



## Agenda

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

**To:** Councillor Keane Duncan.

**Date:** Friday, 15th March, 2024

**Time:** 2.00 pm

**Venue:** Via Microsoft Teams

### Business

#### Items for Corporate Director decision

1. Opposed Public Footpath No. 15.65/3 (Crag Hill) Killinghall Diversion Order 2023 *(Pages 3 - 12)*
2. Integrated Passenger Transport Community Transport Grants *(Pages 13 - 26)*
3. Vehicle Parts Procurement for North Yorkshire Council 2024 *(Pages 27 - 34)*

Barry Khan  
Assistant Chief Executive  
(Legal and Democratic Services)

County Hall  
Northallerton

07 March 2024

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## North Yorkshire Council

### Environment Directorate

#### Corporate Director

15 March 2024

### Opposed Public Footpath No. 15.65/3 (Crag Hill) Killinghall Diversion Order 2023

#### Report of the Assistant Director – IPT, Licensing, Public Rights of Way and Harbours

##### 1.0 Purpose of the report

- 1.1 To advise the Corporate Director of Environment of the proposed submission to the Secretary of State (SoS) of an opposed Public Path Diversion Order. A location plan is attached to this report as **Plan 1**. The route is shown on **Plan 2**.
- 1.2 To request the Corporate Director, in consultation with the Local Member and Executive Member for Highways and Transportation, to decide whether to refer the opposed order to the SoS, and if so, to decide what stance the Authority should take in its submission, regarding the confirmation of the opposed Diversion Order.

##### 2.0 Scheme of Delegation

- 2.1 Within the Council's scheme of delegation, it is delegated to the Assistant Director of Integrated Passenger Transport, Licensing, Public Rights of Way and Harbours, to decide whether to abandon an opposed Diversion Order where the Authority is of the opinion that the requirements to confirm the Order may not be met and where an Inspector appointed by the Secretary of State may decline to confirm the Order, or to recommend to the Corporate Director of Environment that the Order be referred to an Inspector appointed by the Secretary of State.

##### 3.0 The Application

|     |  |   |
|-----|--|---|
| 3.1 | Applicant:                                     | R Jenkins (via PoA D Gillanders)  |
|     | Date of application:                           | 15/11/2022  |
|     | Type of Application                            | Diversion Order S.119 Highways Act 1980   |
|     | Parish:  | Killinghall   |
|     | Local Member:                                  | Cllr. Michael Harrison  |
|     | Applicant's grounds for making the application | To remove the footpath from across the property (Crag Hill Cottage), and to regularise the alignment of the whole footpath onto the walked route. |

##### 4.0 General Description of Route & Proposal

- 4.1 The footpath, as shown on the Definitive Map, commences on Crag Hill Lane, lies across the front garden of Crag Hill Cottage and continues south-easterly across a pasture field to re-join Crag Hill Lane, shown on Plan 2 as A – B – C.

- 4.2 The proposal is to divert the footpath out of the front garden of Crag Hill Cottage where it has been obstructed since before the first Definitive Map was published (the property having been built in 1953), onto the walked alignment, shown D – F on Plan 2, and further, to formalise the walked section of the continuation of the footpath across the adjacent field to the southeast.
- 4.3 Part of the field section has been inadvertently fenced in by the third-party agricultural landowner on an incorrect alignment we believe, in good faith, between F – B, and the proposal also intends to divert the section via E – B onto the enclosed alignment between F – B. The next section between B – G also lies between stock-fences on agricultural land; but is on the correct alignment and will not be altered by the proposal. The remaining section G – C has also been enclosed but not quite on the correct alignment between G – H – C. It is the intention to divert G – C onto G – H – C to formalise the walked alignment.
- 4.4 All of the proposed diverted route is between low stock-fences or between a fence and a hedge. The usable width between the fences is adequate and serves to separate users of the route from the stock in the field. Apart from the hedge all these boundaries belong to the 3rd party agricultural landowner who is in agreement with the diversion.

## **5.0 Relevant legal criteria**

- 5.1 Under Section 119 of the Highways Act 1980, the Council, having consulted any other local authority, may divert a Public Right of Way where it appears to the Authority that in the interests of the owner of the land crossed by the Public Right of Way described in the Order it is expedient that the line of the route should be diverted.
- 5.2 The Council charges applicants for the costs incurred in the processing/making of diversion Orders, as provided for by the Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 (S.I. 1993/407), amended by regulation 3 of the Local Authorities (Charges for Overseas Assistance and Public Path Orders) Regulations 1996 (S.I. 1996/1978).
- 5.3 Where an Order is opposed, the Council cannot confirm the Order; it can abandon the Order or, where it considers it is appropriate to do so, it can refer the Order to the Secretary of State requesting confirmation. The Secretary of State will confirm an Order if he/she is satisfied that:
- i) in the interests of the landowner, it is expedient to divert the footpath, and
  - ii) the diversion will not be substantially less convenient to the public as a result of the Order, and that it is expedient to confirm the Order having regard to the effect which:
    - (a) the diversion would have on public enjoyment of the route as a whole;
    - (b) the coming into operation of the Order would have, as respects other land served by the existing public right of way; and
    - (c) any new public right of way created by the Order would have, as respects the land over which the right is created and any land held with it.

## **6.0 Reason for the diversion of the footpath**

- 6.1 It is likely that the section of the footpath across the garden of the property known as Crag Hill Cottage has not been available to the public since the construction of the property in 1953 and that the public have exited onto Crag Hill Lane at Point D on Plan 2 since that time. Nevertheless, the legal line remains across the garden. The presence of this unused section of footpath was considered to be a hindrance to the sale of the property. The applicant obtained the consent of the adjacent landowner to divert the path from through the garden exiting onto Crag Hill Lane at Point A, to outside of the garden exiting instead at Point D as shown on Plan 2. This also became the opportunity to formalise part of the cross-field section of the footpath to the southeast, to form a cohesive legal route.

- 6.2 The application was received on 15 November 2022 from the Acting Power of Attorney on behalf of the owner of Crag Hill Cottage who has since passed away. It transpired on examining the Map and the site that the enclosed sections of the footpath are not all on the legal alignment, notwithstanding the obstruction of very long standing by the garden, curtilage hedges, and front edge of the house.
- 6.3 Although the owner of Crag Hill Cottage passed away early in 2023, and the house has now been sold the original owner's estate will meet any remaining legal costs by written undertaking.
- 6.4 The diversion would be in the interest of both of the affected landowners. Firstly, because it would remove the footpath from the private curtilage of the cottage, and secondly because it would assist the agricultural landowner, enabling safer and more effective management of the fields of livestock (usually cattle) that are on either side of the proposed route, and through which the current legal alignment passes.
- 6.5 The diversion would also be in the interests of the public because it would remove the route from an open field used for cattle grazing, from a domestic garden and its boundaries, and from the proximity to the property windows, driveway, drainage ditch, and a garage. Furthermore, the diversion would only add 32 metres (8.8%) to the legal route, and it would formalise the used line that, in part, seems to have been in use for about 70 years. There would be no additional structures to those already recorded on the legal alignment.
- 6.6 The proposal to remove the public footpath from the curtilage of the cottage onto adjacent land with the agreement of the landowner is also respecting the Guidance issued by Defra in August 2023. The Guidance encourages the predisposition of authorities to remove public rights of way from gardens and curtilages of residential dwellings to reduce the impact of the right of way on the owner/occupier, where the respective relevant legislative tests can be met.

