

# North Yorkshire County Council

## Executive

Minutes of the remote meeting held on Tuesday, 25th January, 2022 commencing at 11.00 am.

County Councillor Carl Les in the Chair. Plus County Councillors Gareth Dadd, Derek Bastiman, David Chance, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

In attendance: County Councillors Paul Haslam, Caroline Dickinson, Bryn Griffiths and Peter Sowray.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Richard Flinton, Barry Khan, Richard Webb, Melanie Carr, Daniel Harry, Neil Irving and Barrie Mason.

Other Attendees: Mr David Simister and Mr Andrew Brown

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**Copies of all documents considered are in the Minute Book**

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### **689 Introductions**

Members of the Executive and Corporate Management Team introduced themselves, followed by other Councillors present at the meeting.

### **690 Minutes of the Meeting held on 11 January 2022**

#### **Resolved –**

That the public Minutes of the meeting held on 11 January 2022, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

### **691 Declarations of Interest**

County Councillor Michael Harrison declared two personal non prejudicial interests in regard to Agenda Item 5 - Revenue Budget 2022/23 & Medium Term Financial Strategy (MTFS) Report, both of which the Standards Committee had previously given him a dispensation for, enabling him to participate in, and vote at the meeting. The first that he had relatives that worked in Health & Adult Services and secondly, as an employee of an organisation named in the report.

### **692 Public Questions and Statements**

There were a number of public statements submitted in regard to Agenda item 7 – Transforming cities Fund Programme Proposals. The Chairman decided to consider those submissions as part of that agenda item.

### **693 Revenue Budget 2022/23 & Medium Term Financial Strategy (MTFS)**

Considered – A joint report of the Chief Executive and the Corporate Director for Strategic

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Resources, asking the Executive to make recommendations to the County Council regarding the Revenue Budget for 2022/23, the Medium Term Financial Strategy (MTFS) for 2023/24 to 2024/25, Council Tax for 2022/23, the Capital Five Year Spending Plan, and an updated Annual Treasury Management Strategy for the financial year 2022/23

County Councillor Gareth Dadd introduced the report and thanked Gary Fielding and his team for their work on the budget, and for the production of the detailed report, recognising the difficult circumstances under which it had been produced i.e. the variabilities, the challenges and the unpredictability of inflation/Covid etc.

Revenue Budget for 2022/23, the Medium Term Financial Strategy (MTFS) for 2023/24 to 2024/25, & Council Tax for 2022/23

Gary Fielding- Corporate Director for Strategic Resources drew specific attention to:

- It being the last budget for the County Council setting out a plan that would support three principals areas i.e. to enable the Council to continue to delivery essential services next year, to be able to respond to Covid and its consequences, and to provide the best possible start for the new Council;
- The summary position as set out in the table at paragraph 2.9 of the report based on Council Tax for 2022/23 being set at 2.99%;
- The impact of Covid and the need to undertake LGR transitioning;
- The four Council Tax options set out in Appendix G of the report and what each would mean in regard to the use of Reserves and the recurring shortfall per annum;
- His Section 25 opinion as detailed in paragraphs 9.12 – 9.13 of the report;
- The new Council would inherit a structural deficit and would need to deliver a savings plan;
- The new high inflation environment;
- The ongoing demand led pressures across Adult Social Care and Children's' services;
- The related risks detailed in Section 10 and appendices L & M of the report;
- The revised Pay Policy and Pensions Discretion Policy;
- The Equalities Impact and Environmental Impact Assessment;
- The detailed public consultation undertaken as set out in Section 6 of the report

Other Executive Members echoed the thanks given to Gary Fielding and his team for their work on the budget, and in response to their questions, Gary Fielding confirmed:

- Pressures on the Local Assistance Fund would be monitored through the quarterly Finance & performance reports;
- The available 2.5% ASC precept element could not be carried forward into a future year therefore it would be lost if not used this time round;
- The ASC reforms and potential implications on fees for the Council could be hugely significant;

County Councillor Gareth Dadd noted:

- Whilst other Local Authorities had previously fallen into difficulty having taken short-term decisions in the interests of political popularity, NYCC had put the medium term interests of residents first, and taken difficult decisions throughout austerity to build up its reserves;
- The one variable the County Council had control over was the level of Council Tax, and suggested the County Council should be proud of its record over the past 11 years, during which time Council Tax in North Yorkshire had only risen by 33%, whereas inflation had risen by 38% and there had been significant cuts in Government funding.
- Delivering key services had to be balanced against residents' propensity and willingness to pay.

- Members had a moral duty to leave the Council in the best possible condition for LGR

Given the above, and having considered the table on page 27 of the report showing the effect on the Council's reserves of the various Council Tax options, County Councillor Gareth Dadd proposed a rise in Council Tax of 3.99%.

Recognising all of the pressures and future uncertainties, other Executive Members and Councillors present at the meeting indicated their support for that proposal.

**Resolved:** That it be recommended to the Chief Executive Officer that using his emergency delegated decision-making powers, he recommend to Full Council that:

