving air quality, combatting climate change, improving health and wellbeing, addressing inequalities, and tackling congestion on our roads.
- 5.7 The Strategic Priorities for Transport, within the York and North Yorkshire's Route map to Carbon Negative show increasing active travel for short journeys as one of four key priorities. The routemap recommends a coordinated approach to active travel ensuring routes are safe and convenient, villages and nearby towns are connected, and access to the outdoors (without using a car) is improved.
- 5.8 The NYC Climate Change Strategy has an ambition to 'Increase active travel for short journeys, sharing the ambition of the Routemap to ensure walking and cycling accounts for 17% of distance travelled by 2038'.
- 5.9 Our Local Transport Plan (LTP) is currently under review and will be updated to reflect the change in how people live, work and travel since the COVID-19 pandemic. The current plan (LTP4) key themes include 'Healthier Travel' and the need to manage the adverse impact of transport on the environment.

6.0 FINANCIAL IMPLICATIONS

- 6.1 NYC currently have on account £806,245 underspend from ATF2. There is also an allocation of £223,000 from former Harrogate Borough Council towards Active Travel Projects and this is to be split between Wetherby Road Crossing (£75,000) with the remaining £148,000 allocated towards Victoria Avenue.
- 6.2 WSP have produced a bill of quantities for the pedestrian only scheme. This does not include the required upgrades of the existing signals infrastructure, which is currently approximately twenty years old and will require upgrading before new pedestrian

phases can be added. NYC traffic signals team have provided a high-level estimate of £180,000-£220,000 for the upgrade works.

- 6.3 Total funds on account: £954,245 (remaining ATF 2 allocation plus former HBC funding mentioned above).
- 6.4 Total funds required including signals upgrades: £988,000-£1,028,000.
- 6.5 It is important to note that the WSP estimate includes a significant amount of optimism bias and risk (as is typical for the prelim design stage). The figures above represent a worst case; the pedestrian only scheme is expected to be delivered for well within the funds available. However, this can only be confirmed with certainty after detailed design and subsequent tender of works.
- 6.6 In the event that the estimate is in excess of funds on account after detailed designs, elements can be de-scoped to bring the scheme in on budget; these could be included as part of a future phase of works. Conversely if the scheme is expected to be constructed for less than the allocated funds, there is an opportunity to add in additional minor works packages to avoid an underspend.
- 6.7 **Central bi-directional cycleway scheme – Feasibility study to be commenced**
- 6.7.1 As no design work has been undertaken there is no pricing available for this scheme though the costs are expected to exceed the funds that are currently available. The previous pedestrian & cycleway scheme was costed at £1.573m in February 2023; it is reasonable to assume that the total value of the pedestrian only scheme with the additional cycleway phase would exceed the funds available.
- 6.7.2 As such it is proposed to allocate £10,000 of capability funding to undertake an initial feasibility study to cost and de-risk this new potential scheme. If this initial feasibility study yields a positive outcome, then this can then be developed to a bid-ready status in preparation for any suitable future funding streams coming online.
- 6.7.3 There will be a shortfall of funding to deliver this scheme if future funding bids are not successful. In this eventuality it is proposed to deliver the pedestrian elements only and keep the designs in abeyance for potential delivery through LTF.

7.0 LEGAL IMPLICATIONS

- 7.1 The proposals for the pedestrian and cycleway elements referred to within this report will require TRO's. When designs are complete officers will commence the statutory legal process including consultation on the making and/or amending of any TRO's currently in place.
- 7.2 It is officers' intention to commence consultation for modifications to TRO's for both iterations of the scheme as soon as possible;
- Removal of parking associated with relocation of bus stop from West Park to Victoria Avenue
 - Re-arrangement/relocation of zebra crossing
 - Removal of the central parking on Victoria Avenue (upon completion of initial feasibility design work)
- 7.3 Officers consider that the proposed TRO's will enable the Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise its

functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and for preventing the likelihood of any such danger arising and preserves/ improves the amenities of the area through which the road runs. The proposed measures will also enable the Council to carry out its network management duty under Section 16 of the Traffic Management Act 2004 to secure the expeditious movement of traffic on the authority's road network and both the more efficient use and the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network.

8.0 EQUALITIES IMPLICATIONS

8.1 An Equality Impact Assessment screening has been completed (Appendix G). At this stage it is considered an Equality Impact Assessment is not required and that there are no equality implications arising from this recommendation, however as the design work progresses and detailed consideration is given to the TRO's the equalities position will be monitored and reviewed.

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 A Climate Change Impact Assessment screening is included as Appendix H of this report. No impacts are anticipated given the report seeks approval for design work, to bid for funding (once available) only. If constructed the scheme should have a net benefit as it will encourage more walking and cycling uptake from local residents and encourage less short journeys by car.

10.0 CONCLUSIONS

10.1 It is proposed to commence a feasibility study on the central bi-directional cycle path for Victoria Avenue in order to cost and de-risk the scheme. Subject to a successful feasibility study it is proposed to develop the design to a bid ready status. Separately it is proposed to deliver the pedestrian improvements only as soon as reasonably practicable.

10.2 A future report will provide an update on progress including programme for delivery for the pedestrian only scheme and the feasibility costs and next steps for the central bi-directional cycle scheme.

11.0 RECOMMENDATION

11.1 The Corporate Director - Environment in consultation with the Executive Member for Highways and Transportation approves:

- i. that a feasibility study for a central bi-directional cycle route for Victoria Avenue is commenced, ready to bid for funding when appropriate future funding streams are announced;
- ii. officers commence the detailed design and seek to deliver the pedestrian only improvement scheme as soon as practicable and subject to the outcome of the TRO process;
- iii. officers commence the TRO processes for both scheme options as soon as practicable.

APPENDICES

Appendix A – Active Travel England Feedback

Appendix B – Pedestrian improvements Plan

Appendix C – Pedestrian Improvements Plan – Modified

Appendix D – Summary of consultation responses

Appendix E – Sample of consultation responses

Appendix F – Consultation Letter

Appendix G – Equalities Impact Assessment Screening

Appendix H – Climate Change Impact Assessment Screening

Barrie Mason

Assistant Director Highways & Transportation, Parking Services, Street Scene, Parks & Grounds

County Hall

Northallerton

4 July 2024

Author of Report - Jasmin Gibson Improvement Project Delivery Manager

Person Presenting Report – Jasmin Gibson Improvement Project Delivery Manager



Change control Design review report

About this report

Active Travel England (ATE) Inspectors have carried out a design review using our Scheme Review and Design Assistance Tools to check the quality of the active travel scheme below.

Critical issues have been identified. To address the issues, ATE invite you to outline your approach to resolve these. You can do this by completing the relevant sections of this report.

This report should be returned to contact@activetravelengland.gov.uk. You can edit this form using Adobe Reader.

Summary of scheme

Date of design review 27 February 2024

ATF Scheme reference ATE00173

Scheme name Victoria Avenue

Scheme summary

The scheme will provide pedestrian only improvements to Victoria Avenue. The proposals include replacing existing uncontrolled crossings at both the eastern and western extents of the road with signalised pedestrian crossings. Buff tactiles will be added to all side road/uncontrolled crossing points and the existing zebra crossing will be relocated and layout improved. Street lighting will be improved along both footways and a new bus stop will be provided on the northern side of the road.

Highway authority North Yorkshire Council

Region Yorkshire and the Humber

Summary of change control request

Change Control reference

Change control type

- There is a change to the scheme outputs
- Reallocation of funding between schemes within the same fund

Summary of change control request From NYC: “At a meeting with ATE and NYC in May 2023, ATE Officers encouraged NYC to submit a descoped design of the ATF2 Victoria Avenue scheme based on remaining funds. The scheme being assessed comprises pedestrian only

improvements and a future phase, including significant improvements to cycle infrastructure is already designed and awaiting a separate funding route”.

Plans provided by authority See appendix

Design stage Preliminary Design

Date of Investments Programme Board (if relevant)

Summary of change control design review outcomes

Policy check No potential for conflict has been identified

Critical issues Issues identified have been identified

| | | | |
|--------------------------|-----------------|---------------|---------------------|
| Street tool check | Existing score: | Design score: | Tool version |
| See appendix for details | 29% | 51% | 2024 |

| | | | |
|-------------------------------|-----------------|---------------|---------------------|
| Placemaking tool check | Existing score: | Design score: | Tool version |
| | 65% | 75% | 2024 |

Inspector feedback to authority

The scheme extents effectively define the Victoria Avenue/Station Parade and Victora Avenue/A61 junctions out-of-scope and hence these have not been checked or assessed using the JAT check. Protected cycling provision has been deferred until a future unfunded phase, for which drawings have been provided showing protected 1-way cycle tracks etc. The current scheme proposals are compatible with the future deferred scheme. No ATE checks have been carried out for the 'full' scheme.

Traffic data suggests that the proposed unprotected on-carriageway cycling will be mixed with approximately 4000-5000vpd, including the approaches to the complex junctions at either end of Victoria Avenue. Although not identified as safety critical (see comment on junctions being out-of-scope) the proposals for on-carriageway cycling do not meet the guidelines of LTN 1/20 table 4-1, and there is a risk that the scheme will not cater for the full range of cyclists, limiting uptake and accessibility (see LTN1/20 summary principles 1 and 3).

The pedestrian improvements, particularly at the major junctions, represent a significant improvement.

The quoted cost for the scheme appears to be very high for what is being delivered, and a number of itemisations in the cost breakdown should be queried with the authority.

Inspectorate feedback to ATE Investments

See comments above – the scheme has been substantially descoped since the initial funding allocation and now does not include protected cycle facilities for what appears to be a significant route into the town centre. A number of critical safety issues remain as a result of the scheme being of limited scope, with the authority assuring that these will be addressed in a future scheme.

Authority feedback

Please use this field to provide any comments

Critical issues

| | |
|--|---|
| Critical issue | 3 - Lane Widths: Cyclists unprotected in 3.25-3.9m wide nearside lane |
| Metric | 3 - Lane Widths: Cyclists unprotected in 3.25-3.9m wide nearside lane |
| Critical issue reference | ATE00173_SA03_01P |
| Location | Eastern arm traffic lanes at the Victoria Avenue/Station Parade junction |
| Latitude / longitude or other reference point | 53.99092309250286, -1.5374444271129128 |
| ATE Inspectorate comment | Cycles remain on carriageway and lane widths at the junctions at either end appear to fall within the critical width. We note that it is not the scheme intention to address cycling but nevertheless Victoria Av appears to be a signed cycle route. |
| Authority response (Choose one option) | <ul style="list-style-type: none"> • Resolved • Resolution planned • Resolution pending - funding to be identified • No planned action |
| Authority comment | |
| Provide evidence to support this response | |

| | | | |
|--|--|--------------------------------------|--|
| Status (ATE use only) | | Date agreed (ATE use only) | |
| ATE Inspectorate comment | | | |
| Critical issue | 6B - Provision of Crossings: on quieter streets (<8,000vpd), desire lines are blocked by parking/loading | | |
| Metric | 6B - Provision of Crossings: on quieter streets (<8,000vpd), desire lines are blocked by parking/loading | | |
| Critical issue reference | ATE00173_SA06_01P | | |
| Location | General comment for Victoria Avenue | | |
| Latitude / longitude or other reference point | 53.99052689964395, -1.53991756154678 | | |
| ATE Inspectorate comment | The parking in the central reserve creates general pedestrian desire lines to access vehicles that in many cases can be blocked by kerbside parking | | |
| Authority response (Choose one option) | <ul style="list-style-type: none"> • Resolved • Resolution planned • Resolution pending - funding to be identified • No planned action | | |

| | | |
|--|---|-----------------------------------|
| Authority comment | | |
| Provide evidence to support this response | | |
| Status (ATE use only) | | Date agreed (ATE use only) |
| ATE Inspectorate comment | | |
| Critical issue | 14 - Cycling Surface and Maintenance Defects: Major defects (provide further information in "commentary and feedback") | |
| Metric | 14 - Cycling Surface and Maintenance Defects: Major defects (provide further information in "commentary and feedback") | |
| Critical issue reference | ATE00173_SA14_01P | |
| Location | General comment for Victoria Avenue | |
| Latitude / longitude or other reference point | 53.99052689964395, -1.53991756154678 | |
| ATE Inspectorate comment | At times when parking is light, cycles will likely use the kerbside parking areas. The raised metal dome 'space indicators' are non-cycle friendly. | |

| | | |
|--|--|--|
| Authority response (Choose one option) | <ul style="list-style-type: none"> • Resolved • Resolution planned. • Resolution pending - funding to be identified. • No planned action | |
| Authority comment Provide evidence to support this response | | |
| Status (ATE use only) | | Date agreed. (ATE use only) |
| ATE Inspectorate comment | | |