## **7.0 Responses to the initial consultations**

- 7.1 One objection was received to the proposed diversion at the Informal Consultation stage, on the grounds that the hedge encroached on the used route, and that the top strand of the various wire fences were barbed wire, despite the adequate width of the physical path, and objected to the diversion itself in principal because it is a diversion from the legal recorded line. The points raised were not related to the formal tests for a Diversion Order; i.e. whether the diversion was in the interest of the landowner or of the public; and whether or not the proposed route would be significantly less convenient for the public.
- 7.2 The hedge was subsequently cut back by the owner of the cottage, and the fence-posts now have only plain wire on the 'public' side.
- 7.3 As the objection was not considered to be substantial, and that the matters of concern for the objector had been largely resolved, the Assistant Director approved making the Diversion Order.

## **8.0 Responses to the publication of the sealed order**

- 8.1 The Order was made and was duly advertised by notice on 15<sup>th</sup> June 2023.
- 8.2 Two duly made objections were received although one was subsequently withdrawn. Therefore, only one objection remains.

### 8.3 **Objection**

The grounds were as follows:

- i. The Definitive Map and Statement is not re-printed as a hard copy after every Order so it is not up to date; a digital Working Copy of the Map is not acceptable.
- ii. At the northwest end of the Path the Consultation Notices were posted up at the legal terminus and the proposed (as-used) terminus (A and D, as well as Point C); the objector contends that the Notice at the legal terminus (A) was an after-thought.
- iii. The Order seeks to change the Definitive Statement (it is a Combined Order) but the site notices did not say this. The Order did not mention two existing stiles at C and B, and the proposed new alignment is tortuous and unnatural due to an 80 degree bend at F, and introduces a new set of steps at the northwest end (D).
- iv. The hedge alongside the used / proposed alignment near the north-west end belonging to the applicant, had over-grown the as-used route of the path F-D and also obstructs the legal alignment, as does a hedge / trees at the legal terminus (A). The stone steps at the proposed new roadside terminus at the northwest end (D), require a handrail.
- v. Killinghall Parish Council placed local 'point of interest' signage (non-NYC discs bearing the letter 'K') on the as-used / proposed alignment, about the time it was enclosed (by 2006). The diversion (as proposed) was later waymarked as if the legal route, using 'Footpath' arrows. The structure installed at the northwest end of the as-used path when enclosed, was a timber fence-rail, not a stile or a gate.
- vi. The physical diversion of the Path had been allowed before a legal diversion Order was Confirmed, and the path was enclosed (between 2000 and 2006) without regard to the definitive alignment.
- vii. Although there is a strand of plain wire on the public side of the fence-posts along various sections of the path, the barbed wire on the 'field' side is still too close to the public to be safe. The objector later stated that he thinks the barbed wire should be 30 cm. back from the plain strand.
- viii. The objector was not notified that the diversion had been applied for when he reported issues on this path but was told (rightly) that the Council was working with the landowners to resolve the issues. The plan for the consultation was dated before correspondence from the NYCC Maintenance Team regarding the above.
- ix. The Council behaved disingenuously by carrying out work on the Path after receiving the application to divert.
- x. The stile in the centre of the Path (B) on the old hedge-line, should be a gate.
- xi. The Parish Council was not consulted on the diversion. This Council (NYC, formerly NYCC) and the Local Member had colluded over the diversion.

### 8.4 **Officer Comment on the Objection:**

- i. It is standard practice among Local Highway Authorities nationally to hold an electronic 'working copy' of the Definitive Map for day-to-day management of the network, and for ease of reference by the public. Actual Definitive Maps are amended periodically and reissued, following an 'Omnibus Legal Event Modification Order'.
- ii. These notices were erected at the same time, as it was felt expedient that the notice should be seen by as many people as possible

- iii. The site notices refer to S.119 Highways Act 1980, and to the Wildlife and Countryside Act 1981; the latter is the legal instrument for changing the Definitive Map and Statement. It is entirely lawful for an authority to employ both elements of legislation in one Order. The changes to the Definitive Statement are in the Schedule Pt. 4, and the Officer would have explained the wording had he been asked to.

The two stiles referred to are unaffected by the Order, at the far southeast end of the Path and on an un-diverted central section. The stone steps are almost certainly at least 69 years old, although the Council did re-build them as they are within the maintainable highway verge. It would be perverse and illogical to have removed them pending the outcome of the Order.

The proposed diverted route and the legal alignment are within two metres of the same length, terminating on the same road 32 metres apart, meaning that the additional length of the proposed route to reach the same point is 32 metres, or 8.8%. For people using this Footpath and then the road network to create a circular walk back to the village the proposed diversion would take 32 metres *off* the circular route with no loss of amenity, views or convenience. The diverted sections of the proposed new alignment would have a legal width between 1.6 and 2 metres. The current route has a legal width of 0.9 m. (3 ft.). The enforcement of the reinstatement current legal line would result in a less commodious, less convenient route for the public. Most of the as-used path is 2 metres wide.

- iv. On being notified of an issue with the domestic hedge at the northwest end of the proposed (as-used) route (F - D), the cottage owner's representative had the path cleared within two weeks. The hedge has been maintained ever since. It is not the Council's policy to take enforcement action against landowners where there is a long-standing obstruction, and the owner is attempting to resolve the issues. The 3 steps within the roadside verge are wide, have a shallow riser-height and are not considered to need a handrail.
- v. Many Parish Councils publicise local walks that incorporate non-definitive sections of 'path'. The waymark, not fitted by NYCC, has been removed pending the resolution of the Order. The structure here was a timber stile but by November 2022 it had partly disintegrated which is why the Council re-built it as a stile with two steps
- vi. The landowner of the farmland informed us that he believed the route had been diverted onto the enclosed, now walked, route. In any event he is participating in the proposed diversion which will resolve alignment issues if confirmed.
- vii. The relevant legislation does not prescribe distances that barbed wire should be away from the public but it is clear that it would be unlawful if it is likely to cause a hazard. Some barbed wire has been removed completely, the remainder is not considered to be a risk to users of the path.
- viii. The objector was not a consultee in the initial Informal Consultation, which is for statutory bodies; i.e. other councils, utility companies and user-groups and at that stage does not include the public at large. The objector was included individually in the Formal Consultation after the making of the Order. The Council was working with the landowners to resolve the issues, and one of the ways we were doing this was to accept a Diversion Order application. Most likely the same Plan was used for the Informal and Formal Consultations and is not remarkable.

- ix. The Council improved the steps on the highway verge and replaced the adjacent stile at the northwest end of the used route in response to comments made, as this was felt to be in the public interest. Other works were done including the installing of plain wire on the 'public' side of the fenceposts by the same contractor, again in the interests of the public once the risk had been highlighted. Reasonable improvements are often made to routes where they are easily achievable, following comments from the public, or observations made by officers during site visits.
- x. This stile is lawfully recorded and is unaffected by the Order, therefore it is not required to be changed as part of this process.
- xi. The Parish Clerk was sent the consultation papers by the agreed method. What happens to communications after that is not a matter for the Authority. The Local Member contacted the Officer once to make a normal enquiry regarding the legal recognition of stiles.