- a) The Section 25 assurance statement provided by the Corporate Director, Strategic Resources regarding the robustness of the estimates and the adequacy of the reserves (paragraph 9.13) and the risk assessment of the MTFFS detailed in Section 10 be noted;
- b) A combined council tax increase for 2022/23 of 3.99% be agreed;
- c) In the event that the level of overall external funding (including from the final Local Government Settlement) resulted in a variance of less than £5m in 2022/23, the difference be addressed by a transfer to / from the Strategic Capacity Unallocated Reserve in line with paragraph 4.2.6, with such changes being made to Appendix E as appropriate;
- d) The Corporate Director – Children and Young People's Service, in consultation with the Corporate Director, Strategic Resources and the Executive Members for Schools and Finance, be authorised to take the final decision on the allocation of the Schools Budget including High Needs, Early Years and the Central Schools Services Block (paragraph 3.1.19);
- e) The Medium Term Financial Strategy for 2022/23 to 2024/25, and its caveats, as laid out in Section 3.0 and Appendix G, in line with the proposed council tax option be approved;
- f) The Corporate Director – Business & Environmental Services, in consultation with the Executive Members for BES, be authorised to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix B1 (BES 1 to 3);
- g) The Corporate Director – Health and Adult Services, in consultation with the Executive Members for HAS, be authorised to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix B1 (HAS 1 to 6);
- h) The Corporate Director – Children and Young People's Services, in consultation with the Executive Members for CYPS, be authorised to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix B1 (CYPS 1 to 4);
- i) The Chief Executive, in consultation with the Executive Members for Central Services, carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix B1 (CS 1 to 5);
- j) Any outcomes requiring changes following Recommendations f), g), h) and i) above be brought back to the Executive to consider and if necessary, where changes are required to the existing major policy framework, make recommendations to full Council;
- k) The existing policy target for the minimum level of the General Working Balance be retained and set at £28m in line with paragraphs 4.5.4 to 4.5.5 and Appendix F;
- l) The attached pay policy statement (Appendix I) covering the period 1 April 2022 to 31 March 2023 as set out in Section 7 be approved;
- m) The updated LGPS Employers Discretion Policy as described in paragraphs 7.6 to 7.8 and as set out in Appendix J be approved;

- n) The delegation arrangements referred to in Section 12 that authorise the Corporate Directors to implement the Budget proposals contained in the report for their respective service areas and for the Chief Executive in those areas where there are cross-Council proposals, be agreed;
- o) Regard be given to the Public Sector Equality Duty (identified in Section 8 and Appendix K) in approving the Budget proposals contained in the revenue budget section of the report.

#### Capital Five Year Spending Plan

County Councillor Gareth Dadd introduced the 5-year Capital Spending Plan and drew attention to a recently successful CO2 Carbon Reduction bid and the contingency fund to address the volatility in the construction sector.

Gary Fielding confirmed the Plan was based on the quarter 3 position and was a continuation of what had been seen at quarters 1 & 2.

All Executive Members voted in favour of the associated recommendations and it was

**Resolved:** That it be recommended to the Chief Executive Officer that using his emergency delegated decision-making powers, he recommend to Full Council that:

- a) The refreshed Capital Plan summarised at paragraph 3.4 be approved;
- b) The proposal to carry forward £500k of the Property Rationalisation underspend at 31 March 2022 for a further two financial years (2022/23 to 2023/24) as set out at paragraph 3.18, be approved;
- c) Authority be delegated to the Corporate Director, Business & Environmental Services in consultation with the Corporate Director, Strategic Resources; the Executive Member for Open to Business; and the Executive Member for Finance to allocate the £3.5m of funding should it be required as a local contribution towards schemes for submission into the Levelling Up Fund as set out in the Table in paragraph 5.2;
- d) No action be taken at this stage to allocate any additional capital resources (paragraph 6.7)

#### Treasury Management

Gary Fielding highlighted the annual update and drew attention to the Capital and Treasury Prudential Indicators, a Borrowing Strategy, an Annual Investment Strategy, and a Capital Strategy. He assured Executive Members there were no significant departures from previous Policies but there was one potential significant change to the MRP Policy on the horizon.

Finally, it was noted that all Councillors would have the opportunity to vote on the budget at full Council on 16 February 2022.

All Executive Members voted in favour of the recommendations In the Treasury Management section of the report and it was

**Resolved:** That it be recommended to the Chief Executive Officer that using his emergency delegated decision-making powers, he recommend to Full Council that:

- a) The Treasury Management Strategy at Annex 1, including:
- b) The Capital Prudential Indicators (Appendix A), Borrowing Strategy and Treasury Prudential Indicators (Appendix B) and Annual Investment Strategy 2022/23 (Appendix C), and in particular;
  - i. an authorised limit for external debt of £566.3m in 2022/23;
  - ii. an operational boundary for external debt of £546.3m in 2022/23;
  - iii. the Prudential and Treasury Indicators based on the County Council's current and indicative spending plans for 2022/23 to 2024/25 (noting the indicators for

2023/24 and 2024/25 will be subject to revision as part of the implementation of the new unitary council):

- iv. a limit of £40m of the total cash sums available for investment (both in house and externally managed) to be invested in Non-Specified Investments over 365 days;
  - v. a 10% cap on capital financing costs as a proportion of the annual Net Revenue Budget;
  - vi. a Minimum Revenue Provision (MRP) policy for debt repayment to be charged to Revenue in 2022/23;
  - vii. the Corporate Director – Strategic Resources to report to the County Council if and when necessary during the year on any changes to this Strategy arising from the use of operational leasing, PFI or other innovative methods of funding not previously approved by the County Council;
- c) The Capital Strategy as attached at Appendix D;
  - d) The Treasury Management Policy Statement as attached as Schedule 1; and
  - e) That the Audit Committee be invited to review Annex 1 including Appendices A to D and Schedules 1 to 6 and submit any proposals to the Executive for consideration at the earliest opportunity.

#### **694 Council Plan 2022-2026**

Considered –

A report of the Assistant Director for Policy, Partnerships & Communities seeking Executive agreement for the submission of a refreshed Council Plan to the County Council for adoption.

County Councillor David Chance introduced the report, confirming that this year, only a light refresh had been undertaken rather than a full re-write as it would only be for the last year of the County Council, and therefore it was not the right time for major change in content and format. He also confirmed that the ambitions, priorities, approach and principles all remained relevant and appropriate.

It was noted that the Plan emphasised the importance of laying strong foundations for the new council and working together with the districts, and covered the support provided throughout the pandemic. It also included

- A new section on ‘Delivering Local Government Reorganisation’ which set out how the County Council would work together with the district and borough councils to deliver the new council.
- The opportunity for a devolution deal for North Yorkshire and York.
- Contained additional information on COVID-19 including its impact on the County Council, its partners and communities, with recovery plans reflected in all the high level objectives.
- The County Council’s response to the recommendations made by the Rural Commission.
- The Carbon Reduction Plan and Equality Objectives to ensure they were part of the corporate strategy and monitored through the corporate performance framework.