West Offices (City of York Council)
Station Rise
York
YO1 6GA

Email: contact@activetravelengland.gov.uk

7 June 2024

Dear Louise,

Thank you for your change control request, submitted on behalf of North Yorkshire Council (NCC) on 13 March 2024. Following review by Active Travel England (ATE), I can confirm that your request CCF-2192 has been approved, as follows:

- i. To remove the following three ATF2 schemes:
 - Oatlands Drive (scheme reference ATE01661)
 - Guisborough Road, Whitby (scheme reference ATE01664)
 - A59 Maple Close (scheme reference ATE00172)
- ii. To reallocate £623,094 from these three schemes to ATF2 scheme 'Victoria Viaduct' (scheme reference ATE00173), and to extend the construction completion date by thirty-one months, from March 2021 to October 2024.

In reviewing the scheme designs ATE's Inspectorate identified four critical issues. Attached is the design review report, which sets out the policy conflicts and critical issues in more detail. We hope NCC's meeting on 21 May 2024 with ATE and its Director of Inspections helped to identify further options within the change control scope that NCC could examine. As outlined in the report, please return information on how you will approach resolving these issues.

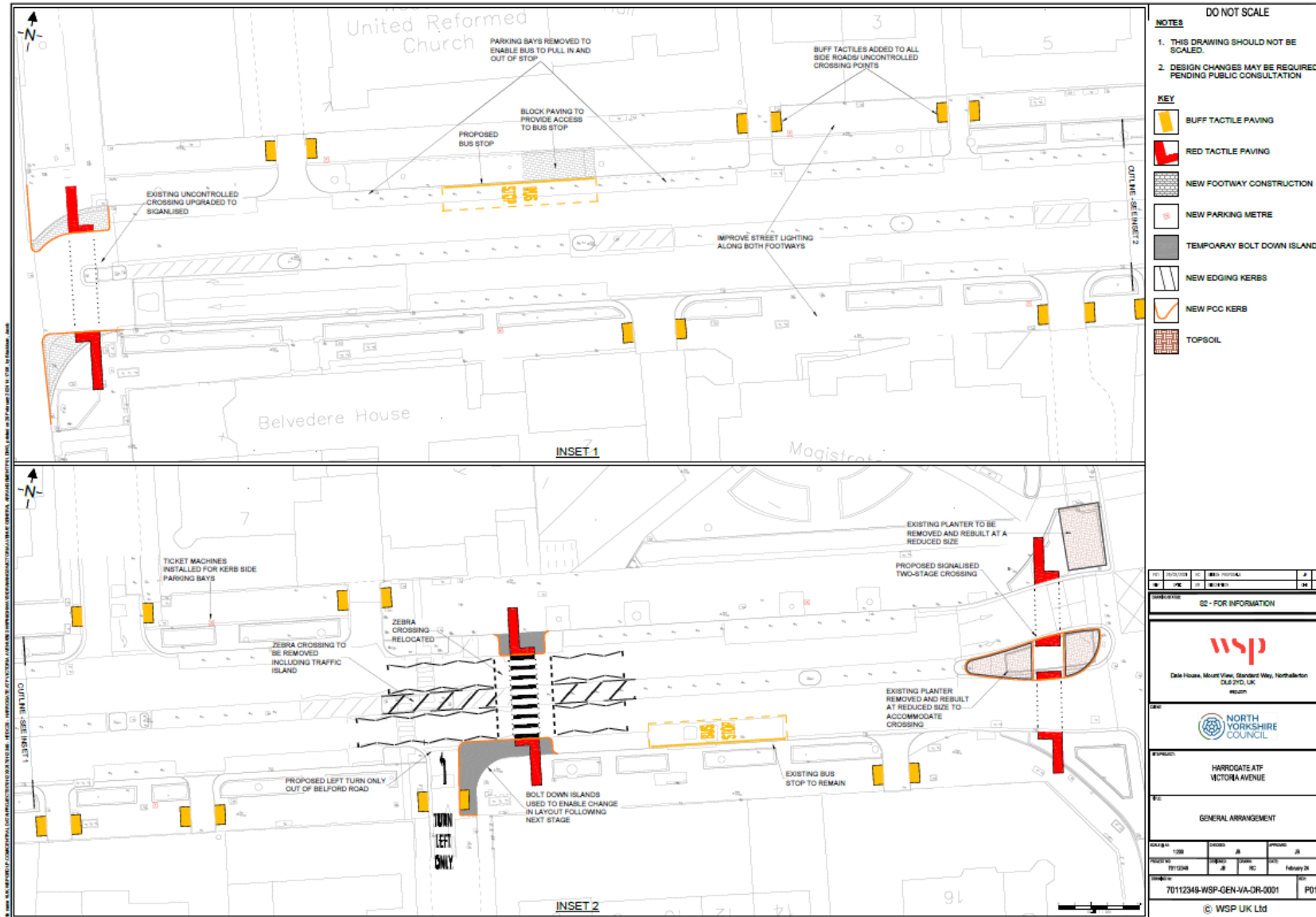
In addition, due to the high scheme costs, please actively identify opportunities to lower the cost of the scheme and explore opportunities to improve connectivity to the latest station gateway proposals to maximise uplift potential.

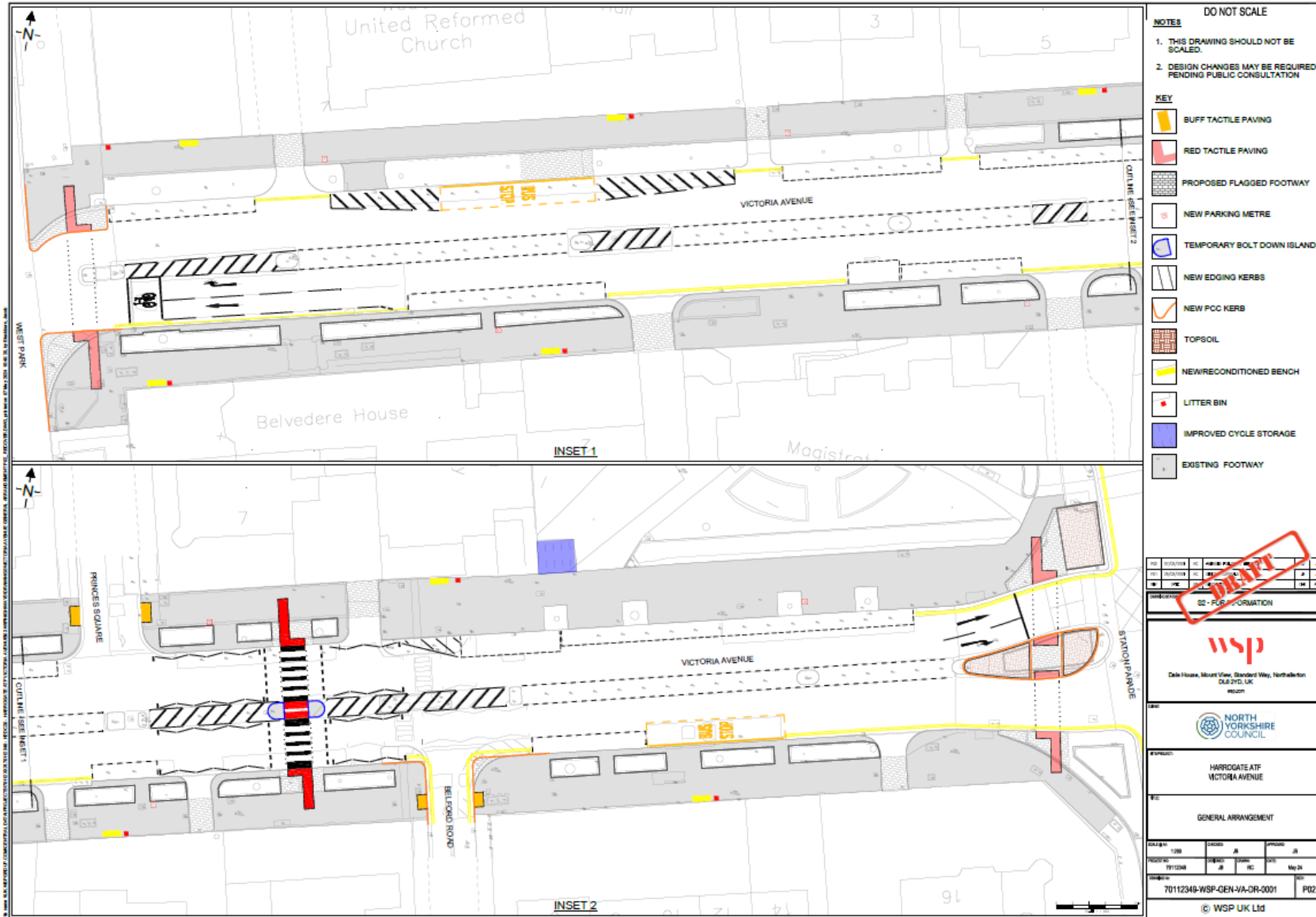
This approval is subject to providing the additional information on design and scheme cost outlined above. Please provide a response to the above within one month of the receipt of this outcome letter. Your response can be returned to contact@activetravelengland.gov.uk.

In confirming approval of your change control request this letter can be considered an amendment to your grant agreement letter ref 31/5245 31/5246, dated 20 November 2020, for the four schemes listed in this letter. All other terms of agreement as set out in your grant agreement letter remain unaffected.

Yours sincerely,

Clare Davies
Head of Infrastructure Sponsorship
Active Travel England





Summary of consultation responses

| Comment #/Ref | Victoria Avenue Supports | Victoria Avenue Opposes | Victoria Avenue Neutral | HDCA Response/Modified | Supports modifications to junction with Beech Grove | Supports banned RT from Belford Street | Supports additional bus stop | Supports Improved street lighting | Supports improved pedestrian crossings | Concerned about Beech Grove/Vic-Ave movement | Agrees with altering planters | Disappointed cycle elements removed from scheme | Objects to banned RT Belford Street | Critical of none delivery of cycle schemes | Questions need to signalise crossings | Complaints about potholes/pavements | Waste of money | Money should be spent on potholes/maintenance in | Against use of money on ticket machines | Against use of money for bus stop/bus stop relocation | Against parking loss | Against cycle lanes/pleased excluded | Wants to be able to go straight on from Beech Grove | Wants modal filters on beech grove reinstated | Against/questions relocation of zebra crossing | Questions covered bike parking at the library | Other improvements suggested | |
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OFFICIAL

Victoria Avenue Pedestrian Upgrades

Sample Responses to Victoria Avenue Pedestrian Upgrades consultation

SAMPLE RESPONSE 1 (HDCA Suggested Response)

Dear Area 6,

I do not support the council's proposals for Victoria Avenue.

