



## Agenda

Notice of a public meeting of Environment Directorate -  
Corporate Director and Executive  
Member - Highways and  
Transportation

**To:** Councillor Keane Duncan.

**Date:** Friday, 26th January, 2024

**Time:** 2.00 pm

**Venue:** Via Microsoft Teams

### Business

#### Items for Corporate Director decision

1. Proposed extension of existing advisory Disabled Parking Bay - Montgomery Street, Skipton (*Pages 3 - 20*)
2. Proposed Residential Disabled Parking Bay Ash Street, Cross Hills (*Pages 21 - 34*)
3. Review of Fees & Charges 2024-25 for Highways and Transportation, Parking Services, Street Scene, Parks and Grounds (*Pages 35 - 60*)
4. Highway Development Service - Design and Construction Project - Selby SEN School Access Works (*Pages 61 - 74*)
5. Highways Capital Programme (*Pages 75 - 94*)

Barry Khan  
Assistant Chief Executive  
(Legal and Democratic Services)

County Hall  
Northallerton

19 January 2024

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## North Yorkshire Council

### Environment Executive Members

26 January 2024

#### Proposed extension of existing advisory Disabled Parking Bay Montgomery Street, Skipton

#### 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 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 the proposal is to be introduced or set aside in light of the objections received.

##### **2.0 BACKGROUND**

- 2.1 Resident's Disabled Parking Bays (RDPB) can be introduced to provide on-street parking in residential areas for 'blue badge' holders. The Council's policy states that provision of these bays should only be considered when an individual does not have access to off-street parking such as a drive 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 Disabled parking bays require a Traffic Regulation Order (TRO) to be in place in order to be enforceable. Historically, some advisory and therefore unenforceable residential disabled parking bays were introduced without a Traffic Regulation Order. The Traffic Signs Regulations and General Directions 2016 (as amended) do not permit the use of disabled parking bay road markings without a Traffic Regulation Order and, as a consequence, enforcement action cannot be taken against those that misuse the advisory bays.
- 2.3 The Residential Disabled Parking Bay 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 put in place 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 Montgomery Street and other streets in the vicinity experience high demand for parking as a result of the high density of terraced housing and the proximity to a school. The applicant currently parks in an existing advisory RDPB. The proposal is to increase the length of the bay to 6.6 metres in accordance with current Department for Transport (DfT) Regulations.
- 3.2 The first stage of the assessment is undertaken by Customer Resolution Centre officers and assesses whether the applicant meets the Stage 1 criteria set out in Appendix A. This application was assessed and met the criteria and was processed to Stage 2 of the process.

3.3 Stage 2 of the process requires that the Local Area Highways Office assesses the application against the relevant highway and site assessment criteria set out in Appendix A. The assessment criteria were deemed to have been satisfied. The proposal then proceeded to consultation with the local member, residents and statutory consultees and the proposed TRO was also advertised.

3.4 Stages 1 and 2 of North Yorkshire Council Residential Disabled Parking Bay Policy have 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 The local member was consulted on the proposed RDPB and no comments were received.

4.2 The TRO was advertised on 1 June 2023 and the last date for receipt of objections was the 13 July 2023. The statement for reasons, location plan and schedule are laid out in Appendix B. Several objections were received, and these are set out in Appendix C along with the Officers comments in response.

4.3 The objections received centre mainly around the impact on parking. The driving skills of the applicant have also been called into question.

#### **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 5 Signs, Lines and TRO budget to support the installation of these measures for the proposed bay and associated signage which is estimated to be in the region of £500.

#### **7.0 LEGAL IMPLICATIONS**

7.1 The consideration of objections to TROs is a matter for the Executive and the role of the Area Constituency Committee is changed to 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, 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
- The proposal affects more than one community
- The proposal is located within the ward of more than one County Councillor.

7.3 The proposed TRO has not been classed as a wide area impact TRO as the proposal does not affect more than one street or road 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 (ie 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 County 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 and 8 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 26 January 2024.

## **8.0 PUBLIC INQUIRY IMPLICATIONS**

- 8.1 Consideration has been given to the requirement to cause a public inquiry to be held with regard to objections received.
- 8.2 Regulation 9 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 requires North Yorkshire Council, as order making authority, to cause a public inquiry to be held should the effect of the order be to prohibit the loading or unloading of vehicles or vehicles of any class in a road on any day of the week at all times or within certain times specified in those Regulations.
- 8.3 Regulation 9 (4) provides that where a part of a road is to be designated as a parking place for the use of a disabled person's vehicle, such an order shall not be taken to have the effect of prohibiting loading or unloading at any time and as such, a public inquiry would not be required.

## **9.0 EQUALITIES IMPLICATIONS**

- 9.1 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.
- 9.2 A screening form has been included in Appendix D.

## **10.0 CLIMATE CHANGE IMPLICATIONS**

- 10.1 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

## 11.0 REASONS FOR RECOMMENDATIONS

- 11.1 The objections received centre mainly around the impact on parking. The driving skills of the applicant have also been called into question.
- 11.2 Impact on parking - Montgomery Street and other streets in the vicinity experience high demand for parking as a result of the high density of terraced housing and the proximity to a school. The applicant currently parks in an existing advisory RDPB. The proposal is to increase the length of the bay to 6.6 metres in accordance with current DfT Regulations. The impact on parking is considered to be minimal. However, it must be noted that there will be some impact on parking locally.
- 11.3 Eligibility of the applicant – the applicant is a Blue Badge holder and has met the Stage 1 criteria. As the application meets all the stage 1 and stage 2 assessment criteria for the introduction of a residential disabled parking bay officers consider that there is no valid reason why the bay should not be provided at this time. Therefore, officers' recommendation is that the disabled bay at \* Montgomery Street be introduced as proposed.
- 11.4 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.

## 12.0 RECOMMENDATIONS

- 12.1 It is recommended (having taken into account of all the duly made representations and objections) that the:
- i) results of the consultation are noted;
  - ii) the Corporate Director of Environment, in consultation with the Executive Member for Highways and Transportation, approve the extension of the disabled bay 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 made.

### APPENDICES:

Appendix A – Assessment/Eligibility Criteria  
Appendix B – Statement for reasons, location plan and schedule  
Appendix C – Consultation responses  
Appendix D – Initial equality impact assessment screening form  
Appendix E – Initial Climate change impact assessment

**Background Documents:** Letters of objection received are held in the scheme file held by the Skipton Area 5 Highways Office

BARRIE MASON  
Assistant Director Highways and Transportation, Parking Services, Street Scene, Parks & Grounds  
County Hall  
Northallerton

26 January 2024

Report Author – David Jones  
Presenter of Report – David Jones

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

### 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:

- 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.
- The request is for a highway that is not maintainable at public expense.
- 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
- 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.
- The request is within a Controlled Parking Zone.
- Access or visibility would be impaired by the parking bay.
- The road is not wide enough to allow the free flow of traffic when a vehicle is parked in the bay.
- The location is listed in the Highway Code as a place where vehicles should not be parked.
- The road has a speed limit over 30mph.
- 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.



**PROPOSED INTRODUCTION OF DISABLED PERSONS' ON-STREET PARKING PLACE**  
**10 MONTGOMERY STREET – CRAVEN DISTRICT**

**STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER**

**LEGAL POWERS**

Under Section 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).

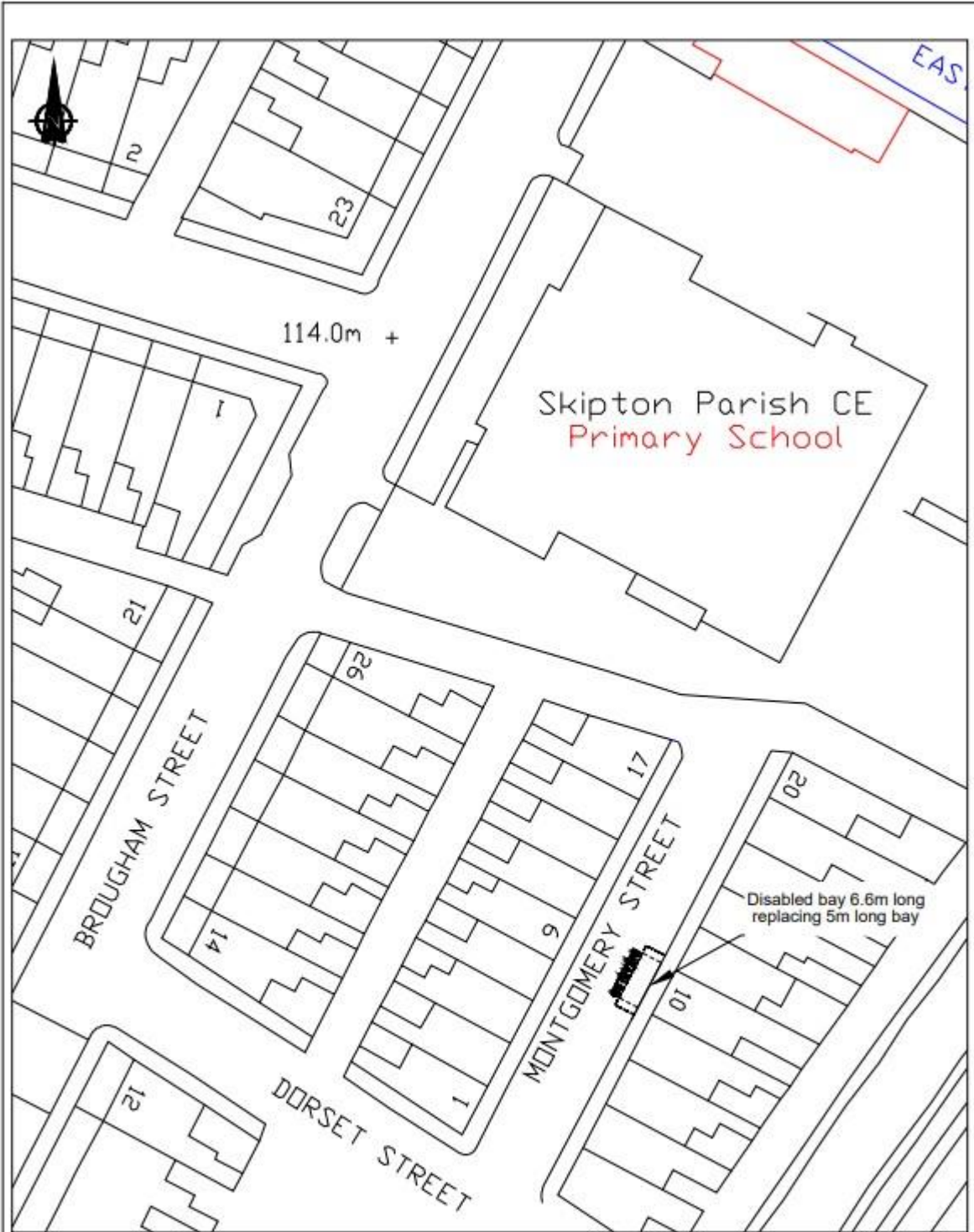
**REASONS FOR MAKING THE ORDER**

The Council considers that it is expedient to make this Order on grounds (a), (c) and (f) above for the following reasons:-

The resident at No.10 Montgomery Street, Skipton has requested the extension of an existing 5 metre long advisory residential disabled parking bay outside their property. The resident has been assessed under the eligibility and highway criteria set out by NYC and was deemed to meet the requirements for a residential disabled parking bay.

It is proposed to install a disabled persons bay road marking and associated signage at the location outlined below and shown on the relevant schedule and plans.

Note: The disabled bay must be a minimum of 6.6 metres in length to conform with The Department for Transport regulations.



<small>This drawing is based upon Ordnance Survey map information with the permission of the controller, H.M. Stationery Office                  © Crown Copyright, North Yorkshire County Council, 1997/1998 (2021)                  ORIGINAL DRAWING SIZE A4</small>	Drawn:	Date:	Project:	AREA NO.	North Yorkshire Council Environment Directorate Corporate Director: Karl Battersby
	DJ	DEC 2022	10, MONTGOMERY STREET, SKIPTON		
	Checked:	Date:	Drawing Title:		Rev:
		PROPOSED DISABLED BAY			
Approved:	Date:	Scale:	Drawing No:		
		N.T.S.	A5/2022/Montgomery		

**Location(s) of Proposed Order(s)**

Settlement	Road	Side	From	To	Restriction
Skipton	Montgomery Street	East	A point 0.8 metres South of the boundary wall of No 8 and No 10 Montgomery Street	A point 6.6 metres North	Disabled Bay

**CONSIDERATION OF OBJECTIONS**

Under the Council's Constitution, the consideration of objections to a proposed TRO is delegated to the Corporate Director - Environment in consultation with the Executive Members. For each TRO where there are objections, it will be necessary to bring a report to the Corporate Director – Environment and Executive Members seeking a decision on the consideration of the objections. The report will include the views of the relevant local member who will also be invited to the meeting that considers the report. The Corporate Director - Environment may wish to refer the matter to the Council's Executive for a final decision.

A report to the relevant Area Committee will only be necessary when there are objections to a wide area impact TRO.

A wide area impact TRO is defined 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 Councillor

The report will seek the views of the Area Committee and these views will then be included in a report to the Corporate Director - Environment and the Executive Members seeking a decision on the consideration of the objections. The Corporate Director - Environment may wish to refer the matter to the Executive for a final decision.

The existing arrangements for members of the public wishing to attend or speak at committee meetings will apply and it may be appropriate for the Corporate Director - Environment to have his decision-making meetings open to the public, so that the public and in particular those with objections, have the opportunity to put their views across directly.

N.B. The Corporate Director - Environment has delegated powers to make decisions on TROs where there are no objections.