All members voted in favour of the recommendations in the report, and it was

**Resolved** – That it be recommended to the Chief Executive Officer that using his delegated emergency powers he:

- i. Approve the draft Council Plan and forward it to the County Council for approval at its

meeting on 16 February 2022, and

- ii Seek County Council's authorisation to enable him to make any necessary changes to the text, including reflecting decisions made by the County Council on the budget and Medium Term Financial Strategy, and updated performance data.

## **695 Transforming Cities Fund Programme Proposals**

Considered - A report of the Corporate Director – Business and Environmental Services seeking approval to submit a Final Business Case to the West Yorkshire Combined Authority and proceed to implementation of the Transforming Cities Fund programme following the latest round of Public Consultation.

County Councillor Don Mackenzie introduced the report confirming the total value of the three travel gateway schemes was £42m, which were the result of a successful bid made to the Governments's Transforming Cities Fund through the Leeds City Region.

County Councillor Don Mackenzie thanked NYCC officers for their work on the schemes to date, and paid tribute to members and officers of the West Yorkshire Combined Authority, and to Harrogate Borough Council, Selby District Council and Craven District Council, for the work in support of the bids. He also.

Specifically in regard to the Harrogate Scheme, County Councillor Don Mackenzie noted the Leader of Harrogate Borough Council had given it his full support, and drew attention to:

- Objections to the Harrogate Scheme from town centre businesses, who had consistently called for the scheme to be shelved;
- A 700-signature petition recently presented to the Harrogate Area Constituency Committee asking that Committee to call upon the County Council to cancel the Harrogate Gateway Scheme. He confirmed the ACC had given its unanimous cross-party support for the scheme and chose not to take up the petitioners request;
- A small group of local residents living close to the Harrogate Scheme area who had objected to the measures proposed for Station Parade on the A61 southbound, which they felt would affect congestion in their residential streets;
- The lack of any real alternative options being put forward by the objectors to the Scheme
- The County Council's mandate for the scheme arising from the findings of the Harrogate Congestion Study carried out in 2019 which showed that residents did not want new highways to combat congestion, but instead wanted better measures for walking and cycling, improved public transport and less car use.

Karl Battersby, Corporate Director – Business & Environmental Services provided an overview of the report, and some additional context around the national picture. He noted that all three Schemes aimed to improve the environment by making walking, cycling and connectivity better, and would result in significant investment in to improving the public realm, the latter shown to be important to improving the economic viability of town centres.

He went on to provide an overview of the work undertaken to inform the three schemes, and the key elements of each scheme, and confirmed a construction management plan would be developed for each Scheme to reduce any potential disruption during implementation – to be shared with local businesses and residents.

Finally, he noted there would be a number of traffic regulation orders required to implement the three schemes, which would be subject to statutory consultation at the appropriate time.

The Leader welcomed the members of the public who had registered to speak at the meeting.

Mr David Simister, CEO of Harrogate District Chamber of Commerce presented a joint statement on behalf of Harrogate District Chamber of Commerce, Harrogate BID and Independent Harrogate, which read as follows:

'You will be asked to approve the spending of more than £10m of tax payers' money on the Harrogate Station Gateway Project, aimed at improving 'active transport' within the town centre, in particular cycling and walking.

Last year, we separately responded to the initial survey, giving well-reasoned suggestions and alternatives to some of what was being proposed. Later in the year, we conducted a joint survey. Of those who responded, the vast majority were against two key elements of the Project, the narrowing of the A61 from two lanes to one, and the pedestrianisation of James Street.

Last November, Harrogate District Chamber of Commerce held a well-attended meeting dedicated to the Project. And it was clear from the questions asked, and a vote at the end of the meeting, that the majority were against the Project. As individual organisations we again responded to the second round of consultation, all to no avail.

Sadly, the views of the business community have been continually ignored, as have those of other key organisations, in particular Harrogate Civic Society, residents' organisations and individuals, who believe what is being proposed will NOT bring the benefits being espoused. The Conservative Party, of which you are a member, prided itself on being the party of business. Sadly, this doesn't appear to be the case anymore!

An economic impact survey has not been undertaken, yet we have been told the Project will be good for business. We are told the Project will encourage those who live close to the town centre to leave the car at home and travel in by bus, bicycle or on foot. By doing so, they will stay longer and spend more money.

What it fails to do is take into account those tens-of-thousands of visitors who live outside the District, and choose to come here to stay in our hotels and guest houses, and spend their money in our shops, restaurants, bars and entertainment venues. Harrogate is also used as a base to visit other areas within the county, and again these visitors patronise local businesses. And how many of these visitors travel here by bus, train, bicycle or on foot?

And what of those who live in Harrogate's outlying villages where there isn't a regular bus service? Has any consideration been given to them? And as for those businesses that can't endure anymore disruption, what of them also? With ongoing pressure from the internet, and out-of-town shopping centres with ample free parking, what we want is a town that is accessible to all!

For the last two years, town centre businesses have suffered at the hands of the Covid pandemic and now you are proposing to add at least another 12-months of major disruption and misery.

For you it will be easy to support the proposal in front of you, as of next year North Yorkshire County Council will not exist in its current form and some of you may not even seek re-election. Before you cast your vote, we urge you to carefully consider the businesses in Harrogate town centre and their collective views. Unlike you, they will have to live with the consequences of your decision for many years to come, and ask you to vote against implementing the Harrogate Station Gateway Project until the economic evidence to support the Project has been detailed.'

In response Barrie Mason, Assistant Director for Highways confirmed the economic case for the Scheme had been in development since the Outline Business Case stage of the bid for funding, which was an ongoing, iterative process. He confirmed that Officers had been reluctant to make a final economic case whilst designs evolved and a decision had yet to be made. He noted that officers had outlined the foundation for the economic case utilising widely available data and insight (e.g. The Pedestrian Pound: the business case for better streets), at the TCF consultation meeting that the Harrogate Chamber of Trade organised on the 8th November 2021. He also noted the publication of the final economic case had been delayed until after the consultation had completed and amendments could be taken in to account.