The ATF2 funding was won for four ambitious cycling schemes. North Yorkshire now plans to deliver none of them, which is unacceptable.

There is an urgent need to improve cycle facilities so that everyone from 8 to 80 years old feels safe cycling into town. North Yorkshire should deliver its original promise of dedicated cycle tracks on Victoria Avenue – supplementing the ATF2 money with its own transport funds if necessary.

Beech Grove also need to be made safe for cycling, either by reinstating the modal filters or with another high-quality cycle scheme to make it genuinely safe. 20mph on its own will not work.

Drivers should be prevented from making illegal movements from Beech Grove to Victoria Avenue, and I support a modification of the Beech Grove/West Park/Victoria Avenue junction to achieve this.

Overall the council's plans for Victoria Avenue are of marginal benefit at best, and are very unlikely to result in more walking into town.

Spending cycling money on a bus stop and car parking ticket machines is wrong.

SAMPLE RESPONSE 2

Dear Area 6,

I do support the council's proposals for Victoria Avenue.

The ATF2 funding was won for four pointless cycling schemes. North Yorkshire now plans to deliver none of them, which is acceptable.

There is no need to improve cycle facilities so that everyone from 8 to 80 years old feels safe cycling into town. North Yorkshire don't need to deliver its original suggestion of dedicated cycle tracks on Victoria Avenue – supplementing the ATF2 money with its own transport funds if necessary.

Beech Grove also doesn't need to be made safe for cycling, it already is for the single annual cyclist who uses it.

Drivers shouldn't be prevented from making movements from Beech Grove to Victoria Avenue, and I do not support a modification of the Beech Grove/West Park/Victoria Avenue junction to achieve this.

Overall the council's plans for Victoria Avenue are of great benefit, and are likely to result in more walking into town.

Keep spending cycling money on a bus stop and car parking ticket machines. I have never seen a cyclist on Victoria avenue or Beech grove and don't wish to.

A concerned walker and actual Harrogate resident.

SAMPLE RESPONSE 3

Thank you for your work on the configuration and plans for the Harrogate area. I am e-mailing to express my disappointment of the lack of safe cycling lanes within this proposal. I cycle to work at the hospital and a GP surgery daily and am frequently nearly run off the road by drivers that disregard rules designed to protect cyclists. I used to feel safer when Beech Grove was blocked for cycling and regularly use the "cycling lights", both at Victoria Avenue and also behind Waitrose.

As a doctor I chose to cycle for health and environmental reasons but am often left wondering why as there are very few safe cycle routes in Harrogate, very few dedicated cycle lanes (which often only extend a short distance) and lots of drivers who feel that it is their right to get annoyed and scare cyclists. I do use pavements and ginnels (getting off and walking) for my own safety but appreciate that pedestrians have priority and do not want me to do this but I feel there is no safe option.

I am disappointed that for every development it always seems to be the cycling lanes that get revoked as with Victoria Avenue.

My brother recently visited Harrogate and was surprised that we had ever hosted cycling events describing it as the least cycling friendly town he had visited.

Please can the council consider keeping cycle lanes to enable people an alternative to driving in this and future proposals?

SAMPLE RESPONSE 4

I write with regard to the above proposal. I object most strongly to the proposed left turn only from Belford Road onto Victoria Avenue.

As a resident of Robert Street for over 30 years the traffic flow has changed dramatically during this time. The last few years have been difficult for residents to turn right onto Station parade from Robert Street. A drivers view of oncoming traffic is severely restricted often due parking of large vehicles as the parking bays are way too close to the Robert Street turning. Constantly disabled badge holders, attending church, park on the yellow lines at the junction, making it impossible to see any oncoming traffic. Waitrose delivery wagons effectively block the whole street, reversing down Robert Street and across Station Parade. Right turners from Station Parade into Robert Street often cut across onto left side of the road, I've personally encountered many near head on collisions. Therefore the safest route is down the snicket from Robert Street to Belford Road and exit right onto Victoria Avenue and join Station Parade via that route. However I would also point out that the right turn only from the snicket into Belford Road is constantly disregarded, daily, never policed. It is an unreasonable and unrealistic expectation that the left turn into Victoria Avenue would be obeyed. School drop offs already create havoc, left turn only would be and will be disregarded.

I believe the proposal is ill thought out and will cause more problems than already exist.

SAMPLE RESPONSE 5

Comments from Harrogate Group of the Ramblers

We support the pedestrian crossing proposals at the junction of Victoria Avenue and Station Parade, and Junction of Victoria Avenue and West Park.

See our recent letter to the Harrogate Advertiser: we support the provision of pedestrian crossings at the junction of Slingsby Walk and Wetherby Road, and Slingsby Walk and Oatlands Drive (both of these crossings are on our recently published "Four Local Walks in Urban Harrogate and The Harrogate Urban Circle Walk"), across Otley Road at the junction with Beech Grove, and at the bottom of Briggate, Knaresborough at the junction with Abbey Road. The latter two are crossing places frequently used by pedestrians.

SAMPLE RESPONSE 6

- i. I am pleased that the cycle lanes have been postponed/cancelled. It's an attractive street with lovely trees. Don't ruin it as the Otley Road has been.
- ii. Why another bus stop? Buses only travel down towards West Park Stray. There is already a bus stop one third of the way down the road on the left.
- iii. Making the exit from Belford Road left only will cause major detours for cars wishing to travel towards eg Knaresborough or Wetherby and force extra traffic to use West Park Stray, Parliament Street or James Street. There is a school on Belford Road and many parents could be inconvenienced.
- iv. There are already traffic lights for pedestrians to use at the junction of Victoria Road and Station Parade. Why are more needed?
- v. 5. Steps to prevent cars driving across West Park Stray illegally from Beech Grove into Victoria Road are to be welcomed.

SAMPLE RESPONSE 7

Thanks for the opportunity to comment on the proposed scheme.

It is disappointing the budget constraints do not allow for cycle lane provision. I hope this will be pursued and funded in the future.

Improving pedestrian and public space is a good thing but any changes to traffic flow must take in the surrounding area and not be taken in isolation. These are subject to separate consultation.

The provision of pedestrianised crossings that help people cross safely without having to rely on walking between stationary cars at traffic lights is good. However a major element of the scheme to introduce a left turn only from Belford road is a mistake. Car drivers, and many will be parents from St Peter's school, will only resort to making a u turn further along the road, as already happens and/or increasing the volume of traffic and risk to pedestrians. People already cutting along Robert Street and down the alley make illegal left turns ignoring the signs. I waited yesterday in my car on Belford road for a large truck to reverse back up Belford road on a one way street after dropping linen off at travel lodge, as they were too large to make the Belford road turn. My point here is to demonstrate that despite traffic signage, and one way systems, it is frequently ignored.

Moving the pedestrian crossing further down Victoria avenue is a solution, esp if there is a pedestrian crossing at the junction with station parade. More choice for pedestrians and visibility would also be better.

The other major left turn only issue is the Beech Grove to west park turn. Again frequently ignored and drivers drive across to Victoria Avenue and pedestrians are not expecting traffic to come from that direction.

The remaining elements including better lighting and paving are sensible and needed.

I look forward to hearing about the outcome of this consultation.

SAMPLE RESPONSE 8

My observations on one aspect of your Victoria Avenue proposal – the pedestrian crossing opposite the library.

I believe that it is currently on the correct side of Belfield Road, mostly for safety reasons.

Firstly, at certain times of the day, there is a huge amount of pedestrian traffic – parents and small children – going to, and later from, the primary school. The pedestrian crossing is currently on the same side of Belfield Road as the primary school; moving the crossing as in your proposal would mean that they would all have to cross Belfield Road with the added risks involved in doing that and doing it without the benefit of a crossing.

Secondly, there are many parents who drop off and collect their children in cars. You propose that they can no longer turn right. How do you recommend that they reach their destinations? Turning left gives only two options. One is to take a hugely circuitous time-consuming route, whilst adding to traffic congestion in Harrogate centre. The second is to do

a U-turn further down Victoria Avenue and I suspect that will prove to be the most popular choice.

I recommend that you keep the crossing in its current location.

SAMPLE RESPONSE 9

Congratulations on a sensible solution which strikes the correct balance for pedestrians, cyclists and motorists.

SAMPLE RESPONSE 10

My complaint is regarding the council's proposed plan for Victoria Avenue and its proposal to divert funds awarded for dedicated cycle tracks and safe cycling into other projects. Four ambitious initiatives were submitted for the total award to make Harrogate a more cycle-friendly city. None have been delivered.

This is wrong on three levels

One - it is misappropriation of funds, fictitious project fraud even. Spending money awarded for cycling but never initiating is wrong but spending it on a bus stop and car parking ticket machines is taking this a step further.

Two, it would appear cycling has a lower priority even than parking.

Three, it will scupper any chance of future investment in a healthy cycle culture, eroding the trust of public funds. Removing ambition, culture and street scape design.

If the aim of the town is to show other towns how progressive the council is then this proposal does nothing to promote life on two wheels. It's given priority to driving over pedalling.

The bicycle continues to shine as the most efficient, practical, green and reliable solution to urban mobility. Many cities and towns are taking note, building infrastructure and expanding facilities to accommodate the bicycle as an everyday mode of transportation while improving urban liveability.

Overall I am asking the council to amend its proposal and honour its duty to invest the funds for the purpose they were awarded and deliver on its promises

I look forward to your response and actions.



| | |
|-----------|---|
| Name | North Yorkshire County Council |
| Address 1 | Customer Service Centre |
| Address 2 | County Hall |
| Address 3 | Northallerton |
| POST TOWN | North Yorkshire |
| POSTCODE | DL7 8AD |
| | Tel: 0300 131 2 131 |
| | Web: www.northyorks.gov.uk |
| | Contact: Area 6 Highways Office |
| | Date: 10 th April 2024 |

Dear Resident/Occupier,

CONSULTATION: ACTIVE TRAVEL FUND 2, VICTORIA AVENUE PEDESTRIAN IMPROVEMENT SCHEME PROPOSALS

As you may already be aware, North Yorkshire Council was awarded funding to deliver a scheme on Victoria Avenue through Active Travel England ATF2 in November 2020. Since then, design development work has been ongoing and we are now pleased to be able to seek your views on this proposed scheme. Please see attached draft plan 70112349-WSP-GEN-VA-DR-000 showing the current proposals.

Unfortunately budgetary constraints mean that the previously envisaged cycle lanes cannot be included within this initial phase of this Victoria Avenue scheme. Following advice from Active Travel England, we have therefore concentrated on improvements for pedestrians and improvements to the public realm. The works are summarised below:

- Signalisation of the pedestrian crossing at the junction Victoria Avenue and Station Parade to add a pedestrian phase,
- upgrade of existing uncontrolled crossing at the junction of Victoria Avenue and West Park to a signalised pedestrian crossing
- addition of tactile paving across all side roads,
- a new bus stop located outside the United Reformed Church and associated paving upgrades
- relocation of the existing staggered zebra crossing and introduction of an in-line Zebra crossing (subject to TRO consultation)
- removal of parking bays where required to facilitate access to a proposed bus stop (subject to a separate Traffic Regulation Order Consultation)
- "Left Turn Only" proposed from Belford Road (subject to a separate Traffic Regulation Order Consultation)
- Improvements to existing paving and benches
- Improved decorative street and footway lighting
- New ticket machines for kerb side parking bays
- Layout improvements to help prevent vehicles from making the illegal straight ahead movement from Beech Grove to Victoria Avenue

The works proposed support North Yorkshire Councils desire and vision to increase Active Travel in and around Harrogate Town Centre by proposing a number of measures to increase pedestrian safety as well as improved bus provision.