<b>10 Montgomery Street, Skipton</b>		
<b>Responder</b>	<b>Issue raised (against)</b>	<b>Officer comments</b>
Resident.	<p>We live at REDACTED Montgomery Street and we wish to very clearly object to the proposal. Not the fact by law the space has to be a certain length (an increase on the current space) but the proposal to move the space closer to outside our property.</p> <p>The Legal Powers you have stated for being able to do this, albeit not one you are using to enforce is, 'b - for preventing damage to the road or to any building on or near the road'. Well it is that condition I am using to object to this proposal, as moving that space closer to our property all but ensures we're going to suffer damage.</p> <p>Firstly, because we have a drainage grate that runs from our house to the road, which following recent discussions with yourselves we have been told we are responsible for fixing if it is damaged. By moving the space closer that drainage grate, it increases the risk to it being damaged. I would just like to make it clear that the driver of the vehicle at Number REDACTED (REDACTED) has previously run over this grate causing me to report it, which is when I found out I am responsible for the repair (you'll be able to see our query on file).</p> <p>Secondly, we have reported the driving of REDACTED to the Police, as she mounts the curb to park closer to the property so it is easier to get REDACTED (who is the disabled person) into the house. This parking has put our property at risk and seen our own car damaged. The Police have agreed, based on the evidence provided, that Janet Brown drives without sue care and attention and they have been to speak to her to address this. By moving the space closer, you would be increasing the risk of her getting even closer to our property and causing serious damage and as this is our only living room, putting our 4 month old baby and my wife who is on maternity leave at risk, as this is the main room they use during the day.</p> <p>I have included some of the evidence the Police have seen, to illustrate the danger we constantly face.</p> <p>As such, I think you can probably see the stance we take to this proposal. The alternative solution if the space must increase, is either to move the space to the end of the street, or if it has to be outside the house, increase it on the side of Number REDACTED and not our side as they don't have a drainage grate as close as ours.</p> <p>However, I would also like to understand the reason why this is the area of focus and not a dropped curb. The Police believe the best solution to keep everyone safe, REDACTED and us, is to install a dropped curb.</p>	<p>Montgomery Street and other streets in the vicinity experience high demand for parking as a result of high-density terraced housing and the proximity to a school.</p> <p>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 the bay could not be extended at this time. Officer recommendation is that the disabled bay at Montgomery Street be extended as proposed and that the Director and Members note that this may impact upon parking opportunity for neighbouring residents. The RDPB will be available for use by all disabled badge holders.</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>

Resident.	<p>REDACTED struggles to reverse park, through competency and not the size of the space. As she reversed toward our house and not number REDACTED, it always puts us at risk. Both Number REDACTED and ourselves leave so much space for REDACTED (for fear of damage to our own cars), that I don't think this addresses the real issue.</p> <p>We want REDACTED to be safe coming and going from her house, but not at the expense of our own safety and that of our new-born baby, but the protection of our property.</p> <p>Why are you wasting taxpayer money on this farcical process!? These people do not need a bigger space, they need to be in a care home or bungalow and failing that, they need a dropped curb. Size isn't the problem. REDACTED keeps falling, just speak to the NHS or social services. You now have a duty of care to look into this in more depth.</p> <p>We totally object to this for the previous reasons and will now go further to say if this space comes in front of our property, we insist on bollards being placed to protect us from them driving through our house. I'm fed up with having to fix the grate on the pavement because they drive over it and we're sick of living in fear of them ploughing through our front room and potentially hurting us and our little baby.</p> <p>You should really move the disabled space to the end of the street where there is already a dropped curb just installed, for them I believe.</p> <p>Stop wasting our time and money and do the right thing. Understand the root cause and address it.</p> <p>I am 78 years old and I live at Number REDACTED. I am classified by the NHS as highly vulnerable due to an autoimmune problem which is a chronic, persistent disease affecting my lungs and therefore my breathing.</p> <p>Currently my car, essential to me, is parked two thirds in front of Number REDACTED. I don't have a disabled blue badge because there are already too many of those in Skipton. I park in front of next door's house, who has a van, because Number REDACTED has a disabled car park space and doesn't know how to drive into that space without causing havoc. People either side park their cars leaving as large a space as they can between theirs, and the car at Number REDACTED to avoid damage. Often Number REDACTED parks with two wheels onto the pavement and people with children have problems getting past.</p> <p>To make their car parking disabled space even bigger means that in our small street, they will have the space of three cars as we adjust to try to make allowances for their</p>	
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<p>Resident.</p>	<p>sketchy parking abilities. Number REDACTED then will park in front of me and I will have to walk further to get to mine which already affects my breathing.</p> <p>I want the people at Number REDACTED to feel safe, but I think driving lessons, or parking lessons, could help, would be cheaper and be less annoying to the rest of us in this busy little street next to a school.</p> <p>The current space is adequate for a car, even one significantly larger and longer than the one currently driven by the owners of Number REDACTED.</p> <p>We at Number REDACTED already give more space between our parked car and theirs because of their erratic and unstable parking. To protect our car we leave at least a full half-car parking space between ours and theirs. To extend that further would mean that we would be parking in front of Number REDACTED and not our house. That's legal we know, but annoying to others; and unnecessary if the driver at Number REDACTED were able to navigate a car safely.</p> <p>While we appreciate that persons with disabilities need care and attention, we already do that as neighbours and have not complained when the driver parks her vehicle not only in their disabled space, but with two wheels on the pavement to enable the disabled person to step straight onto the pavement. This procedure inhibits people with pushchairs walking along the pavement to the school. We pointed this out to the owners of Number REDACTED but it seems that it's necessary, they say, for the disabled person's safety. It would be better to drop the curb and have a smooth slope between pavement and road, or to provide the disabled person with some kind of small ramp put between the gutter and the kerb.</p> <p>Montgomery Street is a small street, but one that gets heavy traffic due to the school. Some teachers park, quite legally, in our street as do delivery and workers accessing the school. This puts a lot of pressure on residents and we don't complain about that. But to reduce the spaces further by extending an adequate and servicable existing disabled car parking space is frankly pushing it.</p>	
<p>Resident.</p>	<p>We object therefore to the extension and suggest instead a dropped curb outside number REDACTED and a free driving instructor who can work with the owner to enable better parking from her into the disabled space she currently has.</p> <p>We write regarding the proposed disabled persons on-street parking place at REDACTED, Montgomery Street, Skipton</p>	

<p>Resident.</p>	<p>We would like to register our objection to the length of the parking place proposed on the following points</p> <ol style="list-style-type: none"> <li>1. On street parking is already at a premium and an extra 1.6 meters on top of the disabled bay space already allocated, making the new bay approximately 21 feet long we feel is excessive and unnecessary.</li> <li>2 .We are situated next to Parish Church Primary School and already have parking issues due to staff parking all day and parents believing Montgomery Street is a car park for the school.</li> <li>3. We suspect a larger disabled bay has been requested due to the fact that this resident has difficulty parallel parking, constantly over- revving her engine and parking on the pavement. If parked properly, there is adequate space in the existing bay. (see attached photo) this raises questions about the resident's lack of driving skills, not the space available.</li> </ol> <p>In conclusion, we feel the current disabled bay is already big enough, and suggest the driver needs to learn the skills to park properly</p> <p>I am objecting to the proposal to increase the size of the disabled parking space outside no. REDACTED on the strongest of terms. She already has a 5 metre space, she has an estate car and it easily fits within her 5 metres. If she needs more space, then she is an unfit driver and should not be on the road. The disabled person is not the driver - the disabled person sits in the passenger seat, she may have reduced movement but so does my husband who also has a disabled parking blue badge, and he doesn't need more room.</p> <p>Extending the size of the disabled space will affect everyone in the street. We struggle to park outside our own houses already as there is insufficient space for everyone - an electric car cannot be charged if it is not outside our own home, and I think to even CONSIDER this request is extremely inconsiderate of the council towards the rest of us - do we not matter because we're not disabled?</p>	
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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 and Transportation		
Proposal being screened	Traffic Regulation Order – Proposed extension of existing Residential Disabled Parking Bay, * Montgomery Street, Skipton		
Officer(s) carrying out screening	David Jones		
What are you proposing to do?	Extension of an existing advisory residential disabled parking bay (RDPB) at 10 Montgomery Street, Skipton		
Why are you proposing this? What are the desired outcomes?	An eligible resident has applied for the extension of an existing advisory RDPB outside their property to make it 6.6 metres long in accordance with the current Regulations going through the application process set out by NYC.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
<p><b>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?</b></p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> <p><b>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 directorate representative for advice if you are in any doubt.</b></p>			
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	



<p><b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (for example, disabled people's access to public transport)? Please give details.</p>	<p>None known.</p>			
<p><b>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?</b> Please explain why you have reached this conclusion.</p>	<p>No impact</p>			
<p><b>Decision (Please tick one option)</b></p>	<p>EIA not relevant or proportionate:</p>	<p><input checked="" type="checkbox"/></p>	<p>Continue to full EIA:</p>	
<p><b>Reason for decision</b></p>	<p>The proposed extension 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>			
<p><b>Signed (Assistant Director or equivalent)</b></p>				
<p><b>Date</b></p>				

**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](mailto:climatechange@northyorks.gov.uk)

<b>Title of proposal</b>	10 Montgomery Street, Skipton disabled bay
<b>Brief description of proposal</b>	To extend an existing advisory disabled bay at the above location to 6.6 metres long meet the current minimum requirements set out by the DfT.
<b>Directorate</b>	<b>Environment</b>
<b>Service area</b>	<b>Highways &amp; Transportation</b>
<b>Lead officer</b>	<b>David Jones</b>
<b>Names and roles of other people involved in carrying out the impact assessment</b>	<b>David Jones – Project Engineer Area 5 Skipton Highways Office</b>

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.

<b>Decision (Please tick one option)</b>	Full CCIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full CCIA:	<input type="checkbox"/>
<b>Reason for decision</b>	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.			
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason			
<b>Date</b>	16/01/24			

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## North Yorkshire Council

### Environment Executive Members

26 January 2024

#### Proposed Residential Disabled Parking Bay - Ash Street, Cross Hills

#### 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 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 is to be introduced or set aside in light of the objection received.

#### **2.0 BACKGROUND**

- 2.1 Resident's Disabled Parking Bays (RDPB) can be introduced to provide on-street parking in residential areas for 'blue badge' holders. The Council's policy states that provision of these bays should only be considered when an individual does not have access to off-street parking such as a drive 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 Disabled parking bays require a Traffic Regulation Order (TRO) to be in place in order to be enforceable. Historically, some advisory and therefore unenforceable residential disabled parking bays were introduced without a Traffic Regulation Order. The Traffic Signs Regulations and General Directions 2016 (as amended) do not permit the use of disabled parking bay road markings without a Traffic Regulation Order and, as a consequence, enforcement action cannot be taken against those that misuse the advisory bays.
- 2.3 The Residential Disabled Parking Bay 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 put in place 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 Customer Resolution Centre officers and assesses whether the applicant meets the Stage 1 criteria. This application was assessed and met the criteria and was processed to 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. The assessment criteria were deemed to have been satisfied. The proposal then proceeded to consultation with the local member, residents and statutory consultees and the proposed TRO was also advertised.

3.3 Stage 1 and 2 of North Yorkshire Council Residential Disabled Parking Bay 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 AND RESPONSES**

4.1 The local member was consulted on the proposed RDPB and no comments were received.

4.2 The TRO was advertised on the 01 June 2023 and the last date for receipt of objections was the 13 July 2023. The statement for reasons, location plan and schedule are laid out in Appendix B. An objection was received, and this is set out in Appendix C along with the Officers comments in response.

#### **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 5 Signs, Lines and TRO budget to support the installation of these measures for the proposed bay and associated signage which is estimated to be in the region of £500.

#### **7.0 LEGAL IMPLICATIONS**

7.1 The process for the consideration of objections to TROs was approved by the Executive on 29 April 2014 and County Council on 21 May 2014. The consideration of objections to TROs is now a matter for the Executive and the role of the Area Constituency Committee is changed to 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
- The proposal affects more than one community
- The proposal is located within the ward of more than one Councillor.

7.3 The proposed TRO has not been classed as a wide area impact TRO as the proposal does not affect more than one street or road 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 26 January 2024.

## **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 objection received centres mainly around the impact on parking.
- 10.2 Impact on parking - Ash Street and other streets in the vicinity experience high demand for parking as a result of the high density of terraced housing. The applicant currently parks on the street and, whilst a disabled space does occupy more kerbside space than a vehicle, the impact on parking is considered to be minimal. However, it must be noted that there will be some impact on parking locally. There is already a RDPB on Ash Street outside No 10 which is still required by the occupant. Due to its position, the proposed RDPB will be installed in such a way that a space will be lost between these bays, however this cannot be avoided as the only alternative would result in having to position the bay outside the neighbouring property. It should be noted that in NYC Policy Appendix A, only 2 RDPB's will be permitted to be installed on this street. Any further requests for RDPB's on this street will be declined. The relevant criteria is that if 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 ie 40 houses = maximum number of 4 Disabled Bays in that street, then the request would be declined.
- 10.3 Eligibility of the applicant – the applicant is a Blue Badge holder and has met the Stage 1 criteria. As the application meets all the stage 1 and stage 2 assessment criteria for the introduction of a residential disabled parking bay officers consider that there is no valid reason why the bay should not be provided at this time.

10.4 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 (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 disabled bay as advertised
  - iii. the Assistant Chief Executive (Legal and Democratic Services) be authorised to seal the relevant Traffic Regulation Order in light of the objection received and that the objector is notified within 14 days of the order being made.