Barrie Mason also confirmed:

- The economic case was finalised on 6th December for consideration by senior officers and was now being used to inform the Elected Members decision making at the Executive meeting.
- During the consultation process, information on the emerging economic case had been provided based on the scheme at that point in time, and at the public drop in sessions information on the economic case was displayed which officers talked through with many members of the public.
- On the 30th September 2021 (prior to the consultation launching) Officers from both Local Authorities attended a meeting with the leadership of the Chamber, BID and Independent Harrogate, at which questions regarding the economic case were discussed.
- In regard to the case studies within the Economic Case, Cheltenham, a spa town with a similar population to Harrogate was cited, as was Altrincham, a similar sized town in the North West in similar proximity to a major city.
- It was important to note that access to Harrogate Town Centre by car would remain. The scheme was about offering a balance so that all road users had safe infrastructure to utilise. That being so HBC and NYCC would still be providing more than 6,700 car parking spaces in in and around the town centre, many free of charge and with some of the car parks as low as 50p an hour. It was also worth noting that the proposals would see a reduction in town centre car parking of 0.6% and that the Victoria Multi Storey Car Park adjacent to the scheme was often at 50% capacity and was set to benefit from enhanced pedestrian access to the rest of the town.
- The current project plan had a completion date of September 2023, with an approximate build out date of 12 months - the predicted construction timescale had not changed. Should members decide to proceed with the project NYCC would work closely with the contractors to minimise the disruption within the town centre and work closely with stakeholders on the scheduling of the construction.
- Section 7 of the Economic Case made reference to the changing role of town centres and consumer behaviour (with particular reference to Covid and online shopping adoption). The scheme was seeking to address this by enabling the town centre to diversify, be more vibrant and increase footfall.
- Notwithstanding the reasons for the timing of the economic case being finalised as outlined above, had the case been produced over a year ago as suggested the impacts of Covid in 2021 would not have been known.

Next, Mr Andrew Brown read out a statement on behalf of Harrogate Civic Society as follows:

'Unfortunately our consultation response does not appear to have been included in the *Outcome Report December 2021* that has been published, we write to set out a summary of our second consultation response, which was issued on 9th November 2021 by both email and post.

The consultation response was prepared following discussions and comments raised at

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an open meeting of the Society that was attended by approx. 25 members.

Major concerns:

In the absence of wider strategic thinking to address traffic flow through the town (including the possibility of re-introducing two-way traffic along West Park and Parliament Street, and the potential for Park and Ride), the proposal may result in traffic congestion throughout the town centre, with a consequential increase in air pollution.

The proposal does not adequately consider the needs and safety of pedestrians, particularly the elderly, the disabled, and young families.

Traffic safety issues may arise with potential conflicts and confusion over the flow of pedestrians, cyclists and vehicles, particularly at some of the junctions. The design proposals for Station Square are poor and do not reflect Harrogate's distinctive character.

There should be a consistent approach to the design of the street furniture to reflect the existing character of the Conservation Area.

There is significant concern that the proposal will result in a multiplicity of signage and other street furniture that will result in visual clutter. This will be detrimental to the character and appearance of the Conservation Area.

Cheltenham and Station Parade:

Traffic turning from Cheltenham Parade left into Commercial Street (which will have to cross a bus lane, a cycle lane and a pedestrian route) will result in a dangerous situation.

Forcing all other Cheltenham Parade vehicular traffic (apart from buses and cycles) into a single lane will result in congestion and will, potentially, slow traffic movements on Kings Road and Ripon Road, and increase congestion and air pollution.

One suggestion was for buses to turn left onto Cheltenham Mount, and travel from there to Station Parade, so that a bus lane in Cheltenham Parade would not be necessary.

The junction of Cheltenham Parade with Station Parade, will need to be carefully controlled with many-phase lights. This is likely to be confusing and frustrating for all users and increase the risk of accidents.

The Society would prefer to see the cycle lanes along Station Parade limited to south-bound movements so as avoid conflict with north-bound cyclists.

Raised kerb between cycle ways and pedestrian footways will prove to be a hazard for pedestrians, particularly for young children and those who are visually impaired.

Station Square:

The proposed design of Station Square is poor and does not reflect the distinctive character of Harrogate. This is a relatively small and windy space, so water jets are not appropriate. The design of this space might instead take its inspiration from the mid-twentieth-century layout of the space.

James Street:

It is important that vehicular traffic be allowed along this street to prevent the feelings of anxiety that pedestrians already experience in the evenings in the fully pedestrian spaces of Oxford Street, Cambridge Street, and Market Place.

South part of Station Parade/Station Bridge/Prince Albert Row:

The footway immediately adjacent to the Everyman Cinema would be reduced in width to the detriment of pedestrians.

The proposed cycle way on the east side of Station Parade to the south of Station Bridge will result in users of the parking in this area opening vehicle doors across the cycle way.

There is significant concern that the design of the Odeon roundabout will prove to be dangerous as British drivers are unfamiliar with this type of the layout.'

Barrie Mason, Assistant Director for Highways thanked Mr Brown for his submission and apologised that the response from the Harrogate Civic Society had not been included in the Consultation Outcome Report. He confirmed it had been an oversight and gave assurance that the published version would be amended accordingly. He also responded directly to the points raised in Harrogate Civic Society's consultation response as follows:

- Aligned to the TCF objectives, the promotion of active and public transport measures was a key requirement of schemes funded using the TCF. A proposed two-way traffic scheme for Parliament Street did not form part of the TCF funded project. Additionally, when reviewing the proposal it was necessary to consider the significant cost of the works, the need for larger re-aligning works at all junctions to ensure compliance against design standards, as well as the need for greater changes to the wider network in support of this scheme. The potential development of a 'park and ride' scheme was currently being taken forward by the Harrogate Transport Improvement Programme. However, a 'park and ride' scheme did not form part of the TCF funded scheme.
- The aim of the TCF scheme was to introduce measures within the town to encourage model shift away from car based travel towards more environmentally friendly modes such as walking, cycling and public transport which was in line with the overwhelming feedback received to the Harrogate Congestion Study back in 2019 which had over 15,500 participants. Extensive traffic modelling had been carried out and a summary of that modelling had been published in the most recent consultation exercise. This showed that with the proposals no streets experienced an increase of more than 2 to 3 vehicles per minute with the exception being East Parade in the evening peak which could see up to 5 extra vehicles per minute. The modelling was based on 2018 (pre pandemic) traffic levels and accounted for new developments in the town, whilst assuming there was no benefit from people switching out of their cars and therefore NYCC was confident it represented a worst case basis for calculating any traffic increase.
- To determine any impacts on Air Quality, an Air Quality Assessment had been undertaken and the report included in Appendix E of the Executive report had concluded that any impacts were not significant.
- Safety was considered throughout the design development by all parties involved in the design. Three Road Safety Audit (RSA) stages were to be undertaken as part of the design process, with a Stage 1 audit having been undertaken in December 2021.
- The design would go through these three RSA stages, which will identify any specific areas of concern from a safety perspective. The design team would be obliged to respond to each issue identified within each of the three audits and identify how the points raised would be addressed through the design development. In addition, review, and consideration of the 'Inclusion Mobility; a guide to best practice on access to pedestrians and transport infrastructure' guidance would be undertaken through the detailed design development. As well as this, engagement had taken place with the Harrogate District Disability Forum, to support the design development process.
- As part of the detailed design development activities, the Landscaping design was reviewed and developed to ensure it was appropriate to Harrogate Town Centre and the Conservation Area, as well as meeting the maintenance, safety, design life, and

public protection requirements. Several varied factors required consideration during the design and selection of street furniture to ensure a compliant and safe design.

- Wayfinding and road signage design was considered as part of the design development activity, balancing the requirement of standards compliance, Local Authority requirement (as highlighted above), and promoting an aesthetic pleasing solution would continue to be a goal of the scheme design. In parallel with the scheme design, a town centre 'Design Guide' was being developed, to seek to agree the specification of materials and street furniture to ensure consistency across the Town moving forward.
- In regard to Cheltenham and Station Parade, the design has been through a Stage 1 RSA, to assess the safety of the scheme, with the areas in question requiring no current modification. The scheme would progress through two further RSA stages to ensure the design was safe and appropriate.
- The introduction of bus lanes and cycle ways as part of the scheme design was aligned to the Transforming Cities Fund objective of promoting active and public transport measures within the town. As highlighted earlier, the traffic modelling information outputted a confirmation that no streets experienced an increase of 2 – 3 vehicle per minute except for East Parade and the air quality impacts associated with the scheme were assessed as 'not significant', based on the Air Quality Assessment undertaken in support of the scheme.
- The proposed scheme design created a one-way system round Cheltenham Mount, in a North-bound direction, with the Residential streets (Back Granville Rd & Granville Rd) having an West-bound one-way system also, to create a singular directional flow of traffic around the Cheltenham Mount / Mount Parade residential area. The intent of the design was to promote the use of the strategic road network through Harrogate Town Centre, as far as possible.
- As part of the design development activities, the signals design was reviewed and developed to provide a compliance design, that was as effective and safe as possible. The proposed junction, aligned to the TCF objectives, promoted the use of designated crossing points to ensure the safest crossing points would be used by pedestrians whilst walking and cycling within the Town. These crossing locations had been considered and reviewed throughout the Preliminary Design stage, to ensure they were located in the most effective positions, and provided the most convenient and safe crossing locations for the public.
- Reducing the cycle infrastructure from that designed for Station Parade, would minimise the benefits of the scheme from a TCF objective perspective. Additionally, it may create a potential concern of North-bound cyclists using a South-bound carriageway, or alternatively footpaths. The use of a bi-directional cycleway best segregated the cycle traffic from foot traffic and vehicular traffic, whilst providing a cycle route on the strategic travel route through Harrogate Town Centre.
- The proposed designs for Station Square had been developed with the history of Harrogate in mind, with the aim of reflecting Harrogate's past, in a contemporary way, whilst ensuring flexibility. The design had been developed with the input of several stakeholders. The design development must balance the TCF objects, compliance with modern standards, and the historic nature of the Town. The proposals to have a water-based feature in the square had gathered support during the consultation period and local authorities have a duty to consider all stakeholders views. The scheme aims to open-up the space and make it more attractive so that the town centre is more vibrant and increases footfall, as well as providing the benefit of a multi-use space that can be used to support events when desired.
- The public's safety concerns for James Street were an issue taken very seriously throughout the design development process, with public safety being considered through all stages of the design. In support of this the project team had worked closely with the Police 'Designing out Crime' team to provide appropriate design solutions and no significant concerns were raised, and the street would be subject to

unobstructed CCTV coverage following implementation.

- In regard to the south part of Station Parade/Station Bridge/Prince Albert Row, the design developed as part of the proposed scheme for the footway outside of the Everyman Cinema and the proposed cycle way on the east side of Station Parade to the south of Station Bridge had been designed in accordance with standards and guidance. The design had been developed to ensure compliance with minimum footpath widths, as well as balancing the desire of promoting additional active transport measures. The issue of vehicle doors being opened would be looked at during the further detailed design. Recognising the unfamiliar nature of the proposed 'Dutch Style Roundabout' for the Odean Roundabout, detailed cycling review activities were ongoing as part of the design development to ensure a full and comprehensive understanding of any impacts associated with the proposed design.

Prior to the meeting, a number of other public statements had been submitted by residents in the Harrogate area. In their absence these were read out on the behalf, as detailed below.

Mr McTague of Park Parade, Harrogate wrote:

'I am very concerned at certain aspects of this project.

1. Re-routing traffic from Cheltenham Parade (mainly commercial) to Cheltenham Mount (mainly residential) should be reconsidered. Furthermore, to direct traffic from Cheltenham Mount on to Mount Parade also needs to be changed. Such moves will increase emissions for residents. It will also make these residential streets more dangerous for occupants which include children and the elderly.
2. I note that the project overall will increase exhaust emissions. Surely this is totally unacceptable?
3. I believe that improvements can be made without reducing traffic on Station Parade to one lane. For example, East Parade could be a priority Cycle Route.
4. James Street is one of the best shopping streets in the town. Surely pedestrianizing this is flawed.'