8.5 The Definitive Map Officer and the Area Public Rights of Way Officer subsequently met the objector at the site to discuss the objector's points, but compromise could not be reached, and his objection remains outstanding. He proposed allowing the section of the old route through the garden to be diverted alongside the hedge to Point D but the remaining section of A-E-B should remain on the existing alignment. This would have resulted in a narrower width for the footpath which the third-party landowner would certainly enclose creating a less commodious path for the public than the route proposed. The proposed route has a legal and physical width of 1.6 to 1.8 metres from D to F, and 2 metres from F to B. The un-diverted length B to G is physically 2 metres wide and the remainder, G-H-C would be 2 metres.

8.6 **Response in support of the Order was as follows:**

- At the Informal Consultation stage, The Ramblers Local Representative supported the diversion but stressed that they would much prefer the new stile to be recorded at the north-west end (Point D), to have been a gate.
- **Officer Comment on Support:** The third-party agricultural landowner was approached about this stile (which would replace a dilapidated stile), but he would not concede to having a gate as he believed that gates are liable to be left open or damaged by the public so they would not close and sent the officer a photograph of a local example of this. On consulting with the Area Maintenance Team it was felt expedient to agree to a new stile, as there had already been three stiles recorded on the legal alignment (at A, B and C), so a stile at Point D was no greater an inconvenience for the public than on the existing route.

9.0 **Representation made by the local member**

9.1 The Local Member was consulted and does not object to the proposal.

10.0 **Financial implications**

10.1 If the opposed Order were to be submitted to the SoS, the Order would be resolved by a Public Inquiry, a Public Hearing or by written representations.

10.2 There would be a non-rechargeable cost to the Authority in preparing a submission to the SoS and responding to any queries raised by the SoS and these costs would be for officer time which would be met by the respective staffing budgets. If the Inspector chose to hold a Public Inquiry, the costs of arranging, hosting and supporting the Inquiry would fall to the Council but would be unlikely to exceed £1,000.



## **11.0 Equalities implications**

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

## **12.0 Legal implications**

12.1 The opposed Diversion Order would be determined by an Inspector appointed by the SoS, by way of, as stated above, either a Public Inquiry, a Public Hearing or written representations, with the latter being considered the most likely.

12.2 The Inspector, on the basis of the legal criteria summarised in paragraph 4.3 above, would decide whether or not to confirm the opposed Diversion Order. If he/she decides to confirm the Order, parts of the existing route would be diverted, and the route as proposed would be added to the Definitive Map. If the Inspector decided to 'not confirm' the Order, the existing recorded alignment would need to be made available to the public.

## **13.0 Climate change implications**

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

## **14.0 Current decisions to be made**

14.1 The Assistant Director has approved the forwarding of this report to the Director and the Executive Member to decide how this matter should be progressed.

14.2 The decisions to be made at this stage are, firstly, whether the Order is to be abandoned, or is to be forwarded to the SoS for resolution.

14.3 Secondly, if it is decided that the matter is to be forwarded to the SoS then a further decision will need to be made, namely which stance the authority would take within its submission to the SoS towards the confirmation of the Order; that is the Authority needs to decide if it:

- supports confirmation of the Order, or not;  
or
- considers the circumstances are so finely balanced or are particularly unclear and wishes to take a neutral stance.

## **15.0 Conclusions**

15.1 The eleven grounds for objection from the objector are not considered to be sufficiently robust to prevent the confirmation of the order.

They fall into three groups:

- 1) That it should be impossible to divert a Definitive Right of Way
- 2) That the Council has received reports of issues on the footpath and has then dealt with them, rather than anticipating them in advance; and;
- 3) That the landowners, Countryside Access Team and the elected Local Member have colluded to save the Council's face rather than enforce the legal alignment of the route.

15.1.1 This last point was somewhat diluted by the fact that at a later site-meeting with the Officer, the objector offered to remove his objection to the diversion of the footpath out of the cottage garden only, if the Council were to agree with his other objections.

- 15.2 The objections are still considered unsustainable and, if upheld, would result in a less convenient and narrower footpath. The current legal width is 0.9 metres (3 ft) whereas the width of the new alignments, if confirmed, would be 1.6 to 2 metres and the physically available width is at least this. The first point cannot be supported as diversions of public rights of way for the benefit of landowners are specifically provided for within the legislation and are also a normal way of resolving issues like the present one. The second point is a matter of expediency and is how Highway Authorities work in managing Public Rights of Way due to the diversity of the network and the funding normally available for the service. We largely rely on reports from the public to identify physical maintenance and encroachment issues, and once aware we endeavour to resolve them as soon as possible with regard to our prioritisation protocols. Resolving issues raised during a Diversion Order process is proactive good practice to expedite the matter and reduce staff time input to a case.
- 15.3 It is considered that the Diversion Order if confirmed would offer legitimate benefits for the applicant's estate, the new owner of the property and adjoining landowner, and would also succeed in providing an improved footpath for the public. In addition, the process would resolve a long-standing issue in that the legal line of the footpath has been obstructed by the cottage and garden for approximately 70 years.

#### **16.0 Recommendation**

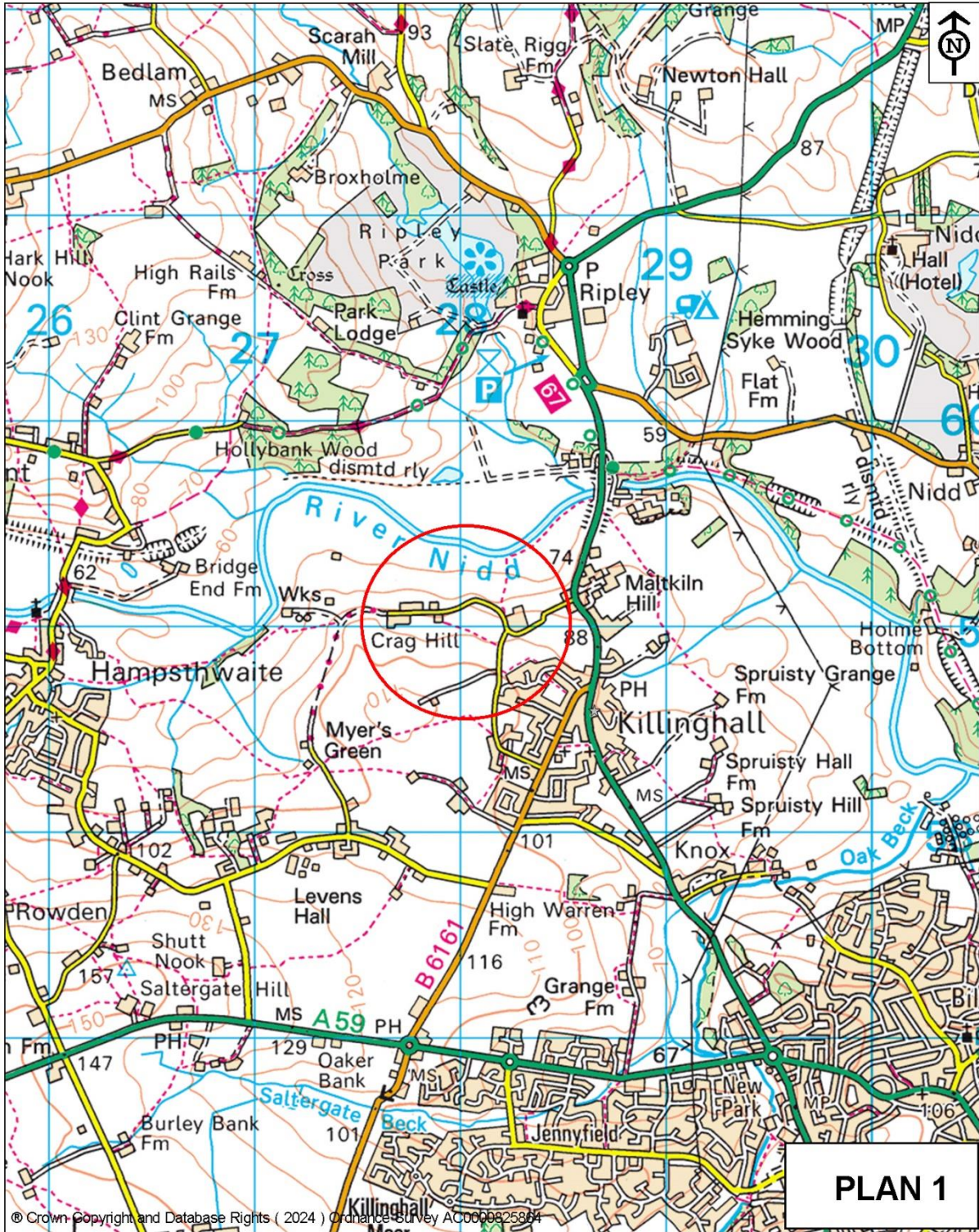
- 16.1 It is therefore recommended that the opposed Diversion Order should be referred to the Secretary of State for resolution, and that the Authority should support the confirmation of the Order within its submission to the SoS.