### **APPENDICES:**

Appendix A – Assessment/Eligibility Criteria

Appendix B – Statement for reasons, location plan and schedule

Appendix C – Consultation responses

Appendix D – Initial equality impact assessment screening form

Appendix E – Initial Climate Change Impact Assessment

Background Documents: Letter of objection received are held in the scheme file held by the Skipton Area 5 Highways Office

Barrie Mason

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

Northallerton

26 January 2024

Report Author – David Cairns

Presenter of Report – David Cairns

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



### 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:

- 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.
- The request is for a highway that is not maintainable at public expense.
- 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
- 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.
- The request is within a Controlled Parking Zone.
- Access or visibility would be impaired by the parking bay.
- The road is not wide enough to allow the free flow of traffic when a vehicle is parked in the bay.
- The location is listed in the Highway Code as a place where vehicles should not be parked.
- The road has a speed limit over 30mph.
- 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.

**PROPOSED INTRODUCTION OF DISABLED PERSONS' ON-STREET PARKING PLACE  
ASH STREET, CROSS HILLS**

**STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER**

**LEGAL POWERS**

Under Section 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).

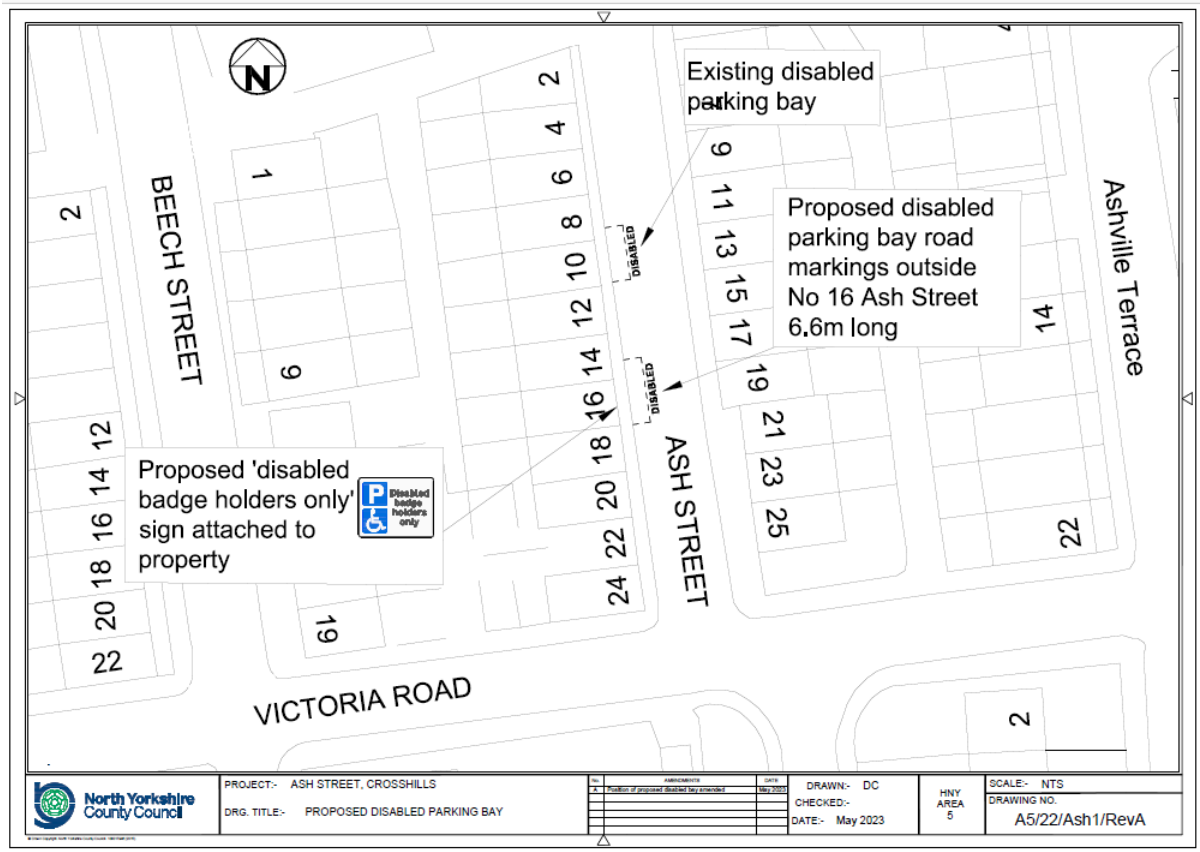
**REASONS FOR MAKING THE ORDER**

The Council considers that it is expedient to make this Order on grounds (a), (c) and (f) above for the following reasons:-

The resident at No 16 Ash Street, Crosshills has requested a residential disabled parking bay outside or near to their property. The resident has been assessed under the eligibility and highway criteria set out by NYC and was deemed to meet the requirements for a residential disabled parking bay.

It is proposed to install a disabled persons bay road marking and associated signage at the location outlined below and shown on the relevant schedule and plans.

Note: The disabled bay must be a minimum of 6.6 metres in length to conform with The Department for Transport regulations.



**Location of Proposed Order**

Settlement	Road	Side	From	To	Restriction
Cross hills	Ash Street	west	A point opposite the boundary of properties No16 and No 18 Ash Street.	A point 6.6 metres north	Disabled Bay

## **CONSIDERATION OF OBJECTIONS**

Under the Council's Constitution, the consideration of objections to a proposed TRO is delegated to the Corporate Director of Environment in consultation with the Executive Member for Highways and Transportation. For each TRO where there are objections, it will be necessary to bring a report to the Corporate Director of Environment and Executive Member for Highways and Transportation seeking a decision on the consideration of the objections. The report will include the views of the relevant local member who will also be invited to the meeting that considers the report. The Corporate Director of Environment may wish to refer the matter to the Council's Executive for a final decision.

A report to the relevant Area Committee will only be necessary when there are objections to a wide area impact TRO.

A wide area impact TRO is defined 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 Councillor

The report will seek the views of the Area Constituency Committee and these views will then be included in a report to the Corporate Director of Environment and the Executive Member for Highways and Transportation seeking a decision on the consideration of the objections. The Corporate Director of Environment may wish to refer the matter to the Executive for a final decision.

The existing arrangements for members of the public wishing to attend or speak at committee meetings will apply and it may be appropriate for the Corporate Director of Environment to have his decision-making meetings open to the public, so that the public and in particular those with objections, have the opportunity to put their views across directly.

N.B. The Corporate Director of Environment has delegated powers to make decisions on TROs where there are no objections.

<b><u>ASH STREET, CROSSHILLS</u></b>		
<b>Responder</b>	<b>Issue raised (against)</b>	<b>Officer comments</b>
Resident.	<p>1) Parking is already difficult enough on the street for residents, this in effect takes away realistically 2 more spaces, there is already a disabled zone virtually next to where this one is proposed, taking away another 2 spaces, so the residents are losing the possibility of 4 spaces being available.</p> <p>2) The lack of parking will affect the sale of our houses and in all likely hood lower the value we can sell our houses for.</p> <p>3) I recently intended buying an electric car as the government wants us all to do, however as I can't park outside my own house due to the already limited number of spaces, how could I charge my electric car using my own power point? I am sure this will affect other people's decision to not buy electric cars, and now you are proposing to remove more available spaces.</p> <p>4) The houses on that side of Ash Street are able to park around the back of their houses and some have already opened up the backyards to have off road parking.</p> <p>The residents of this area of Crosshills already have to contend with people working in the village parking on the street, the parents of the children attending the dance school, employees and attendees of South Craven School and the customers of 22 the Square also.</p> <p>Maybe instead of giving disabled spaces out, then the whole community able bodied included should be thought about, how about resident parking permits for the areas that are affected being brought in to give us all a chance, after all we all have to work hard just to pay our bills, mortgages and council tax just to survive.</p>	<p>Ash Street and other streets in the vicinity experience high demand for parking as a result of high-density terraced housing.</p> <p>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 the bay could not be provided at this time. Officer recommendation is that the disabled bay at Ash Street, Crosshills be introduced as proposed and that the Director and Members note that this may impact upon parking opportunity for neighbouring residents.</p> <p>Electric car charging points are not permitted at present where a cable will be located across or above a footpath.</p> <p>Any residents parking would have to be considered for a large area and not just a single street. Disabled bays would still have to be included in any such proposal.</p>

<b>Initial equality impact assessment screening form</b>			
<b>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.</b>			
<b>Directorate</b>	Environment		
<b>Service area</b>	Highways & Transportation		
<b>Proposal being screened</b>	TRO – Proposed Residential Disabled Bay Ash Street, Cross Hills		
<b>Officer(s) carrying out screening</b>	David Cairns		
<b>What are you proposing to do?</b>	Installation of a residential disabled parking bay (RDPB) at Ash Street, Crosshills.		
<b>Why are you proposing this? What are the desired outcomes?</b>	An eligible resident has applied for a RDPB outside or near their property going through the application process set out by NYC.		
<b>Does the proposal involve a significant commitment or removal of resources?</b> Please give details.	No		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics</b>			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul>			
<b>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.</b>			
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	
<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (for example, disabled people's access to public transport)? Please give details.	None known.		

<p><b>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.</b></p>	<p>No</p>			
<p><b>Decision (Please tick one option)</b></p>	<p>EIA not relevant or proportionate:</p>	<p><input checked="" type="checkbox"/></p>	<p>Continue to full EIA:</p>	
<p><b>Reason for decision</b></p>	<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>			
<p><b>Signed (Assistant Director or equivalent)</b></p>	<p>Barrie Mason</p>			
<p><b>Date</b></p>	<p>15/01/24</p>			

**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](mailto:climatechange@northyorks.gov.uk)

<b>Title of proposal</b>	Ash Street, Cross Hills disabled bay
<b>Brief description of proposal</b>	To introduce a disabled bay at the above location which will involve road markings and associated signage
<b>Directorate</b>	<b>Environment</b>
<b>Service area</b>	<b>Highways &amp; Transportation</b>
<b>Lead officer</b>	<b>David Cairns</b>
<b>Names and roles of other people involved in carrying out the impact assessment</b>	<b>David Cairns – Project Engineer Area 5 Skipton Highways Office</b>



## Appendix E

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.

<b>Decision (Please tick one option)</b>	Full CCIA not relevant or proportionate:	x	Continue to full CCIA:	
<b>Reason for decision</b>	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.			
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason			
<b>Date</b>	15/01/24			

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## North Yorkshire Council

### Environment Executive Members

26 January 2024

#### Review of Fees & Charges 2024/25 for Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

#### 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, to increase fees and charges for the financial year 2024/25, in line with a recent review, which was consistent with the Corporate Fees and Charges Strategy.

##### **2.0 BACKGROUND**

- 2.1 Highways fees and charges were reviewed in 2023 and following a report to the Corporate Director and BES Executive Member, were increased in line with inflation, or by a greater amount where costs had increased further, for the 2023/24 financial year.
- 2.2 Following Local Government Reorganisation (LGR) in April 2023 and the creation of the Highways and Transportation, Parking Services, Street Scene, Parks and Grounds service, it was considered appropriate to review fees and charges and seek approval for a combined fees and charges schedule, incorporating all of these service areas.

##### **3.0 METHODOLOGY**

- 3.1 As in previous years, fees and charges have been reviewed in line with the Corporate Fees and Charges Strategy and the proposed schedule for 2024/25 is set out in Appendix 1. All relevant fees and charges have had a minimum flat rate 6% uplift to account for the effects of inflation, unless a greater increase was necessary, e.g., due to higher industry or input costs.
- 3.2 It should also be noted that a number of fees and charges are currently the subject of a separate and more detailed review, whose approval will be sought once those reviews are complete. These are also highlighted in Appendix 1.
- 3.3 Similarly, it is recognised that services are currently going through a transformation process following the creation of North Yorkshire Council in April 2023, with the expectation that this process will result in revised service levels and operating models, which themselves will influence fees and charges in due course.
- 3.4 Fees and Charges for the Parks & Grounds Service currently exclude those for amenities and attractions in the Scarborough area, and formal sports facilities in the Craven and Hambleton area as these are subject to ongoing cross-directorate transformation and will be dealt with through separate proposals.

#### **4.0 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The Corporate Fees and Charges Strategy requires full cost recovery, which for 2024/25, has been set at a minimum 6% uplift. Should alternative options be considered as part of a review of fees and charges not contained in Appendix 1, the details will be included as part of a separate report.

#### **5.0 FINANCIAL IMPLICATIONS**

- 5.1 The Corporate Fees and Charges Strategy establishes a requirement to review fees and charges within Directorates on an annual basis, in order to help raise income and lower the burden to Council Tax payers and ensure that the fee charged for a council service is reflective of the council's costs of provision.
- 5.2 The proposed schedule attached as Appendix 1 does not include all Highways and Transportation, Parking Services, Street Scene and Parks and Grounds fees and charges. For areas of the service that have been the subject of more significant cost increases, eg the NYC Permit scheme, detailed cost exercises are currently being carried out to establish the true cost of provision, in order to ensure fees and charges are set at the right level. The outputs from these more detailed reviews will be presented to a future Corporate Director meeting.
- 5.3 More generally, this report proposes that Highways and Transportation, Parking Services, Street Scene and Parks and Grounds fees and charges estimated income will increase as a result of the proposed prices in Appendix 1, which in the main, are due to applied inflation since the previous fee review.

#### **6.0 LEGAL IMPLICATIONS**

- 6.1 The methodology adopted for increasing fees and charges is consistent with the Corporate Fees and Charges Strategy, which indicated that the Fees and Charging Policy applies to services where there is a legal power to charge for the service and discretionary services.
- 6.2 Section 93 of the Local Government Act 2003 and Section 3 of the Localism Act 2011 give local authorities power to charge for discretionary services. Discretionary services are those services that a local authority is not required to provide but may do so voluntarily.
- 6.3 The charging powers do not apply where there is a power to charge for a particular service elsewhere in other legislation, or where other legislation expressly excludes an authority from charging.