Whilst unfortunately it is not possible to include the desired cycle lanes within this proposed scheme, the proposed works will not prevent the installation of the cycle lanes in the future, and this will be the ambition within a future funding bid. North Yorkshire Council is committed to delivering a cycle scheme on Victoria Avenue.

Subject to a successful consultation and detailed design exercise, it is hoped that this initial phase of works will be delivered in Autumn 2024.

Please send your comments through to Area6.Boroughbridge@northyorks.gov.uk using 'Victoria Avenue ATF 2 Consultation' in the title of your email or letter. Postal comments are to be sent to:

NYC Highways
Area 6 Boroughbridge Office
Stump Cross
Boroughbridge
YO51 9HU

This consultation will run from 15 April to 5 May 2024. There will be an engagement session located at the below location from 5-7pm on the evening of Tuesday 23 April where we would invite you to find out more about the scheme. NYC officers will be in attendance as well as representatives from the design team.

Stray Room
St Luke's Mount,
Harrogate
HG1 2AE

Yours Faithfully,

Area 6 Highways Team

| | |
|---|--|
| Initial equality impact assessment screening form This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate. | |
| Directorate | Environment |
| Service area | Highways & Transportation |
| Proposal being screened | Victoria Avenue ATF 2 – Detailed design of Pedestrian only scheme and Feasibility design of central bi-directional cycleway scheme |
| Officer(s) carrying out screening | Jasmin Gibson Improvement Project Delivery Manager |
| What are you proposing to do? | Produce detailed design for Pedestrian Only scheme for on-site delivery as soon as practicable, subject to statutory TRO consultation process. Produce feasibility design for central bi-directional cycle lane. |
| Why are you proposing this? What are the desired outcomes? | Pedestrian only improvement scheme can be delivered within funding already allocated and awarded through Active Travel England ATF 2 funding stream. The scheme significantly improves provisions for pedestrians with ancillary benefits for placemaking, as well as improving defective surfacing. Feasibility study would provide dedicated cycleways along the centre of Victoria Avenue improving the provision for these users and removing potential conflicts between cyclists, pedestrians and vehicular users. If the feasibility study showed that this scheme was deliverable then it would be developed to a prelim design (bid ready) status, additional external funding would be required for delivery or an allocation from the Local Transport Fund. |
| Does the proposal involve a significant commitment or removal of resources? Please give details. | Yes delivery of the pedestrian improvement scheme will require expenditure of the ATF 2 funds already awarded. Development of the feasibility design for the cycleway requires £10,000 allocation from Active Travel England capability funding. |
| Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.</p> | |

| Protected characteristic | Potential for adverse impact | | Don't know/No info available |
|--|---|----|------------------------------|
| | Yes | No | |
| Age | | ✓ | |
| Disability | | ✓ | |
| Sex | | ✓ | |
| Race | | ✓ | |
| Sexual orientation | | ✓ | |
| Gender reassignment | | ✓ | |
| Religion or belief | | ✓ | |
| Pregnancy or maternity | | ✓ | |
| Marriage or civil partnership | | ✓ | |
| People in rural areas | | ✓ | |
| People on a low income | | ✓ | |
| Carer (unpaid family or friend) | | ✓ | |
| Are from the Armed Forces Community | | ✓ | |
| Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details. | N/a | | |
| Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion. | N/a | | |
| Decision (Please tick one option) | EIA not relevant or proportionate: | ✓ | Continue to full EIA: |
| Reason for decision | No adverse impact on any with protected characteristics will arise from producing a detailed design for delivery of the pedestrian scheme or the future potential cycleway scheme. Addition of improved crossing points/tactile paving and surfacing improvements will represent improvements for those with vision or mobility issues. | | |
| Signed (Assistant Director or equivalent) | Barrie Mason | | |
| Date | 04/07/24 | | |

Initial Climate Change Impact Assessment (Form created August 2021)

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

| | |
|---|--|
| Title of proposal | Victoria Avenue ATF 2 – Phase 1- Pedestrian Improvement Scheme Delivery and Phase 2- Design of the Cycle Phase |
| Brief description of proposal | Produce detailed design for Pedestrian Only scheme for on-site delivery as soon as practicable, subject to statutory TRO consultation process. Produce feasibility design for central bi-directional cycle lane. |
| Directorate | Environment |
| Service area | Highways and Transportation |
| Lead officer | Jasmin Gibson |
| Names and roles of other people involved in carrying out the impact assessment | N/a |

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

Remember to think about the following;

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

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

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

| | | | | |
|--|--|---|------------------------|--|
| Decision (Please tick one option) | Full CCIA not relevant or proportionate: | Y | Continue to full CCIA: | |
| Reason for decision | <p>Current proposal is to produce a detailed design for the pedestrian only scheme for delivery on site as soon as practicable however this is contingent on a successful TRO statutory process. There will need to be a future report/decision following the TRO process and to authorise procurement of civil engineering contractors. At this point a CCIA will be required. The design for the pedestrian scheme may also be impacted by the feasibility study for the central cycleway scheme.</p> <p>revise existing designs and does not focus on scheme delivery – in the future phase a full CCIA would be undertaken but this is not considered necessary or appropriate at this time.</p> | | | |
| Signed (Assistant Director or equivalent) | Barrie Mason | | | |
| Date | 04/07/2024 | | | |

North Yorkshire Council

Environment Executive Members

12 July 2024

Bikeability Scheme 2025-26

Report of the Assistant Director, Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 To seek approval from the Corporate Director of Environment, in consultation with the Executive Member for Highways and Transportation for the introduction of a new Bikeability Scheme delivery model for 2025-26.

2.0 SUMMARY

- 2.1 To provide information on the 2025-26 Bikeability Scheme and future funding considerations.
- 2.2 To seek approval for North Yorkshire Council to introduce a new delivery model in 2025-26.

3.0 BACKGROUND

- 3.1 The Bikeability cycle training forms part of the North Yorkshire Road Safety Curriculum to promote appropriate road user education and training at key stages in every child's education.
- 3.2 The Scheme has continuously provided a cycle training programme to North Yorkshire school children since 2011. It employs seven fixed term, part time staff and approximately 40 casual relief cycle trainers.
- 3.3 Since inception, the grant offered by the Department for Transport and latterly Active Travel England, has not fully covered delivery costs and has been supported financially by NYC contributions.
- 3.4 In March 2020, the Business and Environmental Services (BES) Executive Member, in consultation with Corporate Director and the Corporate Director Strategic Resources agreed to recover a proportion of the delivery costs by introducing a charge of £10 per student not in receipt of free school meals, with the intention of generating cost recovery of £30,000.
- 3.5 At the BES Executive Members meeting on 27 March 2023 it was agreed to increase the fee to £18 per student. The increase was necessary to meet inflation costs and was the first increase for three years.
- 3.6 At the Environment Executive Members meeting on 18 December 2023, the Executive Member for Highways and Transportation, in consultation Corporate Director of Environment, Corporate, Director Resources and the Assistant Chief Executive (Legal and Democratic Services) authorised the Corporate Director Resources to accept the 2024/25 grant of £256,100 for 5100 places and approved the existing delivery model. The amount of grant available is based on the number of places delivered and therefore if less places are delivered, the amount of grant available reduces.

3.7 Total delivery costs for the current year, with the current delivery model, if all places are delivered, will be £382,444 and is funded as follows: -

Current Model

Delivery Costs 5100 Places - £382,444

Funded by

- Grant - £256,100
- Cost Recovery from Schools - £75,276
- Additional Council Contribution - £51,068
- **Total - £382,444**

Currently the Council contribution is funded from the Civil Parking Enforcement (CPE) Miscellaneous Small Projects budget.

3.8 Due to a number of reasons summarised below, delivery this year is unlikely to reach target delivery numbers.

- Schools wish to use the sport premium of activities that benefit the whole school.
- Bikeability is a lower priority than in previous years.
- Fewer children have bikes or who wish to take part.
- School declining the offer due to the fees.
- The casual contracts of the staff resource.

3.9 If all places are not delivered, higher costs will be incurred. This is due to fixed salary costs of the team organising and delivering the courses, i.e., the costs of the seven assistants are the same irrespective of the number of places delivered. If, for example, a likely total of 3500 places are delivered, costs would be as show below: -

Current Model

Delivery costs 3500 Places - £314,398

Funded by:

- Grant - £175,000
- Cost Recovery from schools - £51,660
- Additional Council Contribution - £87,738 – an increase of £36,670 compared to all places being delivered
- **Total - £314,398**

4.0 FUTURE FUNDING AND DELIVERY OPTIONS

4.1 In April 2024 the Bikeability Trust implemented changes to the core delivery model. The minimum hours required to deliver a course has been reduced. Subsequently, as the course hours will reduce, instructor costs can be reduced.

4.2 A revised delivery model, based on the new core delivery model from the Bikeability Trust, delivering 5100 places would be costed as follows: -

Revised Model

Delivery costs 5100 places - £339,569

Funded by:

- Grant - £256,100
- Cost Recovery - £75,276
- Additional Council Contribution - £8,193
- **Total - £339,569**

4.3 However, if 3500 places are delivered (considered to be more likely), costs with the new core delivery model from Bikeability Trust would be indicative as below: -

| | |
|-----------------------------------|------------|
| Revised Model | |
| Delivery costs 3500 Places | - £289,228 |
| Funded by | |
| • Grant | - £175,000 |
| • Cost Recovery | - £51,660 |
| • Additional Council Contribution | - £62,568 |
| Total - £289,228 | |

As in 3.9, this is due to fixed salary costs of the team organising and delivering the courses, i.e., the costs of the seven assistants are the same irrespective of number of places delivered.

4.4 Table 1 below summarises the current and revised costs using the revised core model from the Bikeability Trust.

Table 1 Summary of current and revised costs

| Costs £ | current model | current model | revised model | revised model |
|---------------------|----------------|----------------|---------------|----------------|
| 2025-26 | 5100 places | 3500 places | 5100 places | 3500 places |
| Total Delivery Cost | £382,444 | £314,398 | £339,569 | £289,228 |
| Grant Income | £256,100 | £175,000 | £256,100 | £175,000 |
| Cost Recovery | £75,276 | £51,660 | £75,276 | £51,660 |
| NYC contribution | £51,068 | £87,738 | £8,193 | £62,568 |

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

5.1 The scheme contributes to the Council plan priorities as follows: -

- i. Place and Environment - Promote and encourage active travel including walking and cycling.
- ii. Health and Well Being -Support a more active environment that makes it easier to move more and which prioritises opportunities for safe play, walking and cycling.
- iii. People - Improve road safety in order to prevent injury, disability and death caused by road collisions.

6.0 OPTIONS CONSIDERED

6.1 As in previous years, given the requirement for a council funding contribution, a range of delivery options have been explored, from ceasing delivery, to increasing fees, to outsourcing delivery, as outlined below.

6.1.1 Option 1. Continue delivery using revised core model with cost recovery (school fees).

The NYC contribution is currently funded from the CPE Miscellaneous Small Projects budget. Current pressure on this budget indicates that funding from this source is not secure or sustainable.

Depending on the number of places delivered, this model would require contributions of up to £75,000 from schools and up to £62,568 from Council funds, assuming the grant remains at the current level.

6.2.2 Option 2. Continue delivery using revised core model and charge schools the full cost of shortfall, at £33.00 per head (based on 3500 places delivered).

This fee would be charged for all pupils. If those in receipt of free school meals were not charged, the cost recovery would increase to £39.80 per fee paying pupil. However, many schools have cited costs as the main reason for not booking courses over the last three years and indicate that further increases would make the scheme cost prohibitive. This option would allow the scheme to continue without requiring funding from NYC.