**APPENDICES:** None


**BACKGROUND DOCUMENTS:** File Ref: HAR/2022/17/DO

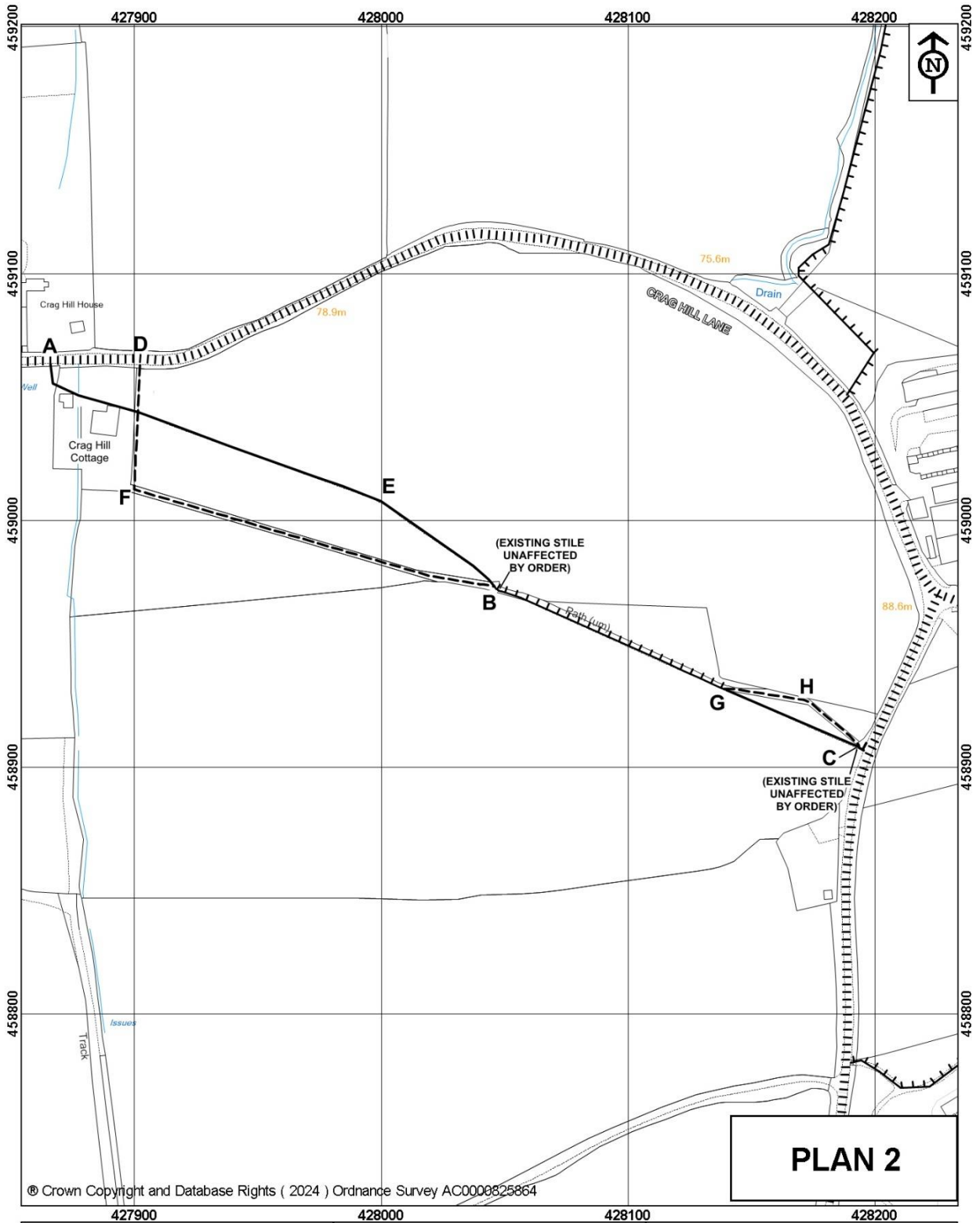
Paul Thompson  
Assistant Director for IPT, Licensing, Public Rights of Way and Harbours  
County Hall  
Northallerton  
15 March 2024

Report Author – Robin Richardson – Definitive Map Officer  
Presenter of Report – Penny Noake – Principal Definitive Map Officer



**PLAN 1**

|  |  |  |
|--|--|--|
|  <p><b>NORTH YORKSHIRE COUNCIL</b></p> <p>Public Rights of Way<br/>Countryside Access Service<br/>County Hall<br/>Northallerton<br/>DL7 8AH</p> | <p><b>LOCATION PLAN</b></p> <p>Map drawn on 31 January 2024<br/>Drawn by Robin R</p> | <p><u>The North Yorkshire Council</u></p> <p><b>Crag Hill Killinghall</b></p> <p><b>FP 15.65/3 Killighall</b><br/><b>Opposed Diversion Order 2023</b></p> <p>Scale 1:25000<br/>File Ref No. HAR/2022/17/DO</p> |
|--|--|--|



**PLAN 2**

**NORTH YORKSHIRE COUNCIL**  
 Public Rights of Way  
 Countryside Access Service  
 County Hall  
 Northallerton  
 DL7 8AH

**Key:**  
 Footpath to be added      - - - - -  
 Footpath to be deleted      \_\_\_\_\_  
 Other footpaths      - · - · - · -  
 Maintainable highways      ·········  
 Map drawn on 31 January 2024  
 Drawn by Robin R    Scale 1:2000

**The North Yorkshire Council**  
**Crag Lane Killinghall**  
**FP 15.65/3 Killinghall**  
**Opposed Diversion Order 2023**  
 File Ref No. : HAR/2022/17/DO

## North Yorkshire Council

### Environment Executive Members

15 March 2024

#### Integrated Passenger Transport Community Transport Grants

#### Report of the Assistant Director for IPT, Licensing, Public Rights of Way and Harbours

##### **1.0 PURPOSE OF REPORT**

- 1.1 To update the Corporate Director for Environment and Environment Executive Members on funding applications for Community Transport (CT) and to seek approval to award grants.