#### **7.0 EQUALITIES IMPLICATIONS**

- 7.1 No equalities implications are considered to arise as a result of the proposed changes to the fees and charges set out in Appendix 1. Any increase is reflective of the cost of delivering the service and/or in line with the Consumer Price Index inflation rate. All the rates have previously been benchmarked against comparator authorities. An Equalities Impact Assessment screening form has been completed, which is attached as Appendix 2.

#### **8.0 CLIMATE CHANGE IMPLICATIONS**

- 8.1 No climate change impact is considered to arise as a result of the proposed fees and charges, see Appendix 3 for further details.

## **9.0 REASONS FOR RECOMMENDATIONS**

9.1 To ensure that the fee charged for a council service is reflective of the Council's costs of provision.

### **10.0 RECOMMENDATION(S)**

10.1 It is recommended that the Corporate Director of Environment, in consultation with the Executive Member for Highways and Transportation, approves the revised set of fees and charges as set out in Appendix 1.

#### **APPENDICES:**

Appendix 1: Proposed Fees and Charges Schedule 2024/25 for Highways and Transportation, Parking Services, Street Scene and Parks and Grounds

Appendix 2: Initial Equality Impact Assessment Screening Form

Appendix 3: Climate Change Impact Assessment

#### **BACKGROUND DOCUMENTS:**

Barrie Mason  
Assistant Director - H&T, Parking, Street Scene, Parks and Grounds  
County Hall  
Northallerton

11 January 2024

Report Author – Allan McVeigh  
Presenter of Report – Allan McVeigh

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

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Abnormal loads notification	No fee		Legislation states no fee applicable
Traffic speed and flow data (where available) Per site. Where non-standard reports are requested this fee will increase. Applicants will be notified prior to charges. Where the request is received from a member of the public and is straightforward the fee may be waived.	£58.37	£61.87	
Traffic speed and flow data (where available) Per hour (or part hour). Where non-standard reports are requested this fee will increase. Applicants will be notified prior to charges. Where the request is received from a member of the public and is straightforward the fee may be waived.	£49.39	£52.35	
Over-sail of the highway by crane and cable spanning the highway applications	£161.65	£171.35	
Officer time spent dealing with requests for commercial events on the highway	£49.39	£52.36	
Officer time spent dealing with applications from external organisations to carry out traffic surveys on the public highway	£49.39	£52.36	
Skip licences 2 week licence.	£80.82	£85.67	
Skip licences Early start fee (if licence is required within 3 days of request).	£31.43	£33.32	
Skip licences Failure to comply with the licence conditions will result in a further inspection fee.	£61.74	£65.44	
Skip licences No licence extensions. If a skip needs to be in situ for longer than 2 weeks then an additional fee will apply.	£80.82	£85.67	
Skip licences If an un-licensed skip is found on the highway.	£173.99	£184.43	
Scaffold / hoarding licences Standard (<10m height) Licence fee (4 weeks)	£223.39	£236.79	

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Scaffold / hoarding licences Standard (<10m height) Early start fee	£31.43	£33.32	
Scaffold / hoarding licences Standard (<10m height) Extension fee	£98.78	£104.71	
Scaffold / hoarding licences Non-standard (> 10m height) Licence fee (4 weeks)	£223.39	£236.79	
Scaffold / hoarding licences Non-standard (> 10m height) Early start fee	£31.43	£33.32	
Scaffold / hoarding licences Non-standard (> 10m height) Extension fee	£98.78	£104.71	
Scaffold / hoarding licences Retention scaffold Licence fee (4 weeks)	£445.65	£472.39	
Scaffold / hoarding licences Retention scaffold Early start fee	£31.43	£33.32	
Scaffold / hoarding licences Retention scaffold Extension fee	£98.78	£104.71	
Scaffold / hoarding licences Tower scaffold (if removed daily) Licence fee (4 weeks)	£37.04	£39.27	
Scaffold / hoarding licences Tower scaffold (if removed daily) Early start fee	£31.43	£33.32	
Scaffold / hoarding licences Tower scaffold (if removed daily) Extension fee	£19.08	£20.23	
Scaffold / hoarding licences Hoarding (remaining width of footway 1.5m+) Licence fee (4 weeks)	£111.13	£117.80	
Scaffold / hoarding licences Hoarding (remaining width of footway 1.5m+) Early start fee	£31.43	£33.32	
Scaffold / hoarding licences Hoarding (remaining width of footway 1.5m+) Early start fee	£98.78	£104.71	
Scaffold / hoarding licences Hoarding (remaining width of footway <1.5m) Licence fee (4 weeks)	£223.39	£236.79	
Scaffold / hoarding licences Hoarding (remaining width of footway <1.5m) Early start fee	£31.43	£33.32	

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Scaffold / hoarding licences Hoarding (remaining width of footway <1.5m) Extension fee	£98.78	£104.71	
Street café license Application fee Up to 5 tables or Up to 10m2 - plus works costs	£309.82	£328.41	
Street café license Application fee Over 5 tables or Over 10 m2 - plus works costs	£557.90	£591.38	
Street café license Application fee - Amount non refundable	£98.78	£104.71	
Street café license Annual renewal fee Up to 5 tables or Up to 10m2	£80.82	£85.67	
Street café license Annual renewal fee Over 5 tables or Over 10 m2	£142.56	£151.12	
Building materials licence	£80.82	£85.67	
Highway projection licence	£161.65	£171.35	
Cellar opening licence	£49.39	£52.36	
Temporary Traffic Regulation Orders 18-month closure - (plus advertising costs)	£496.16	£525.93	
Temporary Traffic Regulation Orders 5 day closure	£371.56	£393.86	
Temporary Traffic Regulation Orders Emergency closure	£371.56	£393.86	
Temporary Traffic Regulation Orders Event closure - for a new event	£371.56	£393.86	
Temporary Traffic Regulation Orders Recurring event (plus advertising at cost)	£186.34	£197.52	
Temporary Traffic Regulation Orders Additional charges will be applied where further work is required in relation to a temporary closure at an hourly rate of:	£49.39	£52.36	
Rechargeable works admin fee – Damage works Work costs <£500	£56.13	£59.49	
Rechargeable works admin fee – Damage works Work costs £500 - £1,000	£112.25	£118.99	
Rechargeable works admin fee – Damage works Work costs >£1,000	22%	24%	Charge increased to 24% of works costs >£1K



Appendix 1

Title	Current price	Proposed New Price	Increase Description
Con29 Highway Search, Standard Highway search (VAT included)	£53.42	£56.63	Incl. VAT
CON29 Highway Search Optional Questions Q4	£16.56	£17.55	Incl. VAT
CON29 Highway Search Optional Questions Q21	£4.58	£4.85	Incl. VAT
CON29 Highway Search Optional Questions Q22	£23.02	£24.40	Incl. VAT
Non-CON29 Highway Enquiry (inc a plan (up to 100m) and CON29 type questions but not in accordance with the Local Authorities (Charges for Property Searches) Regulations 2008	£65.72	£69.66	VAT not applicable
Non-CON29 Highway Enquiry (as above but each additional 100m on a plan) and CON29 type questions	+31.80	+33.71	
Non-CON29 Highway Enquiry (not inc a reply plan) - Is the road publicly maintainable highway?; or subject to adoption and supported by a bond or waiver?; or to be made up by the local authority who will either reclaim the costs from the frontagers or not reclaim the costs?		£29.61	New fee
Non-CON29 Highway Enquiry (not inc a reply plan) - Is any PRow which abuts or crosses the property shown on the Definitie Map?; Are there any pending applications to record a PRow that abuts or crosses the property?; Are there any legal orders to stop-up, divert, alter or create a PRow which abuts or crosses the property?		£10.45	New fee
Non-CON29 Highway Enquiry (not inc a reply plan) Is the property to be included in land to be acquired for road works?		£2.96	New Fee
Non-CON29 Highway Enquiry (not inc a reply plan) Is the property (or will it be) within 200 metres of any of the following? (a) the centre line of a new trunk road or special road specified in any order, draft order or scheme (b) the centre line of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway (c) the outer limits of construction works for a proposed alteration or improvement to an existing road involving:- (i) construction of a roundabout (other than a mini roundabout), or		£11.84	New Fee

Appendix 1

Title	Current price	Proposed New Price	Increase Description
<p>(ii) widening by construction of one or more additional traffic lanes</p> <p>(d) the outer limits of:-</p> <p>(i) construction of a new road to be built by a local authority,</p> <p>(ii) an approved alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway,</p> <p>(iii) construction of a roundabout (other than a mini roundabout) or widening by construction of one or more additional traffic lanes</p> <p>(e) the centre line of the proposed route of a new road under proposals published for public consultation</p> <p>(f) the outer limits of:-</p> <p>(i) construction of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway</p> <p>(ii) construction of a roundabout (other than a mini roundabout)</p> <p>(iii) widening by construction of one or more additional traffic lanes, under proposals published for public consultation</p>			
<p>Non-CON29 Highway Enquiry (not inc a reply plan) Has a local authority approved but not yet implemented any of the following for the roads, footways and footpaths which are named in Box B &amp; C and are within 200 metres of the boundaries of the property?</p> <p>(a) permanent stopping up or diversion</p> <p>(b) waiting or loading restrictions</p> <p>(c) one way driving</p> <p>(d) prohibition of driving</p> <p>(e) pedestrianisation</p> <p>(f) vehicle width or weight restriction</p> <p>(g) traffic calming works including road humps</p> <p>(h) residents parking controls</p> <p>(i) minor road widening or improvement</p> <p>(j) pedestrian crossings</p> <p>(k) cycle tracks</p> <p>(l) bridge building</p>		£11.84	New fee

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Non-CON29 Highway Enquiry (not inc a reply plan) Do any statutory notices which relate to the following matters subsist in relation to the property other than those revealed in a response to any other enquiry in this form? (a) building works (b) environment (c) health and safety (d) housing (e) highways (f) public health (g) flood and coastal erosion risk management		£2.96	New fee
Regulation 43 of the Commons Registration (England) Regulations 2014 (Application form CA15)	£74.2	£78.65	
<del>Section 6 of the 2006 Act CA1 Creation of a right of common over existing common land</del>	£312.70	£331.46	
<del>Section 6 of the 2006 Act CA1 Creation of a right of common over existing common land</del> Creation of a right of common resulting in the registration of new common land			Legislation states "No fee applicable"
Section 7 of the 2006 Act CA2, Variation of a right of common	£312.70	£331.46	
Section 7 of the 2006 Act, CA2, Variation of a right of common resulting in the registration of new common land			Legislation states "No fee applicable"
Section 8 of the 2006 Act CA3, Apportionment of a right of common	£312.70	£331.46	
Section 10 of the 2006 Act CA4, Attachment of a right of common			Legislation states "No fee applicable"
Section 11 of the 2006 Act CA5 Reallocation of attached rights	£312.70	£331.46	
Section 12 of the 2006 Act, CA6, Transfer of a right in gross	£116.60	£123.60	
Section 13 of the 2006 Act CA7, Surrender or extinguishment of a right of common	£233.20	£247.19	

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Section 4, paragraph 8 of the 2006 Act CA8, Statutory disposition pursuant to section 14 of the 2006 act (including the exchange of land for land subject to a statutory disposition)	£466.40	£494.38	
Section 15(1) or Section 15(8) of the 2006 Act CA9 Registration of a new town or village green by the owner or someone other than by the owner			Legislation states "No fee applicable"
Section 19 of the 2006 Act CA10 Correction, for a purpose described in section 19(2)(d)	£53.00	£56.18	
Section 19 of the 2006 Act CA10 Correction, for a purpose described in 19(2)(b) or (e)	£312.70	£331.46	
Section 19 of the 2006 Act, CA10 Correction, for a purpose described in Section 19(2)(a) or (c)			Legislation states "No fee applicable"
Schedule 1, paragraph 19(6)(b), to the 2006 Act CA11 Coverage by transfer to public bodies	£79.50	£84.27	
Schedule 1, paragraph 3 (7)(b), to the 2006 Act CA12	£233.20	£247.19	
Schedule 2, paragraphs 6 - 9, to the 2006 Act CA13 Deregistration of certain land registered as common land or as a town or village green	£1,558.20	£1,651.69	
Schedule 2, paragraph 2 or 3, to the 2006 Act CA13 Non-registration of common land or town or village green			Legislation states "No fee applicable"
Schedule 2, paragraph 4, to the 2006 Act CA13, Waste land of a manor not registered as common land			Legislation states "No fee applicable"
Schedule 2, paragraph 5, to the 2006 Act CA13 Town or village green wrongly registered as common land			Legislation states "No fee applicable"
Schedule 3, paragraph 2 or 4, to the 2006 Act CA14 Creation of a right of common, statutory disposition (including the exchange of land for land subject to a statutory disposition) and variation	£429.30	£455.06	
Schedule 3, paragraph 2 or 4, to the 2006 Act, CA14, Apportionment of a right of common (to facilitate any other purpose)	£392.20	£415.73	

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Schedule 3, paragraph 2 or 4, to the 2006 Act CA14 Surrender or extinguishment of a right of common, severance of a right of common, transfer of a right in gross	£265.00	£280.90	
Section 15A(1) of the 2006 Act, CA16 Deposits under section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006	£413.40	£438.20	
Section 15A(1) of the 2006 Act, CA16 Deposits under section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006 (Any additional notices per notices)	£31.80	£33.71	
General Enquiry Requesting a copy of a register/ plan	£16.84	£17.85	
S38 Superintendence fees, minimum fee for both Section 38 and 278 Agreements £2,000.	10%	11.5%	Percentage is based on value of the associated bond
S278 Superintendence fees, minimum fee for both Section 38 and 278 Agreements £2,000.	10%	11.5%	Percentage is based on value of the associated bond
S278 Supervision fees for 278 agreement work where the Highway Development Service has been used	8.5%	10%	Percentage is based on value of the associated bond
Stopping up order Officer time spent dealing with an application will be charged at an hourly rate as listed. Other external costs incurred by the County Council will be recharged to the applicant.	£49.39	£52.36	
Stopping up order Other external costs are also charged to the customers.			
Stopping up order Initial fee the applicant must pay with the initial request, the balance must be settled prior to the application to the Magistrates Court.	£929.47	£985.23	
H-Bar Markings	£248.08	£262.97	
Request from consultants / private companies for 'new' information	£49.39	£52.36	
Structures approval Hourly rate of officer time spent assessing new structures proposed by developers	£49.39	£52.36	