Mr Adams of Otley Road, Harrogate wrote:

'Despite the Council's rejection of a petition organised by Harrogate Residents Association, there clearly is a sign of growing opposition calling for the Station Gateway Project to be halted compounding the blow already dealt following the negative outcome of the recent Council run consultation and survey. This opposition continues to grow weekly in the local media and through talking to other people.

Sadly the Council has a growing history of ignoring the democratic process and not listening to the people of Harrogate, those who actually live, work and play in the areas to be affected. This has been clearly demonstrated with the Otley Road Cycleway Project (for which criticism is still growing including that from the cycling lobby), Beech Grove LTN Project and now the Gateway Project. It appears to us the voters who have elected you through a democratic process that you are acting as a dictatorship.

The Station Gateway Project will not improve the visual appeal or the environment of the town centre. It is purely a Highway Engineer's solution to the problem and one which is focussed on cycling in an attempt to reduce car usage. It will be a disaster for the town. What a legacy to leave us!!

On this basis and as a Member of the Executive Committee, can you please let me know how you intend to vote on the Station Gateway Project at this meeting. If it goes pear shaped, no doubt there will be repercussions and you will be held accountable to the public. For a start, I am sure it will inform the people of Harrogate in particular how they should vote at the forthcoming elections for the new Authority despite lifelong Party allegiances.

No more “pocket planning” please. We need a more holistic approach which involves all stakeholders, residents, traders and ALL interests alike - not just the interest of fractional groups which includes highway issues. One which is led by qualified professional Urban Designers. There are plenty of examples round the country which have been highway focussed and the outcome is not attractive with a plethora of signs, road markings, kerbs and other highway paraphernalia. For such a project to be successful it requires a properly thought out, imaginative, cohesive and comprehensive plan which clearly understands the movement of all traffic in and out of Harrogate as well as through the town. In this respect a relief road is an essential part of this plan but one which does not force those who are consulted down a particular route and one which does not have a high risk of being rejected because of sensitive environmental issues.

In addition, it would appeal to everyone including environmental groups if a much more inclusive solution was developed - one which does not discriminate against the majority of people who cannot or who do not wish to cycle for one reason or another, caters for all groups, ages, abilities and disabilities, serves all types of users both social and business and therefore encourages a much wider sector of the community to leave their cars at home such as an environmentally friendly electric powered Park and Ride bus service along with vastly improved local bus services to all neighbourhoods. One which causes far less disruption to the existing infrastructure, far less destruction of the urban environment and probably at a sensible cost.’

On behalf of Harrogate Residents Association, Ms Gardiner & Ms Mcintee wrote:

‘After the rejection by the council of our petition against the Harrogate Gateway Proposal we understand the Executive Committee of North Yorkshire County Council will be making a final decision on the Harrogate Gateway proposal at their meeting on 25th January 2022.

Writing to represent 1,100 members, 779 who have signed the petitions to Stop the Station Gateway Scheme in its entirety and those 900 who signed to have the planters removed from James Street because they did not want it pedestrianising, we would ask every councillor involved to please look long and hard at the objections, and the reasoning behind those objections, before making a decision. Is this the very best possible plan for Harrogate?

In spite of the petition’s rejection it is very clear that there is an ongoing and increasing opposition to the Harrogate Station Gateway proposal as people become aware of it. For, yes, very many have still no idea of what is being planned for their town.

The blanket assumption by both NYCC and HBC that everyone sees and reads local media outlets, be they in print or online, is erroneous and we would argue that little was done to reach the majority of people and fully inform them of these far reaching plans. The first survey being released, when businesses were more focused on getting their businesses back off the ground after yet another lockdown, was poor timing too. People, are objecting very forcefully as they discover, largely by word of mouth, what is being recommended.

What is even more disturbing is that, although this enormously significant, hugely consequential, decision about Harrogate has yet to be made, some in authority are publicly stating that it will happen and that the views of people and businesses of the town count for nothing.

It is more than a little perturbing to be informed, one whole week before the actual decision making meeting, by both main Harrogate media outlets, i.e. The Harrogate Advertiser and The Stray Ferret, that the decision is a fait accompli.

What happened to democracy in Harrogate and North Yorkshire?

The effects of this scheme both in disruption and ultimate disaster for Harrogate, its residents and businesses are clear to many. As is the blanket ignoring by both Councils of the opinions of businesses and residents.

Plans already implemented, such as the Beech Grove LTN and those parts of the Otley Road cycleway, have, and are, proving both disruptive and the cause of much more congestion and complaints.

Whilst understanding the government's plans for the reduction in carbon emissions the reality is that most people will continue to use their cars as bicycles are not a viable option for transporting children, heavy shopping, elderly relatives or the practicalities of running a business. Reducing the main A road through Harrogate to one lane will have a severe knock on effect on all of these issues and, many believe, will create more congestion rather than less. Again, please note the result of the Beech Grove LTN and what this has achieved by way of 'knock on' congestion to surrounding roads.

The Station area is looking shabby and run down and thus not very welcoming and we agree it needs investment / rejuvenation but The Station Gateway scheme as it is, won't significantly improve the immediate area around the station enough to warrant the negative impact of the scheme. It will be an ill used, congested area. Not the thronged sunlit piazza of the visuals provided, more a scurried through route to more attractive and practical parts of the town.

We ask what consequences there will be if this scheme is implemented and proves to be of huge detriment to our town and its businesses? Will those who vote for it while riding the current environmental wave be held responsible for the anticipated disaster if this scheme goes ahead? After all, the scheme was put together, prior to any reports/surveys were done and were therefore based on 'modelling.'

We urge you to give great consideration to the future of Harrogate and will be interested to know your ultimate decision.'