##### **2.0 BACKGROUND**

- 2.1 At its meeting on the 26 July 2011, the Council's Executive approved a methodology for distribution of grant funding for Community Transport in North Yorkshire and delegated authority to the Corporate Director for Environment in conjunction with Executive Members, to award individual grants up to £100,000.
- 2.2 This report seeks approval to determine four grant applications.

##### **3.0 SUMMARY OF GRANT APPLICATIONS**

- 3.1 Four applications by registered charities are being considered in this report and have been assessed against the guidelines agreed by Members. Project assessment sheets are included at Appendix A and a summary is set out below.
- 3.2 As part of the assessment process the applications have been circulated to a grants panel which involves staff from Health and Adult Services (HAS), Stronger Communities and Integrated Passenger Transport (IPT). No objections have been raised.

##### **4.0 ASSESSMENT OF GRANT APPLICATIONS**

- 4.1 Harrogate Neighbours provides health care (including housing) to elderly residents in the Harrogate, Ripon and Boroughbridge areas, and is also a partner organisation for the Harrogate Community Transport Scheme. The application is requesting a grant (75%) towards the cost of a new wheelchair accessible vehicle to increase the number of journeys made to essential services and social activities thereby reducing isolation. It will also be available to other community transport schemes across Harrogate who require an accessible vehicle.
- 4.2 Dial-a-Ride Scarborough & District provides community transport services for older people, people with a disability or those with limited access to local bus services to enable access to essential services. This application is requesting a grant (75%) towards the cost of a replacement accessible minibus.
- 4.3 The Bridge Richmondshire provides day care support services and social activities. The application is requesting a grant (75%) towards the cost of a replacement accessible vehicle. The vehicle will also be made available to a wide range of community groups.

4.4 Upper Dales Community Partnership provides a range of essential services including transport for residents of the Upper Dales. The application is requesting a grant (75%) to extend the “Little White Car” pilot project providing transport to health and social care appointments for a further two years.

4.5 Table 1 Summary of Applications

| <b>Applicant</b>                   | <b>Description</b>                    | <b>Cost £ 2023/24</b> | <b>Total £</b> | <b>Recommendation</b> |
|------------------------------------|---------------------------------------|-----------------------|----------------|-----------------------|
| Harrogate Neighbours               | New Accessible vehicle (75%)          | £37,500.00            | £37,500.00     | Approve               |
| Dial-a-Ride Scarborough & District | Replacement Accessible Minibus (75%)  | £45,375.00            | £45,375.00     | Approve               |
| The Bridge Richmondshire           | Replacement Accessible Minibus (75%)  | £44,704.50            | £44,704.50     | Approve               |
| Upper Dales Community Partnership  | Extend lease on current vehicle (75%) | £8,340.00             | £8,340.00      | Approve               |
| <b>TOTAL</b>                       |                                       | <b>£135,919.50</b>    |                |                       |

## **5.0 ALTERNATIVE OPTIONS CONSIDERED**

5.1 To do nothing would risk local community transport schemes not being able to continue to provide fully accessible services to residents and this funding can be met from within existing budgets.

## **6.0 FINANCIAL IMPLICATIONS**

6.1 Financial information is set out in table 1 above. If approved, the total cost of the recommendation of £135,919.50 can be funded from within the community transport element of the Integrated Passenger Transport base budget.

## **7.0 LEGAL IMPLICATIONS**

7.1 The Council is entitled to award grants to promote well-being within the County under the general power of competence within the Localism Act 2011, subject to being compliant with the subsidy control regime rules. The Council will follow its own internal requirements in awarding grants under rule 31 of its own Financial Procedure Rules and rule 22 of the Procurement and Contract Rules.

7.2 It is considered that the grant funding being provided for these community transport projects is in line with the Subsidy Control Regime subject to a suitable subsidy control assessment been undertaken by the grant recipient.

7.3 The grant applicants will be required to enter into a grant agreement with the Council which will be drafted by legal services.

## **8.0 EQUALITIES IMPLICATIONS**

8.1 Consideration has been given to the potential for adverse equality impacts arising from this proposal. It is the view of officers that this will not have a negative impact on groups of people with protected characteristics identified in the Equalities Act 2010. Proper regard has been given to public sector equality duty and a ‘decision not to EIA’ document has been completed, see Appendix B.

## **9.0 CLIMATE CHANGE IMPLICATIONS**

9.1 Consideration has been given to the potential for adverse climate impacts arising from this decision and a Climate Change Impact Assessment (CCIA) screening has taken place. This proposal will encourage use of community transport minibuses in place of private cars, and it is not felt appropriate to progress to a full CCIA (see Appendix C). The replacement of older minibuses with new vehicles will also decrease carbon-based emissions and pollutants.

## **10.0 REASONS FOR RECOMMENDATIONS**

10.1 The proposal will allow four community transport schemes to replace older vehicles or extend existing provision which will reduce operating costs and improve the service offered to residents. The recommended approach can be funded from the existing budget for community transport.

### **11.0 RECOMMENDATION**

11.1 That the Corporate Director for Environment approves the grant funding applications listed in this report.

### **APPENDICES:**

Appendix A – Project Appraisals

Appendix B – Equalities Impact Assessment screening form

Appendix C – Climate Change Impact Assessment

### **BACKGROUND DOCUMENTS:** None

Paul Thompson

Assistant Director for IPT, Licensing, Public Rights of Way and Harbours.

Access

County Hall

Northallerton

15 March 2024

Report author: Andy Clarke, Public and Community Transport Manager

## Funding for Community Transport – Project Appraisal Form

|  |  |  |
|--|--|--|
| <b>Project Name</b>  | <b>Replacement Wheelchair Accessible Minibus</b>   | <b>Date 21/02/2024</b>   |
| <b>Name of Organisation</b>  | Dial-a-Ride Scarborough & District   |  |
| <b>Main contact name</b>   | Steve Marsh  |  |
| <b>Telephone</b>   | 01723 354434   | <b>Email:</b><br>steve@scarboroughdialaride.org  |
| <b>Total funding requested</b>   | £45,375  |  |
| <b>PROJECT DESCRIPTION:</b>  |  |  |
| <p>Dial-a-Ride Scarborough &amp; District is requesting a contribution of 75% towards the purchase of a replacement fully accessible minibus. The vehicle will be capable of accommodating up to 14 seated passengers or 3 passengers travelling in wheelchairs plus 4 seated passengers. The vehicle will be driven almost entirely by volunteer drivers.</p> <p>The replacement minibus will enable Dial-a-Ride Scarborough &amp; District to continue to meet requests for transport to access essential services, including health care, shopping, day and respite care.</p> |  |  |
| <b>Clear evidence of unmet need (Yes/No and evidence)</b>  | Y  | High demand for services, and increase in requests for transport to hospital appointments outside the Scarborough area   |
| <b>Supports the Council's priority outcomes (Yes/No and evidence)</b>  | Y  | Clients are able to access health and other essential services. Being able to make these journeys with Dial-a-Ride enables people to remain in their home and communities supporting independence and reducing social isolation. |
| <b>Meets or exceeds quality standard (Yes/No and evidence)</b>   | Y  | MIDAS training provided to all driving staff and volunteers.   |
| <b>Demonstrates organisational efficiency, financial management and partnership approach</b>   | Y  | Good use of volunteers, efficient scheduling system, and works closely with other voluntary groups   |
| <b>Quantified benefits of the project (yes/no and value per year)</b>  | Y  | Maintain service continuity on passenger numbers and geographical spread.  |
| Is funding request for core support  |  | No   |
| Does the organisation hold commercial contracts for transport  |  | Yes  |
| Would approval of the grant give a competitive advantage   |  | No   |
| <b>Comments</b>  | <b>The vehicle will be driven almost entirely by volunteer drivers, making it a very sustainable solution.</b> |  |
| <b>Recommendation</b>  | Approve  |  |