6.2.3 Option 3. Cease Delivery

Bikeability provides important life skills to young roads users and embeds an active travel culture into the next generation of road users. Cessation of delivery would be detrimental to the safety of young people in North Yorkshire.

This option would mean no additional contribution required from NYC or pupils but would mean the grant would not be utilised.

6.2.4 Option 4. Outsource Delivery

The option to outsource delivery was explored through a market engagement (Request For Information) exercise in March 2024. The exercise indicated that there is market interest in tendering for a contract. Potential providers have also indicated that the service could be delivered within the grant available without the need to charge schools to recover additional costs.

This option would reduce the Council support to officer time managing the contract and administering the grants with no additional funding required.

Indicative implementation dates are outlined below.

- Invitation to Tender Published - September 2024
- Contract Award - December 2024
- Contract Mobilisation - January- March 2025
- Contract Start Date - April 2025

In the event that this option is taken forward, a full staff consultation would take place.

Summary of options outlined in table 2 below.

Table 2 Summary of future service delivery options

| Option | Service Model | NYC Cost 2025/26 | Remarks |
|--------|--|-------------------------------------|--|
| 1 | Deliver current model and charge £18 per pupil cost recovery | Up to circa £62,500 | -Not financially sustainable. |
| 2 | Deliver revised model and charge schools the full cost of shortfall. | £ Nil – officer time | Reduction in demand. -indications that fee increases will make service cost prohibitive |
| 3 | Cease delivery | £ Nil | -Loss of life skill -Job losses - Unable to utilise grant opportunity |
| 4 | Outsource delivery | £ Nil Officer time to administer | -Continued service delivery. -TUPE may apply. - Grant utilised |

6.3 Risks and issues of procurement option

6.3.1 Table 3 summarising risks of the procurement option

| Risk | Mitigation |
|---|--|
| Staff currently involved in the delivery of the service may be subject to TUPE to the supplier | HR Business Partner already engaged and staff initially informed. TUPE process will be followed and incorporated into procurement timeline where necessary. |
| No tender responses received | Where no responses are received, in-house delivery would need to continue until further options are discussed. |
| Annual grant funding discourages tenderers | Due to the programme being funded annually, no commitment can be given for future 12-month periods until funding is again confirmed. This funding uncertainty may discourage tenderers. However, the Council can take reassurance from the fact that other councils in England have successfully been able to procure an external supplier on the same basis of 12-month contracts with 12-month extensions. |
| Service involves children and exposure to risk of physical injury. Were an incident to occur after the service had been outsourced there could be a significant reputational and political impact | Contract stipulation that provider complies with council and other policies and procedures such as:- <ul style="list-style-type: none"> • Risk Assessments • Parental/Carer consent • Health and Safety Policy • Emergency Procedures • Incident Report Form • Instructors' Code of Practice • Internal quality assurance checks and procedures |

7.0 RECOMMENDATION

7.1 The Corporate Director for Environment approves the process outlined in option 4, to introduce an outsourced delivery solution for the delivery of Bikeability for the 2025/26 financial year.

8.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

8.1 The recommend option would ensure the delivery of Bikeability training for school children within the grant available, without requiring cost recovery from schools.

9.0 FINANCIAL IMPLICATIONS

9.1 The financial implications are set out in the body of the report. If the current delivery model was to continue, this would result in additional costs to the Council of up to £62k in 25/26 to deliver the scheme in addition to the grant available. If the recommended option of an outsourced model is taken forward, there would be potentially reduced costs for the Council although staff time would still be required for the administration of the grant and the successful contractor.

9.2 If the procurement does not result in a contract award, a further review of current funding between the Council and schools would be required in order to inform a decision on the scheme for 25/26 and a further report would be brought forward.

10.0 LEGAL IMPLICATIONS

10.1 Should the decision be made to outsource delivery, any contract entered into with a supplier will be prepared by Legal Services.

11.0 EQUALITIES IMPLICATIONS

11.1 There are no significant negative equalities implications arising from this proposal, however it is expected that removing the cost recovery burden from schools will encourage participation and therefore have a positive impact for all pupils, see Appendix A.

12.0 CLIMATE CHANGE IMPLICATIONS

12.1 There are no significant climate change implications arising from this report, see Appendix B.

13.0 REASONS FOR RECOMMENDATIONS

13.1 The recommend option would continue delivery of the service within the grant available, without the need for council contributions or cost recovery via school charges.

14.0 RECOMMENDATION

14.1 That the Corporate Director of Environment, in consultation with the Executive Member for Highways and Transportation approves the process to introduce an outsourced delivery solution for Bikeability training for the 2025/26 financial year.

APPENDICES

Appendix A - Equalities Impact Assessment Screening Form

Appendix B – Climate Change Impact Assessment

BACKGROUND DOCUMENTS: None

Barrie Mason

Assistant Director Highways & Transportation, Parking Services, Street Scene, Parks & Grounds

County Hall

Northallerton

26 June 2024

Report Author – Barrie Mason, Assistant Director - Highways & Transportation

Presenter of Report – Fiona Ancell, Team Leader Road Safety & Active Travel

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

| | |
|---|---|
| Name of Directorate and Service Area | Business and Environment Services, Highways & Transportation, Road Safety |
| Lead Officer and contact details | Fiona Ancell. Team Leader, Road Safety Team |
| Names and roles of other people involved in carrying out the EIA | Simon Moss, Senior Strategy and Performance Officer. |
| How will you pay due regard? e.g. working group, individual officer | Individual Officers using service data. |
| When did the due regard process start? | 3 June 2024 |

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)
 Bikeability training forms part of the North Yorkshire Road Safety Curriculum developed by the Road Safety and Travel Awareness (RS&TA) Team together with Children and Young People's Services (CYPS) to promote appropriate road user education and training at key stages in every child's education.

Proposal is to change delivery model from in house to contracted provision. This will reduce council and school expenditure.

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

1. The grant does not cover full cost of delivery
2. The aim is to continue delivery of the service by contracting the provision to an external provider, who will deliver the service at a cost no greater than the grant available.

Section 3. What will change? What will be different for customers and/or staff?
 Bikeability delivery will to be provided by an external provider instead of Council staff. This will reduce the cost to NYC to officer time monitoring the contract.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)
 None.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?
 The recommendation will reduce council expenditure by up to £62500 per annum.

| Section 6. How will this proposal affect people with protected characteristics? | No impact | Make things better | Make things worse | Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc. |
|--|------------------|---------------------------|--------------------------|--|
| Age | x | | | |
| Disability | X | | | The training is offered to all Year 6 pupils, regardless of any of these characteristics. |
| Sex (Gender) | X | | | |
| Race | X | | | |
| Gender reassignment | X | | | |
| Sexual orientation | X | | | |
| Religion or belief | X | | | |
| Pregnancy or maternity | X | | | |
| Marriage or civil partnership | X | | | |

| Section 7. How will this proposal affect people who... | No impact | Make things better | Make things worse | Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc. |
|---|------------------|---------------------------|--------------------------|--|
| live in a urban area? | x | | | |
| live in a rural area? | x | | | |
| have a low income? | | x | | No charge to schools or parents may increase take up by lower income families |

| Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc. |
|---|
| No |

| | |
|--|----------------------------------|
| <p>Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</p> | <p>Tick option chosen</p> |
| <p>1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.</p> | <p>X</p> |
| <p>2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.</p> | |
| <p>3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts.</p> | |
| <p>4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.</p> | |
| <p>Explanation of why this option has been chosen. Bikeability is an inclusive service and caters for pupils with a range of skills and abilities and where necessary additional support is available. The recommendation will mean maintaining current level of provision. The recommended option will enable the Council to continue to fulfil its statutory duty under Section 39 of the Road Traffic Act 1988 to prepare and carry out a programme of measures designed to promote road safety and to carry out studies into accidents on roads within their area, taking such measures as appear to be appropriate to prevent such accidents, including the dissemination of information and advice relating to the use of roads and the giving of practical training to road users.</p> | |

Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

NYC will continue to measure take up and accident rates in accordance with their statutory duty to give road safety information and training (See Section 9 above).

Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

| Action | Lead | By when | Progress | Monitoring arrangements |
|-------------------------------------|--|------------|----------|-------------------------|
| Continue to measure take up rates | Road Safety Team Leader | March 2026 | | |
| Continue to measure accident rates. | Road Safety Team Leader, in association with the Road Safety Partnership | Quarterly | | |

Section 12. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The proposal to provide Bikeability training provision will have a positive impact on the overall cohort of young people.

Section 13. Sign off section

This EIA was completed by:

Name: Fiona Ancell

Job title: Team Leader, Road Safety & Travel Awareness

Directorate: BES

Signature:

Completion date: 10/6/2024

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 27/06/24

Climate change impact assessment

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

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

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

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

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

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

| | |
|---|--|
| Title of proposal | Bikeability Scheme 2023/24 |
| Brief description of proposal | Change delivery model for DfT grant funded Bikeability scheme |
| Directorate | BES |
| Service area | H&T |
| Lead officer | Fiona Ancell |
| Names and roles of other people involved in carrying out the impact assessment | none |
| Date impact assessment started | 10 June 2024 |

Options appraisal

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

Yes. Retain in house model considered. This model requires additional funding form the council and schools which is not sustainable.

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

Proposal will reduce council expenditure by up to £62,500 per annum.

| How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation. | | Positive impact (Place a X in the box below where | No impact (Place a X in the box below where | Negative impact (Place a X in the box below where | Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents | Explain how you plan to mitigate any negative impacts. | Explain how you plan to improve any positive outcomes as far as possible. |
|--|-------------------------------------|--|--|--|--|--|---|
| Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc. | Emissions from travel | x | | | More sustainable travel (cycling) over the coming years as the students become independent travellers. | | Promote positive sustainable travel messages |
| | Emissions from construction | | x | | | | |
| | Emissions from running of buildings | | x | | | | |
| | Other | | x | | | | |
| Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic | | | x | | | | |
| Reduce water consumption | | | x | | | | |
| Minimise pollution (including air, land, water, light and noise) | x | | | | More sustainable travel (cycling) over the coming years as the students become independent travellers. | | Promote positive sustainable travel messages |
| Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers | | | x | | | | |
| Enhance conservation and wildlife | | | x | | | | |
| Safeguard the distinctive characteristics, features and special qualities of North | | | x | | | | |

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

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

None

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.

Proposal will have a positive impact on air pollution and active travel.

Sign off section

This climate change impact assessment was completed by:

| | |
|------------------------|--------------------------|
| Name | Fiona Ancell |
| Job title | Team Leader, Road Safety |
| Service area | H&T |
| Directorate | Environment |
| Signature | |
| Completion date | 10/6/2024 |

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

Date: 27/06/24

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North Yorkshire Council

Environment Executive Members

12 July 2024

Highways Capital Programme 2025-26 – Headline Allocations

Report of the Assistant Director, Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 To seek agreement from the Corporate Director for Environment in consultation with Executive Member for Highways and Transportation, to authorise additions to the Highways Capital Forward Programme for Structural Highway Maintenance identified since the last Highways Capital Programme report dated 25 August 2023.
- 1.2 To update the Corporate Director for Environment and the Executive Member for Highways and Transportation, on current capital funding assumptions for Highway Maintenance in 2025/26.
- 1.3 That the Corporate Director for Environment in consultation with Executive Member for Highways and Transportation:
 - i. Agree the indicative headline structural highways maintenance capital allocations for 2025/26 based on current planning assumptions.
 - ii. Grant approval to carry out the relevant procurement processes for schemes to be delivered in 2025/26.