At the meeting, in response to the three written submissions, Barrie Mason Assistant Director for Highways confirmed the intent of the scheme was not to re-direct traffic from:

- i. Cheltenham Parade (A61) onto Cheltenham Mount - The section of Cheltenham Parade between Cheltenham Mount and Station Parade was to remain unaltered as a one-way system, and it was no longer proposed to re-direct the A61, with the designs having changed following the Spring 2021 public consultation. The update was presented as part of the October / November 2021 public consultation.
- ii. Cheltenham Mount onto Mount Parade - The proposed scheme design created a one-way system round Cheltenham Mount, in a North-bound direction, with the residential streets (Back Granville Road and Granville Road) having a West-bound one-way system also, to create a singular directional flow of traffic around the Cheltenham Mount / Mount Parade area. The proposed changes to traffic flows on residential streets to the North of Cheltenham Parade were to reduce East - West through traffic and encourage that through traffic to use the strategic road network, as far as possible.

He also drew attention to the Harrogate Congestion Study (HCS) engagement conducted between April and July 2019, which featured promotional activity, online information, questionnaires and a series of exhibition events, and confirmed:

- there had been over 15,500 participants in that engagement process, completing the engagement questionnaire in addition to various letters, emails and verbal responses.
- All open questions, where respondents could provide free-text responses were

reviewed and sorted for their relevance to walking. The biggest proportion of comments regarding the walking infrastructure was in relation to pedestrian access on specific links and junctions on the network. These junctions included the Cheltenham Crescent / Station Parade junction and the Station Parade Station Bridge junction.

- All consultation responses in relation to the design would continue to be reviewed and the relevant detailed design proposals adjusted.
- As part of the Scheme development the design team had and would continue to engage with groups representing people with disabilities to ensure that their specific requirements are considered as we continue through the design process. In addition, through the design development, consideration would be given to the best practice guide 'Inclusion Mobility; on access to pedestrians and transport infrastructure' guidance is to be undertaken. As well as this, engagement had taken place with the Harrogate District Disability Forum, to support the design development process.

In regards to the findings of the Congestion Study, Barrie Mason highlighted:

- The low level of public support for an inner relief road to address traffic issues within Harrogate (only 18% of respondents either agreed or strongly agreed). There was majority support for new walking and cycling infrastructure to address traffic congestion (with 77% of respondents who either agreed or strongly agreed). In addition, 1,277 comments were received which related to requests for providing better walking and cycling facilities in general.
- Traffic problems were in part due to a significant number of short journeys by car. Aligned to the Transforming Cities Fund objectives, the most effective way to address this issue was to provide viable alternatives to personal vehicular transport, hence the introduction of bus and cycle ways as part of the scheme, combined with a reduction of traffic lanes at strategic locations.
- Active and sustainable travel links to, and through the town centre needed to be improved;
- East Parade did not create as effective a link into the main station entrance, bus station, or town centre, as Station Parade.

As part of the TCF Station Gateway scheme, Barrie Mason confirmed two further public consultation activities had taken place to provide the public with detailed visibility of the proposed designs. A full suite of information was made available for both public consultation activities, and multiple 'drop-in' sessions were arranged for all those who would prefer to discuss the proposed scheme with officers of the council. The information was presented and discussed at those sessions, to ensure attendees had as clear an understanding as possible of the proposed designs. Where requested, officers also took address details to provide paper copies of the information, and specific letters were issued to several stakeholder groups including residents of the Granville Road Area and local businesses, to ensure greater awareness and visibility of the consultation activity and the 'drop-in' sessions. When requests for information were made, this information was provided in a timely manner, as soon as the team were able to do so.

Barrie Mason confirmed that as part of the Preliminary Design, an assessment of the impact of the scheme on parking spaces had been carried out (showing a reduction of 39 spaces in town centre car parking which equated to 0.6% of the overall parking provision in the town centre), and an Air Quality Assessment had been undertaken, which found that any potential impacts would be negligible.

He also confirmed:

- The proposed scheme designs were aligned to the Transforming Cities Fund objectives of promoting the use of active and public transport, as well as the public feedback from the HCS Consultation activity. Several methods of achieving these objectives were included within the scheme, including additional bus lanes, the

introduction of cycleways, the upgrade and widening of footpaths in certain areas, as well as the upgrade of the station square public realm area.

- With regards to the safety of residents, the Stage 1 Road Safety Audit (RSA), December 2021, had highlighted only one safety concern at the Cheltenham Mount / Mount Parade junction, with the proposed layout seeking to introduce on-street parking bays on the Southern side of Cheltenham Mount, and to alter the configuration of the junction with Mount Parade. The safety concern identified was the potential for vehicles to mount the kerb to access the parking. This issue had been identified as part of the RSA process, and would be reviewed, amended, and audited further as part of the Stage 2 RSA. The design would also go through three RSA stages, which would identify specific areas of concern from a safety perspective. The design team would be obliged to respond to each issue identified within each of the three audits and identify how the points raised would be addressed through the design development.
- Details of a parking survey carried out on James Street in October 2021 could be found in the Economic Case in Appendix C of the Executive report which indicated that over 90% of those doing business in James Street would be unaffected by the removal of parking. Of the 10% or less that were parking, less than 20% were of the opinion that they would take their business elsewhere.
- The Victoria Multi Storey Car Park adjacent to the scheme was often at 50% capacity and was set to benefit from enhanced pedestrian access to the rest of the town.
- The proposals would significantly improve the street scene environment to the benefit of pedestrians whilst still maintaining essential access.

Finally, Barrie Mason confirmed that whilst a 'park and ride' scheme did not form part of the TCF funded scheme, the potential development of such a scheme was currently being reviewed as part of the Harrogate Transport Improvement Programme.

County Councillor Gareth Dadd confirmed he attended the recent Harrogate Area Constituency Committee to listen to the debate between local Councillors from the Harrogate area on the scheme and public petition, recognising that they were best placed, and the most informed to understand the local issues. He expressed his confidence in the application of local democracy in this matter, and confirmed it would be wrong to ignore local Councillors support for the Scheme, which in his view addressed the findings from the 2019 Harrogate Congestion Study.