## Funding for Community Transport – Project Appraisal Form

|   |   |  |
|---|---|--|
| <b>Project Name</b>   | <b>Extension to community transport project</b>                   | <b>Date 21/02/2024</b>   |
| <b>Name of Organisation</b>   | Harrogate Neighbours Housing Association                          |  |
| <b>Main contact name</b>  | Denise Mcevoy   |  |
| <b>Telephone</b>  | 01423 882970  | <b>Email:</b><br>denise.mcevoy@hnha.co.uk  |
| <b>Total funding requested</b>  | £37,500   |  |
| <b>PROJECT DESCRIPTION:</b>   |   |  |
| <p>Harrogate Neighbours is requesting a contribution of 75% towards the cost of a wheelchair accessible VW Caddy or equivalent to increase and develop community transport provision.</p> <p>The organisation provides healthcare (including housing) to elderly residents in the Harrogate, Ripon and Boroughbridge areas, and is also a partner organisation for the Harrogate Community Transport Scheme.</p> <p>The accessible vehicle would also be made available for other community transport schemes in the Harrogate area for passengers travelling in wheelchairs.</p> |   |  |
| <b>Clear evidence of unmet need (Yes/No and evidence)</b>   | Y   | Valuable local service which otherwise would not be available.                                 |
| <b>Supports the Council's priority outcomes (Yes/No and evidence)</b>   | Y   | Clients are able to access essential services, and also reduce social isolation.               |
| <b>Meets or exceeds quality standard (Yes/No and evidence)</b>  | Y   | MIDAS training provided to all driving staff and volunteers.                                   |
| <b>Demonstrates organisational efficiency, financial management and partnership approach</b>  | Y   | Works with partner organisations in the Harrogate area.  |
| <b>Quantified benefits of the project (yes/no and value per year)</b>   | Y   | Increase in number of people supported, and journeys made to access essential health services. |
| Is funding request for core support   |   | No   |
| Does the organisation hold commercial contracts for transport   |   | No   |
| Would approval of the grant give a competitive advantage  |   | No   |
| <b>Comments</b>   | <b>Funding is required for service continuity and development</b> |  |
| <b>Recommendation</b>   | Approve   |  |

## Funding for Community Transport – Project Appraisal Form

|   |   |   |
|---|---|---|
| <b>Project Name</b>   | <b>Day Service &amp; Community Hub Transport</b>  | <b>Date 21/02/2024</b>  |
| <b>Name of Organisation</b>   | The Bridge Richmondshire  |   |
| <b>Main contact name</b>  | Jacqueline Brackenberry   |   |
| <b>Telephone</b>  | 01748 832271  | <b>Email:</b> info@thebridge-richmondshire.com  |
| <b>Total funding requested</b>  | £44,704.50  |   |
| <b>PROJECT DESCRIPTION:</b>   |   |   |
| <p>The Bridge Richmondshire is requesting a contribution of 75% towards the purchase of a replacement fully accessible minibus. The existing vehicle is now 8 years old and becoming increasingly expensive to maintain.</p> <p>The replacement vehicle will enable The Bridge Richmondshire to continue to meet the number of requests for transport to enable older or disabled people attend day care support services and social and recreational activities.</p> |   |   |
| <b>Clear evidence of unmet need (Yes/No and evidence)</b>   | Y   | Most members require assisted travel, including a fully accessible minibus and are not able to use the Richmondshire Volunteer Car Scheme.  |
| <b>Supports the Council's priority outcomes (Yes/No and evidence)</b>   | Y   | Clients are able to access day care support services and social activities. Being able to make these journeys enables people to remain in their home and communities supporting independence and reducing social isolation. |
| <b>Meets or exceeds quality standard (Yes/No and evidence)</b>  | Y   | MIDAS training provided to all driving staff and volunteers   |
| <b>Demonstrates organisational efficiency, financial management and partnership approach</b>  | Y   | The Bridge Richmondshire is one of a network of North Yorkshire Council Community Anchors (Hubs), and receives referrals from both the NHS and NYC Adult Social Care.   |
| <b>Quantified benefits of the project (yes/no and value per year)</b>   | Y   | Maintain existing service.  |
| Is funding request for core support   |   | No  |
| Does the organisation hold commercial contracts for transport   |   | No  |
| Would approval of the grant give a competitive advantage  |   | No  |
| <b>Comments</b>   | <b>The grant would enable the organisation to continue to provide access to day care support services and social activities maintaining independence and reducing social isolation.</b> |   |
| <b>Recommendation</b>   | Approve   |   |

## Funding for Community Transport – Project Appraisal Form

|   |   |  |
|---|---|--|
| <b>Project Name</b>   | <b>The Little White Car</b>   | <b>Date 21/02/2024</b>   |
| <b>Name of Organisation</b>   | Upper Dales Community Partnership   |  |
| <b>Main contact name</b>  | Sean Warren   |  |
| <b>Telephone</b>  | 01969 667400  | <b>Email:</b> sean@udcp.co.uk  |
| <b>Total funding requested</b>  | £8,340  |  |
| <b>PROJECT DESCRIPTION:</b>   |   |  |
| <p>The Little White Car is a pilot project providing community transport for health and social care appointments where the use of public transport is not possible for residents of the Upper Dales.</p> <p>UDCP is requesting 75% towards the cost of extending the lease on the current vehicle for 2024/25 and 2025/26 to extend the project and maintain access to health and social care appointments.</p> |   |  |
| <b>Clear evidence of unmet need (Yes/No and evidence)</b>   | Y   | Valuable local service which otherwise would not be available  |
| <b>Supports the Council's priority outcomes (Yes/No and evidence)</b>   | Y   | Residents able to access health and social care appointments.  |
| <b>Meets or exceeds quality standard (Yes/No and evidence)</b>  | Y   | MIDAS training provided for all volunteer drivers. Organisation also provides contract services therefore meets the required safety standards. |
| <b>Demonstrates organisational efficiency, financial management and partnership approach</b>  | Y   | Good use of volunteers and works closely with other partnership organisations.   |
| <b>Quantified benefits of the project (yes/no and value per year)</b>   | Y   | Maintain existing service.   |
| Is funding request for core support   |   | No   |
| Does the organisation hold commercial contracts for transport   |   | Yes  |
| Would approval of the grant give a competitive advantage  |   | No   |
| <b>Comments</b>   | <b>The vehicle will be entirely staffed by volunteers, making it a very sustainable solution. The grant would enable the organisation to continue to provide access to health and social care appointments.</b> |  |
| Recommendation  | Approve   |  |