2.0 SUMMARY

- 2.1 This report provides an update to the Corporate Director Environment and Executive Member for Highways & Transportation on the development and delivery of the Highways Capital Programme.
- 2.2 The report provides a summary of the current funding assumptions for 2025/26 and also outlines the headline funding allocations for 2025/26 which will allow an annual programme to be developed, and for the relevant procurement processes to take place to enable scheme delivery from 01 April 2025.
- 2.3 Schemes that are being added to the Highways Capital Forward Programme (HCFP) are also identified. These are schemes that have been identified for in year delivery since the HCFP was approved on 25 August 2023.

3.0 BACKGROUND

- 3.1 The delivery of the capital works programme is the tangible outcome of the whole of life cycle asset management approach outlined within the North Yorkshire Council's Highways Asset Management Framework.
- 3.2 Specifically the programming and delivery of capital works align with the Highways Infrastructure Asset Management Strategy. As such the objectives of the capital works programme are as follows:
 - Maximise and demonstrate Value for Money (VfM)

- Manage VfM and drive efficiencies over the whole programme term, not just the financial year at hand.
 - Deliver on time and to budget, safely and without incident.
- 3.3 The North Yorkshire Council Highways Capital Programme is made up of four specific elements:
- Street Lighting
 - Bridges and Structures
 - Integrated Transport
 - Structural Highway Maintenance
- 3.4 In Summer 2021 a revised process for managing the highway capital programme was introduced. This process is outlined below.
- 3.5 Phase one, the HCFP. This effectively is a long list of approved schemes that do not yet have a delivery date or year assigned to them. It is important to note that inclusion within the forward programme does not guarantee delivery in a specific financial year.
- 3.6 Phase two, the Highways Capital Annual programme. This is made up of selected schemes from the HCFP up to the value of available funding. This is confirmed in late autumn for schemes to be delivered the following financial year. Schemes not included within the annual programme will remain on the forward programme for inclusion in future year's annual programmes.
- 3.7 Phase three, the Highways Capital Delivery Programme. Once schemes are confirmed for delivery within a financial year as part of the annual programme, the delivery programme is developed. This will be an operational programme with scheme start and finish dates included. Monitoring of in year programme delivery is carried out against the delivery programme.
- 3.8 This process allows us to develop a bank of "on the shelf delivery ready" schemes in advance, allowing for more efficient scheme delivery and the ability to respond more quickly to any changes in funding. It also provides more flexibility and improves forward visibility of future work for North Yorkshire Highways (NYH), allowing them to work more closely and efficiently with their wider supply chain.
- 3.9 A report will be presented to a future meeting of the Corporate Director Environment and Environment Executive Members detailing the schemes to be included within the 2025/26 annual programme. The expectation is that this will be in November 2024.
- 3.10 Typically, we seek to have a level of over programming of around 10% within the Highways Annual capital programme to allow some level of flexibility to take in to account potential scheme delays for example. Continued monitoring of in year programme delivery allows any overspend and underspend issues to be identified, and if required we can either move schemes in or out of the delivery programme for a specific year to ensure that we spend at or slightly above the available budget.

4.0 SCHEMES ADDED TO THE HCFP

- 4.1 It is proposed to add 21 new schemes, with a combined value of £497 to the Highways Capital Forward Programme. As discussed at the Environment Executive Members Meeting on 25 August 2023, entry on to the forward programme does not guarantee delivery in a specific year. It does however approve the proposed scheme for future delivery.
- 4.2 The proposed schemes were identified through ongoing asset condition and engineering assessments carried out since the forward programme was approved on 25 August 2023. Details of the schemes are provided in Appendix A.

5.0 CURRENT FUNDING ASSUMPTIONS FOR 2025/26

- 5.1 The existing funding settlement for Highways Capital Funding expires on the 31 March 2025. This settlement ran from 2022/23 to 2024/25 and was made up of the following per annum:

| Funding source | Funding Type | Annual funding amount (£000's) |
|---|----------------------|--------------------------------|
| Pothole fund | Highway Maintenance | £16,454 |
| Highway maintenance block needs element | Highway Maintenance | £16,454 |
| Highway maintenance block incentive element | Highway Maintenance | £4,113 |
| Integrated transport block | Integrated Transport | £3,046 |
| Total | | £40,067 |

- 5.2 This resulted in an annual budget of £40.067M made up of £37.021M highway maintenance and £3.046M Integrated Transport funding.
- 5.3 On 04 October 2023 the Government announced an additional £8.3 billion of capital funding for local highway maintenance covering the period 2023/24 to 2033/34 (11 years). This included £3.3billion for Yorkshire & Humber, the North West and the North East. For North Yorkshire this equates to an additional £314.185M of funding until 31 March 2034, with 15% of this being allocated later in the funding period.
- 5.4 Importantly the government announced that this would be additional funding, over and above our existing baseline annual allocation of £37.021M for highway maintenance.
- 5.5 As outlined in a report presented to this meeting 26 January 2024, the additional funding included an allocation of £4.704M in both 2023/24 and 2024/25. Delivery of schemes funded from this additional funding is currently underway, with several sites already complete.
- 5.6 Based on the funding information provided by Government, we have developed some headline proposals for how much funding we could receive in 2025/26. These assumptions are based on the maximum level of funding for highway capital maintenance that we estimate we could receive in 2025/26. This is summarised below:

| | |
|---|----------|
| Total additional funding 23/24 to 33/34 | £314.19M |
| Less 15% of funding to be allocated at a later date | £47.2M |
| Less £4.704M for 23/24 | £4.704M |
| Less £4.704M for 24/25 | £4.704M |
| Total additional funding to allocate | £257.65M |
| Total maximum additional funding per annum (over 9 years) | £28.63 |

- 5.7 This would mean the following as a potential highway capital maintenance funding allocation for 25/26 of:

| | |
|-------------------------------|---------|
| Baseline funding | £37.02M |
| Additional funding allocation | £28.63M |
| Potential funding | £65.65M |

- 5.8 In order to ensure some level of flexibility within the programme and recognising that schemes may slip into future years, we over programme each year. For 2025/26 we are proposing to over programme by £6.57M, which is 10% of the overall programme value. Over programming is an important tool in ensuring that we spend our full funding allocation. Programme delivery is monitored and managed throughout the year and steps can be taken to adjust the programme as needed.

- 5.9 Based on the funding received and a 10% level of over programming, this would mean a theoretical maximum budget for structural capital maintenance in 25/26 of £72.22M.
- 5.10 At the time of compiling this report, the outcome of the 2024 General Election is unknown. We expect that a comprehensive spending review will be published in autumn 2024, which will confirm departmental budgets in the short to medium term. Following this, we expect to receive confirmation of our maintenance funding for 2025/26 and future years.
- 5.11 Current Government guidance on the additional funding identifies that “no year by year profile has been confirmed, however it is likely to increase over time”. This means that the £72.35M figure is effectively the high-level funding scenario for 2025/26.
- 5.12 For the purposes of planning for 2025/26 we are working on an assumption that we will receive the high-level scenario. This allows for scheme designs to be developed up to this value. Once funding for 2025/26 is confirmed we will then adjust the programme accordingly to match the amount of available funding. Any designed schemes that are not taken forward in 2025/26 would remain on the highways capital forward programme to be delivered in future years. In the interim proposals are being developed to split programme delivery into phases, so that we are not delaying scheme delivery due to waiting for funding confirmation.
- 5.13 Once funding for 2025/26 is confirmed a report will be presented to the next available Corporate Director and Environment Executive Member for Highways and Transportation meeting, outlining the funding received and a proposed programme.
- 5.14 We are still awaiting further details for Government on plans for the integrated transport block funding. The integrated transport block funds measures such as accident investigation and prevention schemes, accessibility schemes and traffic signals. It is the expectation that this will be retained, either in addition to or as part of the Local Transport Fund Settlement for the York and North Yorkshire Combined Authority. Once further details of this are known an update will be provided to a future meeting.

6.0 HEADLINE FUNDING ALLOCATIONS FOR 2025/26

- 6.1 The following sections detail how we are proposing to allocate funding across asset types and activities. This is based on the high-level funding scenario of £72.22M. A summary of the overall headline allocations can be found in Appendix B.
- 6.2 These allocations will be adjusted once we know how much funding we will receive. The values against each activity / asset type are our anticipated maximum level of funding. This may also vary in year in response to new schemes associated with damage caused by unplanned events, such as landslips and weather events.
- 6.3 Street Lighting: The funding will continue the upgrade of the existing street lighting stock. The proposed maximum allocation for 25/26 is £1.5M.
- 6.4 Bridges: The funding will continue to be targeted at maintaining and strengthening the existing structures stock. The analysis of routine or special inspection reports will identify and prioritise those bridges and structures in need of treatment. The proposed maximum allocation for 25/26 is £4.0M.
- 6.5 Public Rights of Way (PROW) Bridges: This funding supports a more structured approach to condition assessment, scheme design and delivery across our extensive bridge stock across our PROW network. The proposed maximum allocation for 25/26 is £250K.

- 6.6 PROW Funding: This funding supports the delivery of capital improvements across the Council's public rights of way network. The funding will be used to improve footpaths and bridleways to support local access, health and well being and the local economy. The proposed maximum allocation for 25/26 is £500K.
- 6.7 Top Slice allocations: In line with previous years, there will be an element of "top-slicing" for specific activities and projects. These include traffic data collection and modelling, highway condition surveys, structures inspections, and site investigation and analysis.

| Project | 22025/26 Allocation /£ |
|--|------------------------|
| Network Condition Surveys (SCANNER / SCRIM / CVI + Kaarbontech Gullysmart) | 440,000 |
| NYC Traffic Data Collection Contract | 70,000 |
| Site Investigation and Analysis | 300,000 |
| Highway Drainage Assets | 10,000 |
| Bridges & Structures Inspections | 250,000 |
| Pre-Planning Application Advice | 33,600 |
| Bridges AMX asset management software | 19,000 |

- 6.8 There are further costs associated with the delivery of the Capital Programme. This includes design fees, staffing costs and contractor overhead costs. The proposed maximum allocation for these costs is £15M. This includes:
- NYH prelim costs £8.0M
 - External design and consultancy fees £2.5M
 - Capital recharge (staffing costs £4.5M)
- 6.9 Highway Drainage: The proposed maximum allocation is £2.2M. This includes an allocation of £100K for each highway area for smaller scale drainage schemes and a countywide allocation of £1.5M for larger scale capital improvements.
- 6.10 Landslip Schemes: Landslips can occur at any time of the year although many are identified at an early stage because of routine Highway Safety Inspections and asset surveys. Area Offices identify locations and develop schemes in each area. The proposed maximum allocation is £2.1M. This represents £100K each for all areas 1 to 6. (The Area 7 team have confirmed that no funding is required in 25/26 for landslips) alongside a countywide allocation of £1.5M for larger scale capital improvements.
- 6.11 Other Special Engineering Schemes: The annual programme of Other Special Engineering Schemes is based upon locations identified by Area Offices which do not fall 'objectively' into other works categories, e.g. areas of cobbles or setts, laybys and guardrails etc. Area Offices identify the rationale behind their submissions and the countywide programme is determined based upon an assessment of need and network priority. The proposed maximum allocation is £1.1M, this represents a £325K increase over previous years meaning that all seven highway areas will receive £100K each to spend plus an allocation of £400K countywide, for activities that are carried out on an annual basis such as Sutton Bank maintenance activity and repair and replacement of cobbles in Richmond Market Place.
- 6.12 Vehicle Restraint Systems (VRS): As a consequence of progressing our cyclical service inspection regime on our VRS assets we have identified a significant programme of required upgrading and repairs. In addition to this, inspections on assets over 15 years old are required every 2 years to assess condition and assist in prioritising repair works. The proposed maximum countywide allocation is £500K.