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Structures approval Initial request fee the applicant must pay (the balance must be settled with the request for signature of the Approval in Principle (AIP))	£123.48	£130.89	
Application from developer for a Traffic Regulation Order amendment	£49.39	£52.36	
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (one day or less) There is no charge for mobile mechanical plant machinery that is on site for one day or less.			
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (more than one day) £144.00 for a 2 week licence	£161.65	£171.35	
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (more than one day) Early start fee (if licence is required within 3 days of request).	£31.43	£33.32	
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (more than one day) If mobile mechanical plant machinery needs to be in situ for longer than 2 weeks then an additional weekly extension fee will apply:	£98.78	£104.71	
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (more than one day) Failure to comply with the licence conditions will result in a further inspection fee of:c	£61.74	£65.44	
Tourist Traffic Signs Initial assessment fee (non-refundable).	£185.22	£196.33	
Tourist Traffic Signs Additional charges will be applied where further work is required in relation to an application at an hourly rate	£49.39	£52.36	
Road safety audits - hourly rate	£49.39	£52.36	
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Total	£352.03	£476.87	

**Appendix 1**

<b>Title</b>	<b>Current price</b>	<b>Proposed New Price</b>	<b>Increase Description</b>
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Licence fee	£193.03	£317.87	
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Inspection fee x 3	£150.00	£150.00	Unable to raise as statutory fee figure
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Inspection fee (1 unit) 15 working days or less	£150.00	£150	Unable to raise as statutory fee figure
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Additional inspection fee (2 units) 16-30 working days	£300	£300	Unable to raise as statutory fee figure
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Additional inspection fee (3 units) greater than 30 working days	£450	£450	Unable to raise as statutory fee figure
Attachment of New Christmas Displays to NYCC street lighting columns			Subject of a separate review
Attachment of new CCTV, ANPR, wi-fi, IoT Sensors to NYCC street lighting columns			Subject of a separate review
Ongoing, annual fee for attaching displays, CCTV/ANPR, flower baskets, banners, wi-fi, bunting, VAS, IoT Sensors, temp signs to NYCC street lighting columns			Subject of a separate review
S184 Dropped crossings and new accesses			Subject of a separate review
Car Parking Fees and Charges			Car Parking Fees and Charges will be in the Budget Report

Appendix 1

Title	Current price	Proposed New Price	Increase Description
<b>Park and Grounds Fees &amp; Charges 2024/25</b>			
Ripon & Knaresborough Market - Regular Trader - direct debit payment (standard rate effective for 40 weeks per year)	£20.70	£21.95	Including VAT
Ripon & Knaresborough Market - Regular Trader - direct debit payment (Winter rate effective for 12 weeks per year)	£17.40	£18.45	Including VAT
Ripon & Knaresborough Market - Casual Trader	£23.30	£24.70	Including VAT
Ripon & Knaresborough Market - New Starter Rate	£11.15	£11.85	Including VAT
Ripon & Knaresborough Market - Surcharge to provide and erect stall	£5.00	£5.30	Including VAT
Ripon & Knaresborough Market - Small table / hanging space	£2.50	£2.65	Including VAT
Ripon & Knaresborough Market - Electricity	£8.90	£9.45	Including VAT
Ripon & Knaresborough Market - Charity stall	£0.00	£0.00	Including VAT
Northallerton Market - Regular trader - Monthly direct debit in advance, per metre frontage (min £21.20)	£5.00	£5.30	Including VAT
Northallerton Market - Regular trader - Weekly cash, per metre frontage (min £23.40)	£5.50	£5.85	Including VAT
Northallerton Market - Casual trader - Weekly cash, per metre frontage min (£28.80)	£6.75	£7.20	Including VAT
Thirsk Market - Regular trader - Monthly direct debit in advance, per metre frontage (min £19.00)	£4.50	£4.75	Including VAT
Thirsk Market - Regular trader - Weekly cash, per metre frontage (min £21.20)	£5.00	£5.30	Including VAT
Thirsk Market - Casual trader - Weekly cash, per metre frontage (min £25.60)	£6.00	£6.40	Including VAT
Thirsk Market - Casual trader - bank holiday - Weekly cash per metre frontage (min £25.60)	£6.00	£6.40	Including VAT



Appendix 1

Title	Current price	Proposed New Price	Increase Description
Helmsley & Pickering Markets - Stall hire	£26.50	£28.10	Including VAT
Helmsley & Pickering Markets - Vehicle	£6.68	£7.10	Including VAT
Scarborough - Farmers Market, Market stall	£29.00	£30.75	Including VAT
Scarborough - Farmers Market, Commercial Sale of a Vehicle on the Highway (for period up to sale)	£30.00	£31.80	Including VAT
Hanging Basket Scheme - Harrogate Area, Subsidised rate	£87.00	£93.00	Including VAT
Hanging Basket Scheme - Harrogate Area, Non-subsidised rate	£143.00	£152.00	Including VAT
Allotments – Harrogate Area, Standard rental (300 square yards / 250m <sup>2</sup> )	£74.20	£78.65	VAT Exempt Allotment holders are entitled to one year's notice for any price changes so prices are for 2024/25 and 2025/26 respectively.
Allotments – Harrogate Area, Senior citizens	£39.75	£42.15	VAT Exempt Allotment holders are entitled to one year's notice for any price changes so prices are for 2024/25 and 2025/26 respectively.
Allotments – Harrogate Area, Water charges	£13.90	£14.75	Zero rated VAT Allotment holders are entitled to one year's notice for any price changes so prices are for 2024/25 and 2025/26 respectively.
Allotments – Scarborough Area, Standard Rental	£55.12	£58.45	VAT Exempt Allotment holders are entitled to one year's notice for any price changes so prices are for 2024/25 and 2025/26 respectively.
Allotments – Craven Area, Standard Rental Rental price dependant on plot size.	£37.52 - £75.04	£39.77 - £79.54	VAT Exempt Allotment holders are entitled to one year's notice for any price changes so prices are for 2024/25 and 2025/26 respectively.

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Community Event Hire Charge - Harrogate Area, Small event (up to 999)	£0.00	£0.00	
Community Event Hire Charge - Harrogate Area, Medium event (1000 - 1999)	£0.00	£0.00	
Community Event Hire Charge - Harrogate Area, Large event (2000+)	£0.00	£0.00	
Community Event Application Fee (non-refundable) - Harrogate Area, Small event (up to 999 attendees)	£115.00	£122.00	Excludes VAT Per event
Community Event Application Fee (non-refundable) - Harrogate Area, (1000 attendees and over)	£170.00	£180.00	Excludes VAT Per event
Community Event Bond (refundable) - Harrogate Area, Small event (up to 999)	£450.00	£480.00	Outside scope of VAT Per event
Community Event Bond (refundable) - Harrogate Area, Medium event (1000 - 1999)	£1,100	£1,170	Outside scope of VAT Per event
Community Event Bond (refundable) - Harrogate Area, Large event (2000+)	POA	POA	Outside scope of VAT Per event, price on application.
Commercial Hire - Premium location event fees (Harrogate Stray and town centre open spaces) - Harrogate Area	£1,300	£1,380	Excludes VAT Per day
Commercial Hire - Premium locations application fee (non-refundable) - Harrogate Area	£170.00	£180.00	Excludes VAT Per day
Commercial Hire - All other locations - Harrogate Area	£610.00	£650.00	Excludes VAT Per day
Commercial Application Fee - All other locations (non-refundable) - Harrogate Area	£170.00	£180.00	Excludes VAT Per day
Commercial Hire – Bond (refundable)	£500- £2,000	£500- £2,500	Excludes VAT Per day
Professional Fees - Event Management Plan due diligence	£217.00	£230.00	Excludes VAT Per event
Professional Fees - On site event supervision	£424.00	£450.00	Excludes VAT Per day
Tennis - Harrogate Area, Court hire	£7.50	£7.95	Including VAT

**Appendix 1**

<b>Title</b>	<b>Current price</b>	<b>Proposed New Price</b>	<b>Increase Description</b>
			Per court, per hour
Tennis - Harrogate Area, Hire of racket	£2.70	£2.85	Including VAT Per racket
Tennis - Harrogate Area, Hire of balls	£2.20	£2.35	Including VAT Per set (6)
Flat Green Bowls - Harrogate Area, Adult	£4.40	£4.70	Including VAT Per game / hour
Flat Green Bowls - Harrogate Area, Child / Concession	£2.90	£3.10	Including VAT Per game / hour
Flat Green Bowls - Harrogate Area, Season ticket, Adult	£76.00	£81.00	Including VAT, Per season
Flat Green Bowls - Harrogate Area, Season ticket, Child / Concession	£39.00	£41.00	Including VAT Per season
Flat Green Bowls - Harrogate Area, Hire of woods	£2.50	£2.65	Including VAT Per set
Crown Green Bowls - Harrogate Area, Adult	£4.40	£4.70	Including VAT Per game / hour
Crown Green Bowls - Harrogate Area, Child / Concession	£2.90	£3.10	Including VAT Per game / hour
Crown Green Bowls - Harrogate Area, Hire of Woods	£2.50	£2.65	Including VAT Per set
Pitch & Putt Golf – Harrogate Area, Adult	£5.50	£5.85	Including VAT Per round
Pitch & Putt Golf – Harrogate Area, Child / Concession	£3.50	£3.70	Including VAT Per round
Pitch & Putt Golf – Harrogate Area, Season Ticket, Adult	£215.00	£228.00	Including VAT Per season
Pitch & Putt Golf – Harrogate Area, Season Ticket, Child / Concession	£115.00	£122.00	Including VAT Per season
Pitch & Putt Golf – Harrogate Area, Book of 10 sessions (Adult)	£48.00	£51.00	Including VAT Per book

Appendix 1

Title	Current price	Proposed New Price	Increase Description
Pitch & Putt Golf – Harrogate Area, Book of 10 sessions (Child / Concession)	£27.00	£28.50	Including VAT Per book
Putting, Continental Golf, Table Tennis (30mins), Disc Golf - Harrogate Area, Adult.	£3.20	£3.40	Including VAT Per round
Putting, Continental Golf, Table Tennis (30mins), Disc Golf - Harrogate Area, Child / Concession	£2.50	£2.65	Including VAT Per round
Putting, Continental Golf, Table Tennis (30mins), Disc Golf - Harrogate Area, Adult – try 2 activities	£5.00	£5.30	Including VAT Per round
Putting, Continental Golf, Table Tennis (30mins), Disc Golf - Harrogate Area, Child / Concession – try 2 activities	£3.80	£4.00	Including VAT Per round
General Charges (games) – Harrogate Area, lost golf ball	£1.60	£1.70	Including VAT, per ball
General Charges (games) – Harrogate Area, lost tennis ball	£2.50	£2.65	Including VAT Per ball
General Charges (games) – Harrogate Area, lost / broken club or racket	£18.00	£19.50	Including VAT Per club / racket
General Charges (games) – Harrogate Area, lost / broken disc	£6.80	£7.20	Including VAT Per disc
Football pitch hire football – Harrogate Area, Stray. Senior teams.	£308.00	£327.00	VAT Exempt Per season Charge only applicable to changing facilities
Football pitch hire football – Harrogate Area; Cats Field, Crimple Meadow, Fysche Hall, Harlow Hill, Hydro, Queen Ethelburgas. Senior teams.	£280.00	£297.00	VAT Exempt Per season No changing facilities except Harlow Hill
Football pitch hire football – Harrogate Area; Cats Field, Crimple Meadow, Fysche Hall, Harlow Hill, Hydro, Queen Ethelburgas. Junior teams.	£157.00	£167.00	VAT Exempt Per season No changing facilities except Harlow Hill
Football pitch hire football – Harrogate Area; Hookstone Road and Hay-a-Park. Senior teams.	£495.00	£525.00	VAT Exempt Per season With changing facilities
Football pitch hire football – Harrogate Area; Hookstone Road and Hay-a-Park.	£361.00	£383.00	VAT Exempt Per season

**Appendix 1**

<b>Title</b>	<b>Current price</b>	<b>Proposed New Price</b>	<b>Increase Description</b>
Junior teams.			With changing facilities
Football pitch hire football – Harrogate Area, Killinghall Moor and Camp Close. Senior teams.	£746.00	£791.00	VAT Exempt Per season With changing facilities
Football pitch hire football – Harrogate Area; Killinghall Moor and Camp Close. Junior teams.	£361.00	£383.00	VAT Exempt Per season With changing facilities
Football pitch hire football – Harrogate Area, Hell Wath, Ripon. Junior teams.	£157.00	£167.00	VAT Exempt Per season With changing facilities - upon agreement with Ripon City.
Football pitch hire one-off / ad hoc – Harrogate Area. Killinghall Moor / Camp Close / Hell Wath (with changing facility)	£78.00	£82.70	Excludes VAT Per match
Football pitch hire one-off / ad hoc – Harrogate Area. Killinghall Moor / Camp Close / Hell Wath (without changing facility)	£45.00	£48.00	Excludes VAT Per match
One off hire for Killinghall Moor Meeting Room only	£45.00	£48.00	VAT Exempt Per half day

<p><b>Initial equality impact assessment screening form</b>          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>			
<b>Directorate</b>		Environment	
<b>Service area</b>		Highways and Transportation, Parking Services, Street Scene, Parks and Grounds	
<b>Proposal being screened</b>		Fees and Charges 2024/25 review	
<b>Officer(s) carrying out screening</b>		Allan McVeigh	
<b>What are you proposing to do?</b>		Review fees and charges for Highways and Transportation, Parking Services, Street Scene, Parks and Grounds service in time for 2024/25 financial year	
<b>Why are you proposing this? What are the desired outcomes?</b>		Corporate requirement to review fees and charges on an annual basis, in order to ensure full cost recovery	
<b>Does the proposal involve a significant commitment or removal of resources?</b> Please give details.		No	
<p><b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics</b>          As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> <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		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	
<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (for example, disabled people's access to public transport)? Please give details.	No		

<p><b>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?</b> Please explain why you have reached this conclusion.</p>	No		
<p><b>Decision (Please tick one option)</b></p>	EIA not relevant or proportionate:	✓	Continue to full EIA:
<p><b>Reason for decision</b></p>	Full EIA not required. Any increase is reflective of the cost of delivering the service and/or in line with the Consumer Price Index inflation rate. All the rates have previously been benchmarked against comparator authorities.		
<p><b>Signed (Assistant Director or equivalent)</b></p>	Barrie Mason		
<p><b>Date</b></p>	16/01/24		

## 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](mailto:climatechange@northyorks.gov.uk)

### Version 2: amended 11 August 2021

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

Planning Permission  
Environmental Impact Assessment  
Strategic Environmental Assessment

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

Please contact [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk) for advice.