| <p><b>Initial equality impact assessment screening form</b><br/> <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></p>  |                              |   |                              |
|--|------------------------------|---|------------------------------|
| <b>Directorate</b>   |                              | Environment   |                              |
| <b>Service area</b>  |                              | Integrated Passenger Transport  |                              |
| <b>Proposal being screened</b>   |                              | Community Transport Capital Grants  |                              |
| <b>Officer(s) carrying out screening</b>   |                              | Andy Clarke   |                              |
| <b>What are you proposing to do?</b>   |                              | Seek approval to award capital grants   |                              |
| <b>Why are you proposing this?<br/>What are the desired outcomes?</b>  |                              | The proposal will allow four community transport schemes to replace older vehicles or extend provision which reduces operating costs and improves services offered to residents, including providing additional wheelchair accessible capacity. |                              |
| <b>Does the proposal involve a significant commitment or removal of resources? Please give details.</b>  |                              | No, this funding will be met from within the existing IPT base budget.  |                              |
| <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><br/> 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 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.</b></p> |                              |   |                              |
| Protected characteristic   | Potential for adverse impact |   | Don't know/No info available |
|  | Yes                          | No  |                              |
| Age  |                              | X   |                              |
| Disability   |                              | X   |                              |
| Sex  |                              | X   |                              |
| Race   |                              | X   |                              |
| Sexual orientation   |                              | X   |                              |
| Gender reassignment  |                              | X   |                              |
| Religion or belief   |                              | X   |                              |
| Pregnancy or maternity   |                              | X   |                              |
| Marriage or civil partnership  |                              | X   |                              |
| People in rural areas  |                              | X   |                              |
| People on a low income   |                              | X   |                              |
| Carer (unpaid family or friend)  |                              | X   |                              |

|   |  |                          |  |
|---|--|--------------------------|--|
| Are from the Armed Forces Community   |  | X                        |  |
| <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.  | Community transport is relied on by older and disabled users and those in rural areas who are unable to access traditional public transport. Community transport is set up to improve services following identification of gaps in existing services. These grants will improve transport opportunities for individuals, including those with protected characteristics. |                          |  |
| <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. | no   |                          |  |
| <b>Decision (Please tick one option)</b>  | EIA not relevant or proportionate:   | <input type="checkbox"/> | Continue to full EIA: <input type="checkbox"/> |
| <b>Reason for decision</b>  | No adverse impact is anticipated.  |                          |  |
| <b>Signed (Assistant Director or equivalent)</b>  | Paul Thompson  |                          |  |
| <b>Date</b>   | 26.02.2024   |                          |  |

## Climate change impact assessment

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

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

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

|   |   |  |
|---|---|--|
| <b>Title of proposal</b>  | IPT Community Transport Grants  |  |
| <b>Brief description of proposal</b>  | The proposal will allow four community transport schemes to replace older vehicles or extend existing provision to reduce operating costs and improve services offered to residents, including providing additional wheelchair accessible capacity. |  |
| <b>Directorate</b>  | Environment   |  |
| <b>Service area</b>   | Integrated Passenger Transport  |  |
| <b>Lead officer</b>   | Andy Clarke   |  |
| <b>Names and roles of other people involved in carrying out the impact assessment</b> | None  |  |
| <b>Date impact assessment started</b>   | 26 February 2024  |  |

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

To do nothing would risk local community transport schemes not being able to continue to provide fully accessible services to residents and this funding can be met from within existing budgets.

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

Cost neutral as the proposal can be funded from within existing IPT budget.

| <p>How will this proposal impact on the environment?</p> <p><b>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.</b></p> | <p><b>Positive impact</b><br/>(Place a X in the box below where</p> | <p><b>No impact</b><br/>(Place a X in the box below where relevant)</p> | <p><b>Negative impact</b><br/>(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>greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing</p>  | <p>Emissions from travel</p> <p>X</p>                               |   |   | <p>Supporting community transport and providing additional minibus capacity will reduce travel by private car. New vehicles will also produce less harmful emissions.</p>   | <p>n/a</p>   |   |

| How will this proposal impact on the environment?<br><br>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<br>(Place a X in the box below where relevant) | No impact<br>(Place a X in the box below where relevant) | Negative impact<br>(Place a X in the box below where relevant) | Explain why will it have this effect and over what timescale?<br><br>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. |
|--|-------------------------------------|--|--|--|--|--|---|
| energy efficiencies etc.   | Emissions from construction         |  | X  |  | No impact.   |  |   |
|  | Emissions from running of buildings |  | X  |  | No impact.   |  |   |
|  | Other                               |  |  |  |  |  |   |
| Minimise <b>waste</b> : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic   |                                     |  | X  |  | No impact.   |  |   |
| Reduce <b>water</b> consumption  |                                     |  | X  |  | No impact  |  |   |
| Minimise <b>pollution</b> (including air, land, water, light and noise)  |                                     |  | X  |  | No impact  |  |   |
| Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers  |                                     |  | X  |  | No impact anticipated  |  |   |



| <p>How will this proposal impact on the environment?</p> <p><b>N.B.</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><br/>(Place a X in the box below where</p> | <p><b>No impact</b><br/>(Place a X in the box below where</p> | <p><b>Negative impact</b><br/>(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   |   | No impact anticipated   |   |  |
| Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b>  |   | X   |   | No impact anticipated   |   |  |
| Other (please state below)   |   | X   |   | No impact anticipated   |   |  |

**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.

This proposal will encourage use of community transport minibuses in place of private cars. The replacement of older minibuses with new

vehicles will also decrease carbon based emissions and pollutants.

**Sign off section**

This climate change impact assessment was completed by:

|                        |                                      |
|------------------------|--------------------------------------|
| <b>Name</b>            | Andy Clarke                          |
| <b>Job title</b>       | Public & Community Transport Manager |
| <b>Service area</b>    | Integrated Passenger Transport       |
| <b>Directorate</b>     | Environment                          |
| <b>Signature</b>       |                                      |
| <b>Completion date</b> | 26/2/2024                            |

**Authorised by relevant Assistant Director (signature): Paul Thompson**

**Date: 26.2.24**

## North Yorkshire Council

### Environment Executive Members

15 March 2024

#### Vehicle Parts Procurement for North Yorkshire Council 2024

#### Report of the Assistant Director – Integrated Passenger Transport, Licensing, Public Rights of Way, and Harbours

##### 1.0 PURPOSE OF REPORT

- 1.1 To seek approval from the Corporate Director of Environment, in consultation with the Executive Member for Highways and Transportation, for the procurement of a managed vehicle parts supplier for the fleet of North Yorkshire Council and NY Highways Ltd., “NY Highways”.

##### 2.0 BACKGROUND

- 2.1 North Yorkshire Council and NY Highways operate a fleet of 1176 vehicles. The fleets are operated countywide and consist of the following:
- NYC: 946 cars, vans, refuse collection vehicles, trucks, tippers, minibuses, and other agricultural vehicles,
  - NY Highways: 230 cars, vans, trucks, tippers and gritters,
- 2.2 North Yorkshire Council has nine vehicle workshops. Four are operated in-house and one is operated by a sub-contractor. Four workshops are operated by NY Highways.
- 2.3 The NY Highways workshops maintain their fleet as well as a sizeable portion of the North Yorkshire Council fleet. The remainder of the North Yorkshire Council fleet is maintained in-house or through third party suppliers.
- 2.4 The estimated parts spend is £1.478m.
- 2.5 A review has begun into the rationalisation of workshop space and operating model and transformation will take place in the next few years.