- 6.13 Cattle Grids: Each Area Office has identified and prioritised an on-going annual programme of cattle grid maintenance schemes. The proposed maximum countywide allocation is £400K.
- 6.14 Footway Surface Treatment and Schemes: It is intended to increase funding for maintenance of the footway network (approximately 4250km). This level of funding in conjunction with our robust cyclic inspection regime is responsible will help to maintain the gradual reduction in the number of successful Third-Party Insurance claims.
- 6.15 Category 1a, 1 and 2 footways: The Department for Transport (DfT) have traditionally monitored the condition of the most heavily used element of the Footway network (Category 1a, 1 and 2), in a similar way to carriageways and as a result the scheme-based programme is based upon network condition surveys with schemes prioritised across the whole of the countywide network. The proposed maximum allocation is £750K.
- 6.16 Category 3, 4 & 5 footways: The scheme-based programme for Category 3, 4 & 5 footways is based upon locations identified by Local Area Offices who are able to select sites for delivery. The proposed maximum allocation is £1.4M and is split equally between highway area offices, so that each area office receives £200K of funding.
- 6.17 Category 3,4 & 5 Surface Treatments: The Surface Treatment budget acknowledges that many of the lesser used footways (Categories 3, 4 & 5) benefit in the same way as carriageways with the application of preventative maintenance treatments. The budget allocation is based upon the (estimated) percentage of footway network in each Area; each Area Office is responsible for the identification of their programme which is based upon local knowledge and the cyclical Highway Safety Inspections. The proposed maximum countywide allocation is £700K.
- 6.18 Footway Patching: The patching budget is allocated on the percentage of that category of footway network within the Highways Area Office boundary. The proposed maximum allocations are £400K for Category 1a, 1 & 2 footways and £500K for Category 3, 4 & 5 footways.
- 6.19 Cycleways/Cycle Tracks: This budget is used for maintenance of the network of cycleways/ cycle tracks that form part of the highway network. The proposed maximum countywide allocation is £200K.
- 6.20 Category 6 Roads (Unsurfaced Unclassified Roads): Although our UUR network at 730km in length is only 8% of our network length, it is important for recreational users including walkers, horse riders, motorcyclists and 4x4 drivers. Due to various factors, one of which being the mechanically powered vehicles effect upon the often-loose surface of these routes, their deterioration, once begun, can accelerate rapidly. The proposed maximum allocation is £250K.
- 6.21 Urban PROW Network: As part of moving the urban surfaced PROW network across to Highways, we have identified a requirement for funding to deal with issues on this network. The proposed maximum allocation is £200K.
- 6.22 Parapet Funding: This funding is used to help upgrade damaged bridge parapets across the County. The proposed maximum allocation is £250K.
- 6.23 Gully Funding: The proposed maximum allocation is £400K. This will be used to help upgrade gully and surface water drainage infrastructure across the County and is addition to the existing £2.2M countywide drainage allocation.
- 6.24 Carriageway Maintenance: It is proposed that £31.25M of the overall budget is allocated to carriageway structural maintenance activities, including surface treatment, resurface and reconstruction and patching schemes. Proposed allocations are outlined below:

| Maintenance Activity | Proposed Maximum Allocation | Treatment Types |
|------------------------------|-----------------------------|---|
| Surface Treatments | £12.865M | Surface Dressing Micro Surfacing Retexturing Carriageway Rejuvenation |
| Resurface and reconstruction | £9.998M | Resurfacing Schemes In situ recycling |
| Carriageway Patching | £8.589M | Pre surface dressing patching Carriageway patching Spray Injection Patching |
| Total | £31.45M | |

6.25 The headline allocations also consider any overspend from the previous financial year (2024/25). An allocation of £2.0M has been allocated for this. Additionally, a further £5M has been allocated to fund schemes that have been moved for operational reasons from 2024/25 in to 2025/26. As we continue to monitor programme delivery through 2024/25, we will update these figures and adjust the 2024/25 and 2025/26 programmes as required to ensure that we deliver in line with available funding.

7.0 FINANCIAL IMPLICATIONS

7.1 Section 5 above outlines current assumptions for highways capital funding for 2025/26. As more information is released by Government, we will update these assumptions and adjust our programme for 2025/26 accordingly.

7.2 Section 6 above and Appendix B set out and summarise the financial aspects of this report relative to the Highways Capital Programme Headline Allocations for 2025/26. Confirmation of these proposed maximum allocations allows for the development of the annual programme to take place.

7.3 The contents of this report make no changes to the Environment Capital Plan expenditure limits.

8.0 LEGAL IMPLICATIONS

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

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

9.0 EQUALITIES IMPLICATIONS

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

9.2 A copy of the 'Record of Decision that Equality Impact Assessment is not required' form is attached as Appendix C.

10.0 CLIMATE CHANGE IMPLICATIONS

10.1 A climate change impact assessment has been carried out, see Appendix D. Steps will be taken during scheme delivery and construction to reduce emissions as far as possible.

11.0 REASONS FOR RECOMMENDATIONS

11.1 The recommendations will enable Council officers, working alongside NYH and partner organisations to develop the 2025/26 annual programme.

12.0 RECOMMENDATIONS

- 12.1 It is recommended that the Corporate Director Environment in consultation with the Executive Member Highways & Transportation.
- i. Authorises the additions to the Highways Capital Forward Programme for Structural Highway Maintenance identified since the last Highways Capital Programme report dated 25 August 2023.
 - ii. Agree the indicative headline structural highways maintenance capital allocations for 2025/26 based on current planning assumptions.
 - iii. Grant approval to carry out the relevant procurement processes.

APPENDICIES

Appendix A - Schemes to be added to Highways Capital Forward Programme

Appendix B - Headline Allocations of Funding for 2025/26

Appendix C - Equalities Impact Assessment Screening Form

Appendix D - Climate change impact assessment

Barrie Mason

Assistant Director Highways & Transportation, Parking Services, Street Scene, Parks & Grounds

County Hall

Northallerton

12 July 2024

Report Author – James Gilroy – Team Leader Highways Asset Management

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

Schemes to be added to Highways Capital Forward Programme

| Area | Link & Section | Hierarchy | Scheme name | Town | Scheme Cost |
|-------------|---------------------------|------------------|-------------------------------------|----------------------|--------------------|
| 4 | U328/2/50 | 4b | Castle Howard Drive Micro Surfacing | Malton | £19,548 |
| 4 | U330/2/50 | 4b | Middlecave Drive Micro Surfacing | Malton | £17,965 |
| 4 | U331/2/50 | 4b | Middlecave Close Micro Surfacing | Malton | £2,881 |
| 4 | U329/2/50 | 4b | Maiden Grove Micro Surfacing | Malton | £3,524 |
| 4 | U651/2/70 | 4b | Mill Lane Micro Surfacing | Sheriff Hutton | £17,593 |
| 4 | U654/2/30 | 4b | Castle View Micro Surfacing | Sheriff Hutton | £16,614 |
| 4 | U654/2/70 | 4b | Castle View Micro Surfacing | Sheriff Hutton | £1,747 |
| 4 | U620/2/50 | 4b | Laurels Garth Micro Surfacing | Sheriff Hutton | £7,852 |
| 4 | U653/2/50 | 4b | Terrington View Micro Surfacing | Sheriff Hutton | £4,999 |
| 4 | U618/2/30 | 4b | Warwick Close Micro Surfacing | Sheriff Hutton | £3,418 |
| 4 | U618/2/70 | 4b | Warwick Close Micro Surfacing | Sheriff Hutton | £1,498 |
| 4 | U618/2/50 | 4b | Warwick Close Micro Surfacing | Sheriff Hutton | £2,264 |
| 2 | C100/2/80 | 3b | Huby Road Micro Surfacing | Sutton on the Forest | £42,350 |
| 2 | U1708/1/50 | 4b | Coombes Close Micro Surfacing | Sutton on the Forest | £1,760 |
| 2 | U1751/1/50 | 4b | Grey Close Micro Surfacing | Sutton on the Forest | £3,520 |
| 1 | B6255/2/40 | 3b | Widdale Drainage | Hawes | £150,000 |
| 3 | C277/1/60 | 4b | Church Lane Drainage | Fylingthorpe | £45,000 |
| 3 | U2350/1/50 | 4b | Raw Lane Drainage | Raw | £55,000 |
| 3 | B6265/6/30 | 3a | Grafton Drainage | Marion cum Grafton | £60,000 |
| 7 | U1444/2/70 | 4b | Olympia Crescent R&R | Selby | £10,000 |
| 7 | U1444/2/50 | 4b | Olympia Crescent R&R | Selby | £30,000 |
| | | | | | £497,533 |

Headline Allocations of Funding for 2025/26

| | | Programmable Budget £s |
|---|--|-------------------------------|
| Previous Years | Overspend from 2024/25 | £2,000,000 |
| | Schemes moved from previous years | £5,000,000 |
| Block Allocations | Bridges Allocation | £4,000,000 |
| | PROW Allocation | £500,000 |
| | PROW Bridges | £250,000 |
| | Street lighting Allocation | £1,500,000 |
| Top Slices (Inspections & Surveys) | Network Condition Surveys (SCANNER / SCRIM / CVI) | £440,000 |
| | NYCC Traffic data Collection Contract | £70,000 |
| | Site investigation / Pavement Investigation | £300,000 |
| | Bridge Inspections | £250,000 |
| | Highway Drainage Infrastructure Inspections | £10,000 |
| | Bridges AMX | £19,000 |
| | Pre-Planning Application Advice | £33,600 |
| Fees & Overheads | External Fees (Consultants) | £2,500,000 |
| | North Yorkshire Highways costs | £8,044,994 |
| | Capital Recharge contribution | £4,500,000 |
| UUR | Cat 6 UURs | £250,000 |
| Footways & Cycleways | Cat 1a, 1 and 2 Footways | £750,000 |
| | Patching Cat 1a, 1 and 2 Footways | £400,000 |
| | Cat 3, 4 and 5 Footways | £1,400,000 |
| | Surface Treatment Cat 3, 4 and 5 Footways | £700,000 |
| | Patching Cat 3,4 and 5 Footways | £500,000 |
| | Cycle ways & Cycle track Schemes | £200,000 |
| | Urban PROW | £200,000 |
| Other Engineering Schemes | Landslip Schemes | £2,100,000 |
| | Drainage Schemes | £2,200,000 |
| | Vehicle Restraint Systems (VRS) | £500,000 |
| | Other 'Special Engineering Schemes' | £1,100,000 |
| | Cattle Grids | £400,000 |
| | Parapets | £250,000 |
| | Gullies | £400,000 |
| Carriageways | Remaining Allocation for Carriageways (including £3.986M over programming) | £31,453,206 |
| | Total | £72,220,800 |