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<b>Title of proposal</b>	<b>Review of Highways and Transportation, Parking Services, Street Scene, Parks and Grounds service fees and charges 2024/25</b>
<b>Brief description of proposal</b>	<b>Review of Service Fees and Charges to ensure the Council charges the correct rate for its services and achieves full cost recovery</b>
<b>Directorate</b>	<b>Environment</b>
<b>Service area</b>	<b>Highways and Transportation, Parking Services, Street Scene, Parks and Grounds</b>
<b>Lead officer</b>	<b>Allan McVeigh</b>
<b>Names and roles of other people involved in carrying out the impact assessment</b>	<b>N/A</b>
<b>Date impact assessment started</b>	<b>22 December 2023</b>



**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.

Fees and charges need to be reviewed and where appropriate, revised, in order to reflect the actual cost of services to the Council

**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 review and implementation of the new fees and charges should have a positive effect on council budgets ensuring the correct fee or charge is received for that service. It will be cost neutral

<p><b>How will this proposal impact on the environment?</b></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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>
<p><b>Minimise greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel	Y				
	Emissions from construction	Y				
	Emissions from running of buildings	Y				
	Emissions from data storage	Y				
	Other	Y				
<p><b>Minimise waste:</b> Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		Y				
<p><b>Reduce water consumption</b></p>		Y				

<p><b>How will this proposal impact on the environment?</b></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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>
<p>Minimise <b>pollution</b> (including air, land, water, light and noise)</p>		Y				
<p>Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		Y				
<p>Enhance <b>conservation</b> and wildlife</p>		Y				
<p>Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b></p>		Y				
<p>Other (please state below)</p>		Y				

**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.

No climate change impact is considered to arise as a result of the proposed Highways and Transportation Fees and Charges.

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**Sign off section**

This climate change impact assessment was completed by:

<b>Name</b>	<b>Allan McVeigh</b>
<b>Job title</b>	<b>Head of Network Strategy</b>
<b>Service area</b>	<b>Highways and Transportation</b>
<b>Directorate</b>	<b>Environment</b>
<b>Signature</b>	<b>Allan McVeigh</b>
<b>Completion date</b>	<b>22 December 2023</b>

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

**Date:** 16/01/24

## North Yorkshire Council

### Environment Executive Members

26 January 2024

#### Highway Development Service – Design and Construction Project – Selby SEN School Access Works

#### 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 seek agreement from the Corporate Director of Environment, in consultation with the Executive Member for Highways and Transportation, for the procurement of Civil Engineering works on behalf of the Council's Children and Young Peoples Services through the council's arm's length contractor North Yorkshire Highways (NYH) via a direct award.

##### **2.0 Background**

- 2.1 The Council's Highway Development Service (HDS) is a design and construction offer to the developer community for Section 278 works associated their development. However, in the case of this scheme it is proposed that the HDS delivers construction works for which no S278 agreement can be entered into (as explained in 6.1). It is proposed to deliver civil engineering works to facilitate access to a new SEN school subject to planning permission for the school being granted.
- 2.2 There are a number of different agencies and parties involved in the construction of the school and its access. The land on which the school is to be constructed is owned by NYC and will be leased to the Wellspring Academy trust. The agricultural land to the south and east of the proposed school will remain fully under NYC ownership but is leased to a tenant who farms the land. The school site is being brought forward and funded by the Department for Education (DfE) and they have employed Bowmer and Kirkland (B+K) to construct the school.
- 2.3 The planning application for the school and associated works was submitted on Friday 17 November 2023. This is a joint planning application between North Yorkshire Council and the Department for Education.

##### **3.0 Detailed Presentation of the Substantive issue**

- 3.1 The Council's Children and Young Peoples Service have approached the HDS, to construct a Ghost Island Right Turn Lane arrangement on the A61 Hull Road, Osgodby, Selby as well as associated road widening, new access road & footway construction, new footway construction to Hull Road, two uncontrolled pedestrian crossings and one puffin crossing plus street lighting relocation, drainage and resurfacing as required.
- 3.2 The preliminary and detailed design work has been undertaken by the council's design company, APP on behalf of the HDS and it is proposed that the construction works are direct awarded to NYH. Discussions have commenced with NYH who have submitted an initial estimate for the works and expect the value to be around £520,000. These works will be delivered by a combination of NYH internal resource

with some elements such as surfacing sub-contracted as required. NYH will be responsible for tendering these elements of the works with support from NYC procurement as required.

- 3.3 The scheme has been subject to numerous delays over its life cycle. It is hoped that the planning application can be determined in Q1 2024 so that the works within the adoptable highway can commence in May 2024.
- 3.4 It is proposed that NYH are the delivery partner for the construction of the scheme. There are a number of advantages to this delivery mechanism, one of the main ones being that the tender period is significantly shorter and less onerous for a direct award to an arm's length business than it would be if we were to go out to the open market or external frameworks. This will help significantly with the overall programme.
- 3.5 Compared to external contractors it is also anticipated that NYH will offer much better value for money and give the Council much more control over the end product and construction costs.

#### **4.0 Alternative Options**

- 4.1 Previous HDS schemes have been delivered using contractors on NYC's Planning and Surfacing framework by contractors procured through YOR Consult.
- 4.2 The Planning and Surfacing Framework would not be appropriate for this project since there is a significant amount of new build civil engineering works which would need to be costed as special items. This would become costly on a project of this scale.
- 4.3 YOR civils has been the Framework through which contractors have been procured for two construction projects on behalf of the HDS in Skipton and Whitby. However, both projects were hit by numerous compensation events (CE's) and costs escalated significantly beyond the tendered construction values.
- 4.4 Due to the fact that the works will not go ahead if Planning Permission for the school and access is not granted, there is a risk that contractors on the open market would not want to tender for the work, since this could potentially be abortive effort. This could also mean that contractors who do tender the work are likely to increase their prices to cover this risk, or that fewer tenders would be received.
- 4.5 Since NYH are an arm's length organisation owned by the Council it is envisaged that they would work with the Council and its appointed Project Manager to keep CE's to a minimum and also looks to make savings through Early Contractor Involvement. They have also been made aware of the risk that the scheme may not go ahead should Planning Permission not be granted but are keen to develop relationships with the HDS and wider council teams and are therefore prepared to price the works despite this risk. As such it is considered that this delivery mechanism minimises risk to the Council and offers best value.

#### **5.0 Financial Implications**

- 5.1 All costs associated with projects that come through the HDS are paid in entirety, by the developer. This includes design, construction, supervision and project management as well as any HDS fees arising during the construction period. Further, NYC fees, previously agreed through the HDS governance framework, are applied to projects in order to ensure all Council costs are covered.

- 5.2 Since there is no legal agreement to be entered into between different council service areas, as the Council cannot enter into an agreement with itself, the appropriate service needs to agree to pay all costs associated with the civil engineering works. The scheme is in the CYPS Capital Plan, and all fees expended will be reimbursed from the CYPS capital budget, including the estimated £520,000 for the construction works. Funds for the highway construction have already been allocated including a significant contingency, therefore the risk to the Council and HDS budget is considered to be minimal.
- 5.3 The approval for the expenditure from the CYPS Capital Budget for this scheme was approved by Executive members on 21 June 2022.

## **6.0 Legal Implications**

- 6.1 The HDS generally delivers schemes for which a S278 agreement is entered into between developers and the Council, wherein developers agree to pay all reasonable costs associated with delivering works within the adoptable highways to facilitate access to or mitigate impacts of their development. However, a S278 agreement would not be appropriate in this case since it is not possible for the authority to enter into agreement with itself. As such the HDS will procure and deliver the works under the Councils permitted development rights once the planning permission has been granted.
- 6.2 The Council is subject to the Public Contract Regulations 2015 (PCR) when procuring goods or services. The PCR includes an exemption for “in house” arrangements (known as “in house” or “Teckal” exemption) where the contracting authority award a contract to an entity which it controls, and which carries out at least 80% of its activities for the controlling contracting authority. Where these requirements are satisfied the contracting authority can award contracts that would otherwise be covered by the PCR to the controlled subsidiary without needing to subject the arrangements to competition. It follows that the Council can make a direct award to NYH given it satisfies the requirements as a Teckal company controlled by the Council.
- 6.3 It is considered that there are no legal implications from offering a construction service other than there being a requirement for the appropriate approvals to be in place in order to allow the Council to tender the works.

## **7.0 Equalities Implications**

- 7.1 An Equality Impact Assessment screening has been completed and included as Appendix 1 of this report. It is considered an Equality Impact Assessment was not required and that there are no equality implications arising from this recommendation.

## **8.0 Climate Change Implications**

- 8.1 A Climate Change Impact Assessment is included as Appendix 2 of this report. No impacts are anticipated given the report seeks approval for the procurement of construction works, which will be required as part of a proposed planning condition.

## **9.0 Reason for Recommendations**

- 9.1 A direct award to NYH offers a quick and effective route to procurement and gives the council the most amount of control over cost and quality compared to alternative procurement options.

## **10.0 Recommendation**

- 10.1 It is recommended that the Corporate Director, Environment in consultation with the Executive Member for Highways and Transportation agree the procurement of the offsite construction works for the Selby SEN School scheme through a direct award to North Yorkshire Highways as set out in section 3 of this report.

### APPENDICES:

- Appendix 1 – EIA Screener Document
- Appendix 2 – Climate Change Impact Assessment

BARRIE MASON  
Environment  
County Hall, Northallerton

23 November 2023

Author of Report: Allan McVeigh Head of Network Strategy

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



<b>Initial equality impact assessment screening form</b>			
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.			
<b>Directorate</b>	Children & Young People's Services		
<b>Service area</b>	Inclusion		
<b>Proposal being screened</b>	Selby Free School		
<b>Officer(s) carrying out screening</b>	Lucy Wade		
<b>What are you proposing to do?</b>	Construct an access road and pedestrian crossings for a new SEN school in Osgodby, Selby. The DfE are building the school as the result of a successful free school application, which is due to open in November 2025.		
<b>Why are you proposing this? What are the desired outcomes?</b>	To enable access to the school and the surrounding NYC owned land.		
<b>Does the proposal involve a significant commitment or removal of resources?</b> Please give details.	There is a significant capital contribution from NYC.		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics</b>			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul>			
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 <a href="#">Equality rep</a> for advice if you are in any doubt.			
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)		✓	
<b>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.</b>	There is a need in the Selby area for a SEN school. This project will provide the capacity of school places required in this area.		
<b>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</b>	This proposal will have a positive affect on children and young people with SEND.		

## Appendix 1

<p><b>protected characteristics?</b> Please explain why you have reached this conclusion.</p>	<p>The proposed designs provide additional pedestrian crossing points, which are all in line with the appropriate regulation.</p>			
<p><b>Decision (Please tick one option)</b></p>	<p>EIA not relevant or proportionate:</p>	<input checked="" type="checkbox"/>	<p>Continue to full EIA:</p>	
<p><b>Reason for decision</b></p>	<p>The new SEN School and access road will have a positive impact on the local community.</p>			
<p><b>Signed (Assistant Director or equivalent)</b></p>	<p>Chris Reynolds</p>			
<p><b>Date</b></p>	<p>20 October 2023</p>			

## Climate change impact assessment

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

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

If you have any additional queries which are not covered by the guidance please email [climatechange@northyorks.gov.uk](mailto: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 the summary section of the form below.

Please contact [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk) for advice.

<b>Title of proposal</b>	Selby Free School Access Road
<b>Brief description of proposal</b>	To build an access road on the Selby Free School site, so the DfE can construct a school.
<b>Directorate</b>	BES
<b>Service area</b>	Transport & Development
<b>Lead officer</b>	Jasmin Gibson
<b>Names and roles of other people involved in carrying out the impact assessment</b>	Lucy Wade
<b>Date impact assessment started</b>	12/04/23 (updated Nov 23)

**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.

Vehicle numbers on the A61 and into the proposed school site mean that a simple priority junction would have been acceptable in terms of the trip rates generated, but it has been agreed with NYC development management that a right turn lane would be a better solution in this area lane for reasons of improved safety for those travelling to and from the school site and also for HGV's during the construction period. Whilst the priority junction would have lower emissions/CO2 than the right turn lane proposal the safety of travelling public is the priority.