##### 3.0 PROPOSED PARTS SOLUTION

- 3.1 We would like to streamline operations and appoint a managed vehicle parts supplier to supply original vehicle manufacturer parts and after-market parts.
- 3.2 A single parts supplier under two contracts, one for North Yorkshire Council and one for NY Highways, would facilitate a managed parts solution that minimises administrative burden with integration into the shared fleet and workshop management software system. Any tender would need to be considered carefully to ensure it represents best value.
- 3.3 The supplier would provide imprest stock, which is stock owned by the supplier at our sites to ensure timely repair and maintenance. The supplier would provide a stores’ person at each of our larger workshops, namely, Harrogate, Scarborough and Northallerton. The stores’ persons would support the satellite workshops in Malton, Pickering, Selby and the two in Skipton.

- 3.4 The parts supplier would use their buying power to maximise value for the Council and NY Highways Ltd. This would be subject to robust contract management to ensure value for the Council and NY Highways.
- 3.5 The service acknowledges the risk that the proposed method of procurement, although compliant, presents a risk that the cost may not represent best value due to insufficient competition on available to use frameworks.
- 3.6 If the supplier returns do not offer best value for the Council, the intention is to explore an alternative method of delivery already considered as an alternative. See section 4.3.

**4.0 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 **DO NOT PROCURE:** Parts supply would be procured on an adhoc basis. This would risk being non-compliant with procurement regulations due to the value of the contract spend. The adhoc procurement of parts is burdensome due to workshop staff spending considerable time seeking best value and burdensome administratively due to the volume of purchases creating significant numbers of invoices. This option would also involve the Council and NY Highways managing stock themselves.
- 4.2 **CONTINUE EXISTING ARRANGEMENTS:** The existing arrangements are subject to contracts that are ending or are not under formal contract. This would risk being non-compliant with procurement regulations. The procurement of parts outside of contracts is also burdensome as set out above due to workshop staff spending considerable time seeking best value and burdensome administratively due to the volume of purchases creating significant numbers of invoices. This option would also involve the Council and NY Highways managing stock themselves.
- 4.3 **IN-HOUSE MANAGED STORES:** The Council or NY Highways could appoint their own stores person and parts manager. These posts would buy parts and administer the allocation or parts to workshop job cards and manage the ordering of parts and the payment of invoices. A compliant route to market would need to be determined for the parts themselves. The disadvantages of this option would be the lack of buying power compared to established companies in the sourcing of non-genuine parts and the complexity of managing the stores operation. However, if the new contract offer from the successful supplier is not deemed to offer best value, then NY Highways Ltd would mobilise a managed stores solution for NY Highways Ltd and North Yorkshire Council.

**5.0 FINANCIAL IMPLICATIONS**

- 5.1 The spend on vehicle parts for North Yorkshire Council and NY Highways is shown below: -

| Organisation            | Annual Estimated Spend |
|-------------------------|------------------------|
| North Yorkshire Council | £660k                  |
| NY Highways Ltd         | £818k                  |

**6.0 LEGAL IMPLICATIONS**

- 6.1 Procurements will be undertaken for a vehicle parts supplier in accordance with the Council’s Procurement and Contract Procedure Rules, and where applicable, the Public Contracts Regulation 2015. The procurement method proposed will be agreed with Legal and Democratic Services and suitable terms and conditions imposed on any successful supplier.

## **7.0 EQUALITY IMPLICATIONS**

7.1 An Initial Equality Impact Assessment Screening Form is attached as Appendix A.

## **8.0 CLIMATE CHANGE IMPLICATIONS**

8.1 North Yorkshire Council plans to reach operational carbon neutrality by 2030 and the fleet management section will use the data collected by the telematics system to improve utilisation, to reduce the miles travelled and therefore, the carbon footprint.

8.2 A Climate Change Impact Screening Form is attached as Appendix B.

## **9.0 REASONS FOR RECOMMENDATION**

9.1 The procurement of a vehicle parts supplier will permit the compliant procurement of Council and NY Highways Ltd vehicle parts and facilitate the effective maintenance of the fleet.

## **10.0 RECOMMENDATION**

10.1 It is recommended that the Corporate Director for Environment, in consultation with the Executive Member for Highways and Transportation, authorises the commencement of a procurement process for a parts supplier for the fleet of North Yorkshire Council and NY Highways Ltd.

### **APPENDICES:**

Appendix A - EIA Screening Form

Appendix B - Climate Change Impact Assessment

Paul Thompson

Assistant Director for IPT, Licensing, Public Rights of Way and Harbours

County Hall

Northallerton

15 March 2024

Report Authors: Andrew Sharpin, Head of Fleet

| <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 a full EIA would be appropriate or proportionate.</b>  |   |    |                               |
| <b>Directorate</b>   | Environment                                       |    |                               |
| <b>Service area</b>  | Transport   |    |                               |
| <b>Proposal being screened</b>   | Parts Procurement                                 |    |                               |
| <b>Officer(s) carrying out screening</b>   | Andrew Sharpin                                    |    |                               |
| <b>What are you proposing to do?</b>   | Procure a parts supplier                          |    |                               |
| <b>Why are you proposing this? What are the desired outcomes?</b>  | To facilitate the maintenance of Council vehicles |    |                               |
| <b>Does the proposal involve a significant commitment or removal of resources?</b><br>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 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                      |    | Do not 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.   |    |                               |
| <b>Will the proposal have a significant effect on how other organisations operate?</b> (For example, partners, funding criteria, etc.). Do any of these organisations support people with protected  | No.   |    |                               |

|  |   |                          |  |
|--|---|--------------------------|--|
| <b>characteristics?</b> Please explain why you have reached this conclusion. |   |                          |  |
| <b>Decision (Please tick one option)</b>                                     | EIA not relevant or proportionate:              | <input type="checkbox"/> | Continue to full EIA: <input type="checkbox"/> |
| <b>Reason for decision</b>   | Full EIA document not required on this project. |                          |  |
| <b>Signed (Assistant Director or equivalent)</b>                             | Paul Thompson                                   |                          |  |
| <b>Date</b>  | 04/03/2024                                      |                          |  |

**Initial Climate Change Impact Assessment (Form created August 2021)**

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

|   |  |
|---|--|
| <b>Title of proposal</b>  | Parts Procurement                          |
| <b>Brief description of proposal</b>  | To appoint a managed stores parts supplier |
| <b>Directorate</b>  | Environment                                |
| <b>Service area</b>   | Transport                                  |
| <b>Lead officer</b>   | Andrew Sharpin                             |
| <b>Names and roles of other people involved in carrying out the impact assessment</b> | n/a  |

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

Remember to think about the following.

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



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

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

|  |  |                                     |                        |                          |
|--|--|-------------------------------------|------------------------|--------------------------|
| <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>                       | No impact on emissions from the procurement itself. The emissions standards of the engines of the vehicles will dictate the parts to be used. No increase on parts numbers than that which currently used so no increase in waste. |                                     |                        |                          |
| <b>Signed (Assistant Director or equivalent)</b> | Paul Thompson  |                                     |                        |                          |
| <b>Date</b>                                      | 04/03/2024   |                                     |                        |                          |

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