Specifically in regard to Harrogate, it was noted that the town was growing with a number of new housing schemes, which in turn would increase congestion if no action was taken. It was also confirmed that signal timing and flow would form part of the detailed design and implementation of the scheme.

County Councillor Patrick Mulligan welcomed the Skipton Scheme noting the planned improvements to pedestrian and cycling links, and lighting along the canal path.

Overall, Executive Members and other Members present welcomed the investment in the three towns and recognised the Harrogate scheme was the most contentious of the three. They also acknowledged the impact of local members on reaching a decision for the Schemes and reference was made to the changing face of town centres, and the need to respond accordingly in order that they continue to thrive.

All Executive Members voted in favour of the recommendations in the report and it was

**Resolved:** That it be recommended to the Chief Executive Officer that using his delegated emergency powers he:

- i. Approve that the proposals for the Transforming Cities Fund projects in Harrogate, Skipton and Selby be taken forward through detailed design and a Final Business



Case be presented to WYCA for each project.

- ii. Delegate approval of the detail of the Final Business Cases for submission to WYCA to the Corporate Director Business and Environmental Services in consultation with the Executive Member for Access.

#### **696 Arrangements for the Appointment of the External Auditor from 2023/24**

Considered – A report of the Corporate Director – Strategic Resources setting out proposals for appointing the external auditor to the Council (including the North Yorkshire Pension Fund) for the accounts for the five-year period from 2023/24.

Gary Fielding, Corporate Director – Strategic Resources introduced the report confirming it was presented in the context of local government re-organisation and with the support of the s151 officers of all 8 councils in North Yorkshire.

Having noted the requirements detailed within the report, Executive Members all voted in favour of the report recommendations and it was

**Resolved:** That it be recommended to the Chief Executive Officer that using his emergency delegated powers he recommend to Council acceptance of the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

#### **697 Formal Meetings of the Authority's Committees from 16 February 2022 Onwards**

Considered - Report of the Assistant Chief Executive (Legal and Democratic Services) presenting options for holding formal committee meetings from 16 February 2022.

County Councillor David Chance introduced the report and provided an overview of the current position, including drawing attention to the data on committee meetings held between 19 May 2020 and 5 January 2021, and the available options moving forward.

Members noted the balance between the associated risks of meeting in person at this stage, the advantages of face-to-face meetings, and the benefits gained from holding meetings remotely.

County Councillor Janet Sanderson suggested it would be a retrograde step to revert fully to meetings being held only in person.

Executive Member Gareth Dadd suggested that if the current arrangements were to remain in place, there should be a slight change in emphasis, in that the decision to proceed with holding an in person meeting should lie with the Chairman, following discussion with the Leader and Chief Executive.

Having noted all of the information provided, it was

**Resolved:** To recommend to the Chief Executive officer that using his emergency delegated powers he recommend to full Council on 16 February the continuation of informal virtual committee meetings, allowing Committee Chairmen the option of holding a meeting in person should it be considered more appropriate, on a case-by-case basis, and having consulted with the Leader and Chief Executive.

**698 Proposed Addition of e-Petitions Function to the Council’s Existing Paper-Based Petitions Scheme**

Considered – A report of the Assistant Chief Executive (Legal and Democratic Services) seeking

Executive Members views on proposed amendments to the Council’s Petitions Scheme which would provide an option for e-petitions, alongside the existing paper-based scheme

County Councillor David Chance introduced the report and confirmed the Member Working Group on the Constitution had unanimously endorsed the proposed introduction of an e-petitions option, and that there would be no additional costs associated with the proposal.

All Executive Members voted in favour of the proposal it was

**Resolved:** That it be recommended to the Chief Executive Officer under his emergency delegated powers, for onward recommendation to the meeting of the County Council on 16 February 2022 that the e-petitions function in the ModernGov committee management system be enabled and run alongside the existing paper-based scheme.

**699 Proposed Amendments to the Council’s Members’ Code of Conduct**

Considered:

A report of the Assistant Chief Executive (Legal and Democratic Services) proposing amendments to the Council’s Members’ Code of Conduct in light of the new voluntary model Code of Conduct for Members.

County Councillor David Chance introduced the report, and confirmed the draft amendments took account of a number of revisions previously proposed by the Standards Committee and Constitution Working Group.

Having noted the proposed amendments as detailed in paragraph 4.2 of the report, Executive Members all voted in favour of the recommendations in the report, and it was

**Resolved:** That it be recommended to the Chief Executive Officer under his emergency delegated decision-making powers, that he recommend to full Council:

- a) the proposed amendments to the Council’s current Members’ Code of Conduct as set out in Appendix 3 of the report, to take effect from 5 May 2022;
- b) that the Monitoring Officer be authorised to make consequential amendments to the registration of Members’ interests form proforma, any other relevant standards documentation and the Constitution to reflect the changes made to the Council’s Code; and
- c) that tailored guidance, specific to the Council’s Members’ Code of Conduct, be circulated to the new elected Members in May if the proposed amendments to the Code were ultimately approved by full Council.

**700 Proposed Amendments to the Council’s Constitution**

Considered – A report of the Assistant Chief Executive (Legal & Democratic Services) and the Corporate Director Strategic Resources, proposing changes to the Constitution for Executive members’ consideration and recommendation to the Chief Executive Officer for recommendation, under his emergency delegated powers, to full Council for approval.

County Councillor David Chance introduced the report and confirmed the proposed changes as detailed in the report fell under two main headings – Changes due to LGR, and Review of the thresholds for officer decisions.

Members noted the proposed new Implementation Executive committee. The Leader confirmed he would appoint the nine existing Executive Members to that new Committee, which he would be chairing.

Having noted the report, all Executive Members voted in favour of the recommendations therein, and it was

**Resolved:** That it be recommended to the Chief Executive Officer that using his emergency delegated powers, he recommend the changes to the Constitution as set out in the report to County Council on 16 February 2022 for approval.

## **701 Forward Plan**

Considered –

The Forward Plan for the period 17 January 2022 to 31 January 2023 was presented.

**Resolved -** That the Forward Plan be noted.

The meeting concluded at 1.46 pm.