**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 costs for the construction of the right turn lane, delivery of project management and supervision of the scheme and design costs to date are currently estimated at £1.36mil though this includes a significant contingency (due to current market uncertainty) and actual total scheme costs are hoped to be less in practice. It is difficult to predict the final cost of the scheme before the works are completed due to the risk of compensation events from the contractor, however we have had initial discussions with North Yorkshire Highways and they have provided an estimate of approximately £520,000. Ultimately the works need to be delivered and the costs of £1.2mil had previously been allowed for with the difference being made up from the SEN capital program if needed.

<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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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 <b>greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	<p>Emissions from travel</p>	<p><b>X</b></p>		<p>Forecast trips generated from school staff/student traffic is relatively low.</p>	<p>A travel plan has been prepared which will encourage active modes of travel.</p>	<p>A new footway is being constructed along the full frontage of the school site. Three new pedestrian crossings are being constructed (two uncontrolled and one controlled). Advance warning of the school site in the form of signage will help to reduce vehicle speeds and make the environment more conducive to cycling.</p>
	<p>Emissions from construction</p>		<p><b>X</b></p>	<p>Anticipated construction period is approximately 16 weeks.</p>	<p>Could include a requirement to minimise construction trips within tender for contractor or prefer one based locally to the site to minimise mileage. This</p>	

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
<p>Page 70</p>						<p>could however increase overall construction cost so this will need to be balanced.</p>	
	<p>Emissions from running of buildings</p>		<p>X</p>		<p>N/A school site considered separately to access road construction</p>		
	<p>Emissions from data storage</p>		<p>X</p>		<p>N/A</p>		
	<p>Other</p>						
<p>Minimise <b>waste</b>: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>			<p>X</p>	<p>Materials will need to be deposited after site clearance has taken place.</p>	<p>Investigate the possibility to reuse topsoil stripped in landscaping the rest of the site.</p>		
<p>Reduce <b>water</b> consumption</p>		<p>X</p>					

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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 <b>pollution</b> (including air, land, water, light and noise)</p>			X	<p>As above the site will generate construction traffic for approximately 16 weeks. A degree of noise pollution is likely to be generated by some phases of work also, this is considered unavoidable due to the nature of the work. The works may need to be undertaken on nights due to the strategic nature of hull road, as such noise/light pollution may be generated in this area too.</p>		
<p>Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		X		<p>The road construction is not in an area of the site prone to flooding. Surface water from highways will need to be attenuated with runoff rates limited to greenfield runoff.</p>		
<p>Enhance <b>conservation</b> and wildlife</p>		X		<p>A small amount of farmland will be hard surfaced as a result of the access road construction. Any tree loss will be mitigated by compensatory planting elsewhere on the site.</p>		

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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 <b>North Yorkshire's landscape</b></p>		X		N/A		
<p>Other (please state below)</p>						

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

Procurement of the scheme contractor could follow the guidance of the Low Carbon Procurement Guide (commissioned by York and North Yorkshire LEP).



**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.

Highway construction will naturally cause greenhouse emissions due to the embedded CO2 in the materials used, and temporary increases in traffic due to construction vehicles. Mitigation has been suggested for areas where impacts have been identified and this can be considered further with North Yorkshire Highways.

There is the potential to look at options such as using recycled materials in the road construction, the potential carbon saving from this can be investigated further and as above procurement of the scheme contractor could follow the guidance of the Low Carbon Procurement Guide (commissioned by York and North Yorkshire LEP)

In terms of active travel for the site once constructed, there is a continuous footpath link proposed across the site frontage as well as pedestrian crossings ensuring pedestrian connectivity to the site with three different opportunities for pedestrian access to the site itself. There is a fourth potential access point via a public right of way but it is not anticipated that this would be an appealing route. With regard to cycle connectivity this would be on the main carriageway on Hull Road. There are no existing cycle paths in the vicinity to connect in to, so there are no proposals to construct an on or off highway cycle path. The carriageway is wide, and subject to a 40mph speed limit. Whilst not ideal conditions for cycling, confident cyclists could employ this mode of transport. Due to the proposed future use of the site as a special educational needs school, it is anticipated that the vast majority of students will arrive by either car or minibus and so in this case it is expected that pedestrian and cycling uptake will be relatively low, though provisions are made to encourage this in the travel plan.

**Sign off section**

This climate change impact assessment was completed by:

<b>Name</b>	Jasmin Gibson
<b>Job title</b>	Senior Highways Engineer
<b>Service area</b>	Transport & Development
<b>Directorate</b>	BES
<b>Signature</b>	<i>Jasmin Gibson</i>
<b>Completion date</b>	14/04/23 (revised Nov 23)

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

**Date:** 15 January 2024

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## North Yorkshire Council

### Executive Members

26 January 2024

### Highways Capital Programme

#### 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 of Environment in consultation with the Executive Member for Highways and Transportation to:
- a) authorise additions to the Highways Capital Forward Programme (HCFP) for Structural Highway Maintenance identified since the last Highways Capital Programme report dated 25 August 2023
  - b) add further schemes to the 2023/24 and 2024/25 Highway Capital Annual Programmes due to the recent announcement of additional funding for highway maintenance.
- 1.2 To update the Corporate Director of Environment and the Executive Member for Highways and Transportation on:
- a) future funding assumptions from 2025/26 onwards.

#### 2.0 SUMMARY

- 2.1 This report identifies schemes that are being added to the Highways Capital Forward Programme (HCFP) for future delivery and schemes that are being added to the 2024/25 Highway Capital Annual Programme as a result of the recent announcement of additional capital funding from Department for Transport (DfT) for 2023/24 and 2024/25.

#### 3.0 BACKGROUND

- 3.1 The Highways Capital Programme is made up of four specific elements; these are Street Lighting; Bridges and Structures; Integrated Transport and Structural Highway Maintenance. Each of these elements is subject to prioritisation methods based upon an assessment of the required outcomes.
- 3.2 The Executive Member for Highways and Transportation will be aware that usual practice is to present three main reports per year; one in the Spring outlining expected headline allocations for the following year, one in the summer identifying schemes to be added to the HCFP; followed by a report in Autumn confirming the schemes to be delivered in the following year's annual programme.
- 3.3 In line with 3.2 above, the report was considered at the Executive Member meeting held on 25 August 2023 outlining schemes to be added to the HCFP with a further report presented in November 2023 confirming schemes to be delivered in 2024/25.
- 3.4 Although advanced planning is maximised through the implementation of a three-year rolling capital works programme, there are occasions when it is necessary, for sound operational reasons, to introduce new schemes into the forward programme.

- 3.5 Following the cancellation of the HS2 project north of Birmingham, the Government announced how funding originally allocated to the HS2 scheme was going to be redirected to fund other transport projects as part of the “Network North” funding proposals. This included an increase in funding for local highway maintenance.
- 3.6 In November 2023 the Department for Transport (DfT) announced how much funding would be awarded to local highway authorities and combined authorities. This announcement included details of additional funding for 23/24 (in year) and 24/25, alongside details of additional highway maintenance funding from 2023 to 2034.

#### 4.0 SCHEMES ADDED TO THE HCFP

- 4.1 It is proposed to add eight new schemes, with a combined value of £916,000 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, however it is likely that some of these schemes will be delivered in 2023/24 and 2024/25.
- 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 ADDITIONAL FUNDING

- 5.1 North Yorkshire Council was awarded the following from the Road Resurfacing Fund (RRF) funded from Network North Transport funding.
- £4.704M of additional funding for 23/24
  - £4.704M of additional funding for 24/25
- 5.2 This funding is an addition to the existing funding for 23/24 and 24/25. A summary of DfT funding for North Yorkshire Council is outlined below

Year	Base Funding	Additional Funding Post Budget 2023	Network North Road Resurfacing Fund	Total
2023/24	£40.068M	£6.582M	£4.704M	£51.354M
2024/25	£40.068M		£4.704M	£44.772M

- 5.3 Additionally, a proposed minimum uplift of £314.185M between 2023/24 and 2033/34 was announced. It is anticipated that this uplift in funding will be in addition to the existing base funding level. It is unclear if the additional £9.408M already announced is included within this minimum uplift figure. It should be noted that the current base funding settlement finishes in March 2025 and future base funding would be subject to approval at the next Comprehensive Spending Review. Should the base funding remain at its current level of £40.068M from 2025 onwards the additional funding could represent a 66% increase in funding per year over the next decade.
- 5.4 We are awaiting further information from DfT on how the funding will be allocated, profiling of funding between 2025 and 2034, requirements for reporting and any other points that need to be considered going forward. In the interim officers are developing various programme scenarios to identify how additional funding could be allocated highway asset types. An update will be provided to a future meeting when we have more information available

## **6.0 2023/24 AND 2024/25 ADDITIONAL FUNDING**

- 6.1 As per 5.2 above, we have received £9.408M of additional funding. The DfT is clear that the funding should be used for new schemes, not for covering costs of existing schemes in the programme. Additionally, if we are unable to demonstrate that funding was not invested in additional maintenance activity, then they could potentially reduce or amend future funding grants to us.
- 6.2 The funding can be used for the delivery of works on a range of highway assets, with guidance from DfT stating that “the Road Resurfacing Fund for local highways maintenance, particularly for the resurfacing of carriageways, cycleways, and footways to prevent potholes and other road defects from occurring, as well as tackling other asset management priorities, such as keeping local bridges and other highway structures open and safe.”
- 6.3 Given the timing of the announcement of funding, delivering new schemes in year within 23/24 will be extremely challenging. Carrying out works over the winter period can be challenging due to weather conditions. Additionally supply chains will struggle to deliver these works within the remaining 3 months of the financial year. Within the DfT guidance there is no stipulation that the funding awarded in 2023/24 has to be spent in year.
- 6.4 In line with the above requirements a programme of works has been developed, which includes £7.807M of works costs alongside £1.60M of associated overhead costs. The programme of proposed schemes is outlined in appendix B. Design and development work is well underway and delivery programmes are being developed. We envisage 2024/25 schemes will be delivered from mid-April 2024, with the bulk of schemes delivered during Q2 2024/25
- 6.5 There is a requirement from DfT for us to develop a plan of how the funding will be spent and to be confirmed and made public by 15 March 2024. This is for 2023/24 funding, 2024/25 funding and the additional funding that was awarded following the March 2023 Budget, which was approved at the May 2023 Executive Member meeting. The bulk of these schemes have either been delivered or are in the process of being delivered.
- 6.6 In addition to the publication of the plan of how the funding will be spent, we are also required to produce quarterly updates to the DfT, outlining delivery progress throughout 2024/25.

## **7.0 FINANCIAL IMPLICATIONS**

- 7.1 Any additional costs associated with implementation of the schemes named in Appendix A will be accounted for as part of the routine strategic management of the Highways Capital Works Annual Programme for the year in which the schemes are added to.
- 7.2 The programme is kept under regular review to ensure that total annual expenditure is within the limits of available grant funding for that year plus a drawing down of up to £2m from the following year’s grant allocation as arranged with the Corporate Director of Resources. The contents of this report do not adversely impact upon that position.
- 7.3 Costs associated with the schemes outlined in Appendix B will be funded by the additional £9.408M of funding. The funding for these schemes is ring fenced, and should schemes slip in to future years, the funding would be carried forward with them. DfT guidance is clear that the £9.408M funding is for new schemes that otherwise would not have been delivered.

## **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 schemes to be added to the HCFP 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. This has identified that the development of a forward programme will help to improve efficiency of delivery, reducing waste and emissions through improved coordination and planning of works.

## **11.0 REASONS FOR RECOMMENDATIONS**

- 11.1 The recommendations will enable Council officers, working alongside our Teckal contractor, NY Highways and partner organisations to develop designs and deliver the schemes listed in Appendices A and B of this report.

## **12.0 RECOMMENDATION(S)**

- 12.1 It is recommended that the Corporate Director of Environment, in consultation with the Executive Member Highways and Transportation.
- a) authorises the addition of schemes listed in Appendix A to the Highways Capital Forward Programme for Structural Highway Maintenance identified since the last Highways Capital Programme report dated 25 August 2023
  - b) authorises the addition of schemes listed in Appendix B to the 2023/24 and 2024/25 Highway Capital Annual Programme, due to the recent announcement of additional funding for highway maintenance.

## **APPENDICES**

- Appendix A – Proposed Schemes to be added to Highways Capital Forward Programme  
Appendix B – Costs Associated with Schemes Outlined in Appendix A  
Appendix C – Record of Decision that Equality Impact Assessment  
Appendix D – Climate Change Impact Assessment

**BACKGROUND DOCUMENTS: N/A**

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

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

A summary of highway areas compared to previous Districts is provided below

Area 1 = Richmondshire

Area 2 = Hambleton

Area 3 = Scarborough

Area 4 = Ryedale

Area 5 = Craven

Area 6 = Harrogate

Area 7 = Selby

R&R = Restructure and Resurfacing scheme.