Equalities Impact Assessment Screening Form

| | | | |
|---|---|-----------|-------------------------------------|
| Equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA') | | | |
| This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate. | | | |
| Directorate | BES | | |
| Service area | H&T | | |
| Proposal being screened | BES Executive Member Report – Highways Capital Programme Headline Allocations 2025/26 | | |
| Officer(s) carrying out screening | James Gilroy | | |
| What are you proposing to do? | That the Corporate Director, Environment and Environment Executive Member for Highways and Transportation, -approve the headline highways structural maintenance capital allocations based on current planning assumptions -Approve the development of the draft highways capital programme based on the indicative highways capital allocation | | |
| Why are you proposing this? What are the desired outcomes? | Approval to spend the Highways Capital Budget on identified schemes. | | |
| Does the proposal involve a significant commitment or removal of resources? Please give details. | Yes- Potentially up to £65million + over programming of Capital funding each financial year | | |
| Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics? As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt. | | | |
| Protected characteristic | Yes | No | Don't know/No info available |
| Age | | ✓ | |
| Disability | | ✓ | |
| Sex (Gender) | | ✓ | |
| Race | | ✓ | |
| Sexual orientation | | ✓ | |
| Gender reassignment | | ✓ | |
| Religion or belief | | ✓ | |
| Pregnancy or maternity | | ✓ | |
| Marriage or civil partnership | | ✓ | |

| NYCC additional characteristic | | | |
|--|---|---|-----------------------|
| People in rural areas | | ✓ | |
| People on a low income | | ✓ | |
| Carer (unpaid family or friend) | | ✓ | |
| Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details. | No. | | |
| Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion. | No. The report focuses on the overarching capital maintenance funding position. | | |
| Decision (Please tick one option) | EIA not relevant or proportionate: | ✓ | Continue to full EIA: |
| Reason for decision | The allocation of funding is based on the "Manage, Maintain and Improve" (MMI) hierarchy set out in Local Transport Plan 4, which has been the subject of an Equality Impact Assessment (EIA). This concluded that the introduction of fewer improvement schemes may have a greater impact on people with mobility difficulties or without access to a private vehicle as there will be fewer new facilities provided e.g. pedestrian crossings, dropped kerbs, bus stop accessibility improvements; however, it is also considered that prioritising maintenance, particularly for footways, through the MMI hierarchy is likely to produce a net benefit for people with the same protected characteristics; particularly in terms of age and disability. | | |
| Signed (Assistant Director or equivalent) | Barrie Mason | | |
| Date | 01/07/2024 | | |

Climate change impact assessment

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

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

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

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

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

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

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

| | |
|--|--|
| Title of proposal | Highways Capital Programme Headline Allocations 2023/24 |
| Brief description of proposal | <ul style="list-style-type: none"> • Agree the indicative headline structural highways maintenance capital allocations for 2025/26 based on current planning assumptions. • Grant approval to carry out the relevant procurement processes • Authorises the additions to the Highways Capital Forward Programme for Structural Highway Maintenance contained in Appendix A identified since the last Highways Capital Programme report dated 25 August 2023 |
| Directorate | Environment |
| Service area | Highways and Transportation |
| Lead officer | James Gilroy |
| Names and roles of other people involved in carrying out the impact assessment | |
| Date impact assessment started | 26.06.2024 |

Options appraisal

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

The other option that was considered was to plan based on a lower value of DfT funding at £45M, this would have caused issues in terms of scheme delivery, whereby schemes would not be designed and ready for delivery in 2025/26, if we received a higher level of funding. It is easier and more sensible to reprogramme schemes in a future year, due to reduce funding, rather than design schemes at a later time due to increased funding.

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

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

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

| <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> | Emissions from travel | | x | | Repairs to existing infrastructure | | |
| | Emissions from construction | | | x | <p>Some emissions from construction vehicles</p> <p>Emissions associated with construction materials etc</p> | <p>Where possible – ensure that vehicle mileage is reduced by planning vehicle movements / diversion routes etc</p> <p>Look to use more recycled material in construction and through the selection of lower carbon techniques</p> | |
| | Emissions from running of buildings | | x | | | | |
| | Other | | x | | | | |

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

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

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

N/A

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

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

Sign off section

This climate change impact assessment was completed by:

| | |
|-----------------|--------------------------------------|
| Name | James Gilroy |
| Job title | Team Leader Highway Asset Management |
| Service area | Highways and Transport |
| Directorate | BES |
| Signature | |
| Completion date | 27.06.2024 |

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 01/07/2024

North Yorkshire Council

Environment Executive Members

12 July 2024

Filey Sea Wall Refurbishment - Award of Contract

Report of the Assistant Director – Highways & Transportation, Parking Services, Street Scene and Parks & Grounds

1.0 PURPOSE OF REPORT

- 1.1 To inform the Corporate Director of Environment and the Executive Member, Highways and Transportation of an ongoing former Scarborough Borough Council legacy coastal protection scheme to refurbish Filey Sea Wall and consider a proposal to award a construction contract to Jackson Civil Engineering Limited.
- 1.2 To request the Corporate Director of Environment in consultation with the Executive Member, Highways and Transportation to approve the award of the second stage construction contract to Jackson Civil Engineering Limited.

2.0 SUMMARY

- 2.1 The report informs the Corporate Director and Executive Member about the ongoing coastal protection scheme for Filey sea defences and proposes awarding the construction contract to Jackson Civil Engineering Limited.

3.0 BACKGROUND

- 3.1 Despite its age and exposure, the sea wall at Filey is mostly in fair condition due to the maintenance activities that have historically been undertaken, and currently performs well against wave overtopping. There are however signs of deterioration in the sea defence noted in the face of the wall, wave return copings, slipway, and steps. Furthermore, the greatest concern is associated with ongoing outflanking of the southernmost end. In particular, the southern rock revetment is in poor condition, performs ineffectually and requires improvement.
- 3.2 At its meeting on 20 April 2021 the Cabinet of Scarborough Borough Council accepted a grant contribution of £1,654,184 from the Environment Agency for works to maintain the standard of the defences with replacement of some copings, refacing of deteriorated sea wall block faces, and provision of piling works to prevent outflanking, particularly at the southern end.
- 3.3 Jackson Civil Engineering Group Limited were appointed on 05 January 2023 on a rotation call off through the YORcivil2 Framework. This is a two-stage design and build procurement where the contractor is awarded the contract in two stages. The first stage was awarded on a NEC3 Professional Services Contract to carry out further investigations, design the works in detail, seek all necessary consents, and provide a price and programme for the second construction stage. The second stage is the construction of the works, subject to the satisfactory performance of the contractor in the first stage. The intention to award the second stage to Jacksons, on the basis of an NEC Engineering and Construction Contract is clearly stated in the Scope of the first stage contract, but the Council is not obliged to award.

- 3.4 Upon completion of Stage 1, the overall project cost was valued at £2.957m which exceeded the £1,654,184 contribution from the Environment Agency.
- 3.5 In April 2024, the Environment Agency awarded the Council a further grant of £1.303m, increasing the project budget to £2.957m. The grant has been accepted by the Corporate Director, Resources in consultation with the Executive Member for Finance and the Executive Member for Highways and Transportation as required by the Grant Acceptance Procedures.
- 3.6 We are now at a junction where a decision on appointing Jacksons to progress with Stage 2 is required.

4.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

4.1 Expiry of the YORcivil2 Framework

- 4.1.1 The project was awarded to Jacksons via a rotation call-off from the YORcivil2 Framework in April 2023.
- 4.1.2 The intention was to contract for the construction phase before the expiry of the framework on 09 August 2023, however this was not achieved due to the ongoing design works, complexities with the outflanking solution, and delays by others in relation to statutory consents.
- 4.1.3 In this case, NYC can be satisfied that:
- The 'award' of the project was carried out in January 2023 when Jacksons were appointed. There are not two separate awards.
 - Jacksons were appointed on a NEC PSC contract as part of a pre-construction agreement
 - The pre-construction agreement has the clear intention to award the second stage to Jacksons which is stated in the Scope of the first stage contract.

4.2 The previous delegation of authority to appoint Jacksons.

- 4.2.1 At its meeting on 20 April 2021, the Cabinet of Scarborough Borough Council accepted the EA grant, but also delegated authority to the Director of Legal & Democratic Services to enter into the contracts for the scheme, subject to the contract sums being within the approved scheme budget of £1,654m.
- 4.2.2 This scheme budget of £1,654m included an estimated contract sum within the expression of interest form issued to all contractors on Lot 6 of the YORcivil Framework of an estimated construction value of £1m to £1.5m.
- 4.2.3 The current proposed contract value for the second construction stage is £1.912m. Whilst the project cost is above the anticipated £1.5m it is still within budget due to the award of further EA grant that has already been accepted with the approved scheme budget of £2.957m.

5.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 5.1 Consultation has been undertaken with the Environment Agency, who are currently committed to fully funding the scheme.

5.2 Initial consultation has taken place with Filey Town Council to inform them of works to be carried out. Further consultation is planned pending this decision which will advise on the locations and the timescales, especially as the works need to be carried out in good weather over the summer months when weather and tidal conditions are less severe.

6.0 ALTERNATIVE OPTIONS CONSIDERED

6.1 The only alternative if the second stage of the project is not awarded to Jacksons is to re-procure the works via a new tender. There would be a number of issues with this approach:

- In the first stage, Jacksons have worked through and resolved these issues with the Council and the benefit of this would be lost.
- The contract is a design and build contract. Jacksons retain the risk liability of the design which would be lost if an alternative contractor were to be procured.
- An alternative contractor would not accept the design risk of someone else's design and the risk would then rest with the Council for any design changes.
- To have to re-tender will cause a significant delay and mean works will not start on site this summer. The EA are expecting the expenditure of the grant and delivery of the benefits this summer. There is no guarantee the grant will be maintained and rolled over to the next financial year next summer.
- Stage 1 of the project requires the contractor to obtain all necessary consents including planning permission and the Marine Management Organisation (MMO) licences. The MMO Licence is method specific to Jacksons and may be required to be resubmitted. The application decision period is 13 weeks and could only be submitted following procurement of a new contractor. The length of time lost would again push the works into Summer 2025.

6.2 For these reasons, this approach is not recommended.

7.0 FINANCIAL IMPLICATIONS

7.1 The estimated cost of the scheme is £2.957m which is fully funded by Environment Agency grant with no match funding required as part of the terms of accepting the funding. This funding was accepted by NYC following the decision of 13th May 2024, report titled, "Permission to accept an increased Environment Agency grant towards Filey Town Seawall Refurbishment", to accept the additional funding. This funding will be added to the Council's capital plan for 2024/25.

7.2 Any additional project costs, including costs arising from compensation events due to circumstances beyond the contractors control and inflation over the estimated value allowed for, including construction cost inflation is at the Council's risk. If costs increase, as it has been confirmed by the Environment Agency that no further grant funding is available, any additional funding required may need to be sought from the Council. This risk is mitigated by allowing within the £2.957m grant for the following costs;

- Inflation £8k.
- Contingency totalling £516k. This sum represents 27% of the contract value.

7.3 Should additional costs arise, descoping the project could also be considered in conjunction and agreement with the Environment Agency providing the benefits of the project were maintained.

8.0 LEGAL IMPLICATIONS

8.1 The proposed Filey seawall works will be carried out using the Council's permissive powers under the Flood Water Management Act 2010.

8.2 This is a two stage contract. Whilst the framework has expired it is legally permissible to now award the second stage as there was a clear intention to award the second stage subject to agreeing a construction cost within budget.

9.0 EQUALITIES IMPLICATIONS

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

10.0 CLIMATE CHANGE IMPLICATIONS

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

11.0 REASONS FOR RECOMMENDATIONS

11.1 To address concerns relating to the integrity of the existing sea defences and to ensure the longevity of the coastal erosion in Filey.

11.2 This report sets out a way forward to ensure the progression of an essential coastal maintenance project that has been ongoing since 2021.

12.0 RECOMMENDATIONS

12.1 The Corporate Director for Environment, in consultation with the Executive Member for Highways and Transportation, approves entering into the second stage of the contract with Jackson Civil Engineering Limited to carry out the works to the Filey sea defences.

APPENDICES: None

BACKGROUND DOCUMENTS: None

Barrie Mason
Assistant Director – Highways & Transportation, Parking Services, Street Scene and Parks & Grounds
County Hall
Northallerton

21 June 2024

Report Author – Chris Bourne, Engineering and Coastal Manager
Presenter of Report – Carol Rehill, Head of Legal Services – Major Projects