### Schemes to be added to Highways Capital Forward Programme

Area	Link & Section	Hierarchy	Scheme name	Town / Village	Scheme Cost
1	C29/1/80	4b	C29 Lanthwaite To Tan Hill Retaining Wall	Arkle Town	£500,000
1	U424/1/40	4b	U424 Whaw Village Road Retaining Wall	Whaw	£60,000
5	U784/2/30	4b	U784 Back Lane (East) Drainage	Long Preston	£60,000
6	C423/1/60	4b	C423 Kirkgate R&R	Ripon	£100,000
6	U2932/1/50	4b	U2932 Duck Hill R&R	Ripon	£100,000
7	U1104/2/40	4b	U1104 New Road R&R	Little Smeaton	£32,053
7	U1104/2/60	4b	U1104 Castle Hills Road R&R	Womersley	£32,053
7	U1104/2/80	4b	U1104 Castle Hills Road R&R	Womersley	£32,053
				<b>Total</b>	<b>£916,159</b>



## Schemes added in to 2023/24 and 2024/25 annual programmes

## 2023/24

Area	Link & Section	Hierarchy	Scheme name	Proposed Treatment PSDP or R&R	Town	Scheme Cost
1	U424/1/40	4b	Lathe Retaining Wall	Retaining Wall	Whaw	£ 60,000
	Various	Various	Traffic Signal Upgrades	Various	Various	£ 163,000
	Various	Various	Bridge Assessment & Investigation	Various	Various	£ 112,000
					<b>Total</b>	<b>£ 335,000</b>

## 2024/25

Area	Link & Section	Hierarchy	Scheme Name	Proposed Treatment PSDP Or R&R	Town	Scheme Cost
1	A684/5/60	3a	A684 Burton Bridge R&R	R&R	Constable Burton	£ 264,864
1	A684/5/70	3a	A684 Conyers Lane R&R	R&R	Constable Burton	£ 286,936
2	U1808/1/50	4b	U1808 Boltby R&R	R&R	Boltby	£ 160,531
2	U1809/1/30	4b	U1809 Boltby R&R	R&R	Boltby	£ 160,531

Area	Link & Section	Hierarchy	Scheme Name	Proposed Treatment PSDP Or R&R	Town	Scheme Cost
2	A684/8/05	3a	A684 Brompton & Stokesley Road R&R	R&R	Northallerton	£ 488,585
2	A61/9/30	3a	A61 Long Street R&R	R&R	Thirsk	£ 234,166
2	C26/1/80	4a	C26 Station Road R&R	R&R	Stokesley	£ 279,526
2	C136/1/20	4a	C136 Tanton Road Patching	Patching	Seamer	£ 22,571
2	C136/1/30	4a	C136 Tanton Road Patching	Patching	Seamer	£ 22,571
2	C136/1/40	4a	C136 Tanton Road Patching	Patching	Seamer	£ 22,571
2	U638/2/50	4b	U638 Yearsley Moor To South Lodge Patching	Patching	Yearsley	£ 69,292
3	C75/1/40	4a	C75 Carr Lane R&R	R&R	Folkton	£ 65,000
3	U2265/1/85	4b	U2265 Delves Lane Patching	Patching	Egton Bridge	£ 50,000
3	C56/1/65	4a	C56 Egton Lane Patching	Patching	Egton	£ 42,000
3	A64/1/80	2	A64 Falsgrave Road R&R	R&R	Scarborough	£ 101,000
3	U298/1/20	4b	U298 Fir Tree Drive Patching	Patching	Filey	£ 40,000
3	A170/5/70	2	A170 Fothill Lane To Pickering Road Patching	Patching	Hutton Buscel	£ 21,000
3	A169/3/90	3b	A169 Guisborough Road To The Carrs Patching	Patching	Sleights	£ 66,000
3	A170/5/20	2	A170 High Street Patching	Patching	Brompton	£ 21,000
3	U192/1/40	4a	U192 Larpool Lane Patching	Patching	Whitby	£ 30,000
3	A170/5/60	2	A170 Main Road Patching	Patching	Wykeham	£ 21,000
3	U827/4/50	3a	U827 Manor Road R&R	R&R	Scarborough	£ 220,000

Area	Link & Section	Hierarchy	Scheme Name	Proposed Treatment PSDP Or R&R	Town	Scheme Cost
3	A1039/2/20	3b	A1039 Muston Road R&R	R&R	Filey	£ 230,000
3	A1039/2/20	3b	A1039 Muston Road R&R	R&R	Filey	£ 80,000
3	U479/4/50	4b	U479 Park Avenue R&R	R&R	Scarborough	£ 66,000
3	U481/4/50	4b	U481 Park Street Patching	Patching	Scarborough	£ 40,000
3	U805/4/70	4a	U805 Peasholm Drive R&R	R&R	Scarborough	£ 70,000
3	U787/4/50	4a	U787 Market Street R&R	R&R	Scarborough	£ 25,000
3	U784/4/50	4a	U784 Cross Street R&R	R&R	Scarborough	£ 66,000
3	A165/2/90	3a	A165 Road From Cayton Bay Roundabout To Filey Road Roundabout R&R	R&R	Cayton	£ 75,000
3	A165/3/10	3a	A165 Road From Cayton Bay Roundabout To Filey Road Roundabout R&R	R&R	Cayton	£ 75,000
3	A174/2/10	3b	A174 Sandsend Road Patching	Patching	Sandsend	£ 70,000
3	A1039/2/60	3b	A1039 Scarborough Road R&R	R&R	Filey	£ 53,000
3	A1039/2/80	3b	A1039 Scarborough Road R&R	R&R	Filey	£ 116,000
3	U2265/1/75	4b	U2265 Smiths Lane Patching	Patching	Egton Bridge	£ 50,000
3	A1039/2/40	3b	A1039 Station Avenue R&R	R&R	Filey	£ 70,000
3	U412/1/50	4b	U412 West End Patching	Patching	Muston	£ 25,000
3	A64/1/90	2	A64 Westborough R&R	R&R	Scarborough	£ 101,000
3	A171/2/20	3a	A171 White Way Patching	Patching	Cloughton	£ 150,000
3	A170/5/30	2	A170 Wood Gate To Ruston Pumping Station Patching	Patching	Brompton	£ 21,000

Area	Link & Section	Hierarchy	Scheme Name	Proposed Treatment PSDP Or R&R	Town	Scheme Cost
3	A170/5/40	2	A170 Wood Gate To Ruston Pumping Station Patching	Patching	Brompton	£ 21,000
4	C181/2/10	4a	C181 Blue Hill R&R	R&R	Whitwell On The Hill	£ 83,993
4	U3447/2/30	4b	U3447 Daleside Road R&R	R&R	Rosedale Abbey	£ 54,067
4	U3447/2/70	4b	U3447 Daleside Road R&R	R&R	Rosedale Abbey	£ 54,067
4	A170/3/90	2	A170 Keld Head R&R	R&R	Pickering	£ 192,137
4	C20/1/80	3b	C20 Main Street R&R	R&R	Normanby	£ 87,491
4	C69/1/40	4b	C69 Main Street Patching	Patching	Ebberston	£ 48,814
4	C69/1/60	4b	C69 Main Street Patching	Patching	Ebberston	£ 41,378
4	C20/1/85	3b	C20 Marton Road R&R	R&R	Marton	£ 90,000
4	U466/2/70	4b	U466 Mill Lane R&R	R&R	Birdsall	£ 67,995
4	U533/2/10	4b	U533 Riders Lane Patching	Patching	Crambe	£ 25,600
4	U533/2/20	4b	U533 Riders Lane Patching	Patching	Crambe	£ 31,236
4	U533/2/40	4b	U533 Riders Lane Patching	Patching	Crambe	£ 42,068
4	U533/2/50	4b	U533 Riders Lane Patching	Patching	Crambe	£ 39,517
4	U1870/2/60	4b	U1870 Sand Hutton To Upper Helmsley Road Patching	Patching	Upper Helmsley	£ 97,461
4	U1870/2/80	4b	U1870 Sand Hutton To Upper Helmsley Road Patching	Patching	Upper Helmsley	£ 7,781
4	U253/2/20	4b	U253 Terrington To Bulmer Road Patching	Patching	Ganthorpe	£ 73,616
4	U253/2/40	4b	U253 Terrington To Bulmer Road Patching	Patching	Ganthorpe	£ 55,069

Area	Link & Section	Hierarchy	Scheme Name	Proposed Treatment PSDP Or R&R	Town	Scheme Cost
4	U253/2/60	4b	U253 Terrington To Bulmer Road Patching	Patching	Ganthorpe	£ 13,735
4	U253/2/80	4b	U253 Terrington To Bulmer Road Patching	Patching	Ganthorpe	£ 16,913
4	C354/1/60	4a	C354 Thrussendale Road Patching	Patching	Acklam	£ 39,700
4	C354/1/70	4a	C354 Thrussendale Road Patching	Patching	Acklam	£ 26,590
4	C354/1/80	4a	C354 Thrussendale To Acklam Wold Patching	Patching	Acklam	£ 8,532
4	U254/2/50	4b	U254 Village Street Patching	Patching	Ganthorpe	£ 8,156
4	A170/4/05	2	A170 Westgate R&R	R&R	Pickering	£ 87,377
5	B6480/3/70	3b	B6480 Duke Street R&R	R&R	Settle	£ 160,000
5	U793/2/30	4b	U793 Langbar Lane	R&R	Long Preston	£ 150,000
5	B6480/1/70	3b	B6480 Main Street R&R	R&R	High Bentham	£ 154,440
5	U784/2/30	4b	U784 Back Lane (East) Drainage	Drainage	Long Preston	£ 60,000
6	C269/1/30	3b	C269 A6 Park Row R&R R&R	R&R	Knaresborough	£ 99,000
6	U2932/1/50	4b	U2932 Duck Hill R&R	R&R	Ripon	£ 100,000
6	C423/1/60	4b	C243 Kirkgate R&R	R&R	Ripon	£ 100,000
6	C262/1/10	3b	C262 A6 Spofforth R&R R&R	R&R	Spofforth	£ 85,800
6	C262/1/20	3b	C262 Follifoot Lane R&R	R&R	Spofforth	£ 66,000
6	U309/3/50	3b	U309 Green Lane R&R	R&R	Harrogate	£ 187,000
6	U437/3/50	4a	U437 Lancaster Park Road R&R	R&R	Harrogate	£ 170,000
6	C263/2/90	3b	C263 Roecliffe Lane R&R	R&R	Boroughbridge	£ 105,600
6	U2758/2/50	4b	U2758 New Road	R&R	Sharow`	£ 110,000

Area	Link & Section	Hierarchy	Scheme Name	Proposed Treatment PSDP Or R&R	Town	Scheme Cost
6	U2757/2/50	4b	U2757 Sharow Lane	R&R	Sharow	£ 110,000
7	A1041/2/20	3a	A1041 Bawtry Road R&R	R&R	Selby	£ 23,750
7	A1041/2/60	3a	A1041 Bawtry Road R&R	R&R	Selby	£ 118,800
7	A19/1/95	3a	A19 Doncaster Road R&R	R&R	Selby	£ 172,300
7	A19/2/10	3a	A19 Gowthorpe R&R	R&R	Selby	£ 38,500
7	A1041/2/80	3a	A1041 Park Street R&R	R&R	Selby	£ 75,300
					<b>Total</b>	<b>£ 7,472,927</b>

<b>Equality impact assessment screening form</b> (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
<b>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.</b>			
<b>Directorate</b>	Environment		
<b>Service area</b>	H&T		
<b>Proposal being screened</b>	Executive Member Report – Highways Capital Programme January 2024		
<b>Officer(s) carrying out screening</b>	James Gilroy		
<b>What are you proposing to do?</b>	Agree additions to the Highways Capital Forward Programme in advance of the next scheduled capital programme Executive Member report.  Addition of schemes to the 2023/24 and 2024/25 Highways Capital Annual Programmes as a result of additional DfT funding		
<b>Why are you proposing this? What are the desired outcomes?</b>	Minimise the duration between scheme identification and agreement for inclusion on the agreed capital programme.		
<b>Does the proposal involve a significant commitment or removal of resources?</b> Please give details.	No, the proposal will result in reprioritisation of the current allocations to enable the additional schemes to be delivered.		
<b>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?</b> As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> <b>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 <a href="#">Equality rep</a> for advice if you are in any doubt.</b>			
<b>Protected characteristic</b>	<b>Yes</b>	<b>No</b>	<b>Don't know/No info available</b>
Age		✓	
Disability		✓	
Sex (Gender)		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
<b>NYCC additional characteristic</b>			

People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	
<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (e.g. disabled people's access to public transport)? Please give details.	<b>No</b>		
<b>Will the proposal have a significant effect on how other organisations operate?</b> (e.g. partners, funding criteria, etc.). <b>Do any of these organisations support people with protected characteristics?</b> Please explain why you have reached this conclusion.	<b>No. The report focuses on the overarching capital maintenance funding position.</b>		
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	✓	Continue to full EIA:
<b>Reason for decision</b>	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.		
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason		
<b>Date</b>	15/01/24		



## 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](mailto: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](mailto:climatechange@northyorks.gov.uk) for advice.

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Title of proposal	Highways Capital Programme Headline Allocations 2023/24
Brief description of proposal	Agree additions to the Highways Capital Forward Programme in advance of the next scheduled capital programme Executive Member report.  Addition of scheme to the 2023/24 and 2024/25 Highways Capital Annual Programmes as a result of additional DfT funding
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	05.01.2023

**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.

N/A

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

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

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

How will this proposal impact on the environment?		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"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise <b>greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel		x		Repairs to existing infrastructure		
	Emissions from construction			x	Some emissions from construction vehicles  Emissions associated with construction materials etc	Where possible – ensure that vehicle mileage is reduced by planning vehicle movements / diversion routes etc  Look to use more recycled material in construction and through the selection of lower carbon techniques	
	Emissions from running of buildings		x				

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"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
	Other		x			
Minimise <b>waste</b> : 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 <b>water</b> consumption		x				
Minimise <b>pollution</b> (including air, land, water, light and noise)		x				
Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers	x			Delivery of retaining wall schemes to help reduce severance issues		

<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><b>Positive impact</b> (Place a X in the box below where</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (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"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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>
Enhance <b>conservation</b> and wildlife		x				
Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b>		x				
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.

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	Environment
Signature	J Gilroy
Completion date	05.01.2024

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

**Date:** 15/01/24