

North Yorkshire County Council

Business and Environmental Services

Executive Member for Highways and Transportation

27 March 2023

**Existing Weight Restriction on Various Roads in the Asenby, Rainton
and Topcliffe Areas**

Report of the Assistant Director – Highways and Transportation

1.0 Purpose of Report

- 1.1 The purpose of the report is to advise the Corporate Director, Business and Environmental Services (BES) and the BES Executive Member – Highways and Transportation of the outcome of consultation exercises to amend the existing 7.5 tonne weight restriction in a zone covering various roads in Asenby, Rainton and Topcliffe and to seek approval for the Traffic Regulation Order (TRO) of 1999 to be retained in its current form.

2.0 Background

- 2.1 In December 1999 a Traffic Regulation Order (TRO) came into effect with the purpose of restricting heavy commercial vehicles in excess of 7.5 tonnes travelling within a zone including various roads in the Asenby, Rainton and Topcliffe areas. The extent of the zone is shown in Appendix 1. There was a minor amendment to one of the start/end points west of Rainton resulting from the upgrade of the A1 to motorway standard. The zone crosses the boundary between Harrogate Borough and Hambleton District and the roads within it are managed by the Area 6 and Area 2 highways offices respectively.
- 2.2 The order includes exemptions to allow heavy commercial vehicles to access the zone for the purposes of the following:
- a) the conveyance of goods to or from any premises within the zone;
 - b) agricultural operations or timber felling on any land within the zone;
 - c) building or demolition operations;
 - d) garaging/parking/servicing/repairing of a vehicle within the zone;
 - e) highway maintenance;
 - f) laying or repairing sewers or apparatus for the supply of water, gas, electricity or telecommunications; and
 - g) access for emergency services.
- 2.3 The TRO is one of three in the area; the others covering zones around Thirsk and Dalton. These zones have similar exemptions for access and act to direct heavy commercial vehicles towards, or to remain on, major roads such as the A1(M), A61, A168T and A19. The Dalton Industrial Estate is located to the southeast of Topcliffe but is outside all of these zones. A plan of these zones is shown in the attached Appendix 2.

- 2.4 There are a number of commercial and agricultural businesses within the Asenby, Rainton and Topcliffe zone that have heavy commercial vehicle movements associated with their operations that are currently exempt from the restriction for the reasons stated in 2.2.
- 2.5 The zone has signage at each entry/exit point and the restriction is enforced as resources allow.
- 2.6 Concerns were raised, particularly by Topcliffe Parish Council, that the number of heavy commercial vehicles travelling through the zone is increasing and possibly contravening the order by not accessing any property within it. It was agreed to consult on an amendment to the current traffic regulation order to attempt to reduce the number of heavy commercial vehicles accessing the restricted zone by reducing the extents of it.

3.0 First Consultation

- 3.1 The County Council has ensured that the proposals have been the subject of consultation in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 3.2 In April 2021 a consultation was issued to key stakeholders including Parish Councils, Councillors and other statutory bodies which included a plan showing the proposals to reduce the restricted zone to the north of Topcliffe. A copy of the proposal is attached as Appendix 3.
- 3.3 The proposal involved removing a section of the A167 north of Topcliffe, excluding a number of businesses and the village of Catton from the restricted zone.

4.0 Consultation Results/Officer comments

- 4.1 Some responses broadly supported the proposal and there were further suggestions of what they would like to see in the area. Catton Parish Meeting objected in the "*very strongest terms*" to the proposal as it affected both residents and businesses in that parish.
- 4.2 Issues were also raised through officers at the Area 6 office concerning the Asenby and Rainton areas. There was a request from Asenby to separate the village from the existing wider area restriction zone and create a new zone just around the village itself. In Rainton, an alteration was required in association with a planning application for a proposed concrete plant.
- 4.3 It was clear that the proposal was not satisfactory, and that a revised consultation was required.

5.0 Second Consultation

- 5.1 In September 2021 a second consultation was issued to key stakeholders which proposed to replace the wider area zone with three smaller zones to cover Asenby, Rainton and Topcliffe. A copy of the proposal is attached as Appendix 4.
- 5.2 To enable this proposal to work it is necessary to exclude various roads to create an unrestricted 'corridor' to allow the driver of a heavy commercial vehicle to access one or more of the zones without having to enter and breach one or more of the other restrictions.

5.3 Catton was included within the proposed Topcliffe area in the second consultation, but a number of businesses remained excluded.

6.0 Consultation Results/Officer Comments

6.1 As with the first consultation, there were responses in support of the proposal.

6.2 Asenby Parish Council raised concerns about the routes to be excluded from the existing order being narrow country roads and the use of one junction described as *“already a dangerous and semi-blind bend”*.

6.3 Baldersby & Baldersby St. James Parish Council raised concerns that the lifting of parts of the existing weight restriction is undesirable and unnecessary due to road widths; possible rat-running/short-cutting by heavy vehicles; heavy traffic transferred to currently quiet routes used by cyclists/walkers, and where on-street parking occurs. The Chairman’s comment, in summary, was: *“this proposal should be abandoned”*.

6.4 Catton Parish Council raised the concern that separate restrictions may lead to heavy vehicles missing the various legitimate routes then attempting to turn and damaging verges etc, or just carrying on along inappropriate or restricted routes, breaching the restriction.

6.5 A number of responses were received from those businesses that would be excluded from the restriction. One business owner commented that there would be significant disruption and financial impact on the business. *“It would be uneconomic to serve customers in the Dalton/Easingwold area. Travelling through Topcliffe is the quickest and safest route to the A19 and changing the restriction creates more cost, larger carbon emissions, and moves traffic to other potentially dangerous routes”*.

6.6 Another business owner stated that the proposals are of great concern, *“strongly”* objecting to any proposals which would restrict access from the A168 Trunk Road to the south and considered that it would be likely to impact upon future employment and occupation levels - and the viability of the businesses. The additional (up to approximately 15km distance) added to journeys to/from the south would also lead to a higher consumption of fuel and increased emissions/pollution.

6.7 Another business also *“strongly”* opposed any changes to the current weight limit zone, and urged it to remain as it is, as this *“is the most logical option”*. *“There would be significant potential for disruption, due to vehicles being unaware of the limit and unable to turn. It would lead to increased fuel miles at a time of unprecedented fuel costs and would also limit when deliveries could be made due to the logistical changes being required. Amending the weight limit would make journeys longer and use more fuel which in turn increases the carbon footprint”*.

6.8 The comment about longer journeys was repeated a number of times by businesses. Journeys to the southeast, east and north of Topcliffe would be most affected and an example of this is shown in Appendix 5. This example shows a journey between the Alanbrooke Business Park and Dalton for a heavy commercial vehicle. Currently Alanbrooke Business Park is within the zone and this journey is 3.65 kilometres travelling via Topcliffe village. If excluded from the zone the journey would be 19.39 kilometres. To the west and south, a journey from the Alanbrooke Business Park to junction 49 on the A1(M) would be approximately 4 kilometres further if heavy vehicles were unable to travel through Topcliffe.

- 6.9 Given the scale of the objections received it is considered appropriate to abandon the proposal and retain the Traffic Regulation Order of 1999 in its current form.
- 6.10 The existing signage around the zone requires updating and enhancing to highlight its presence. A scheme has recently been designed to improve the signage on the local highway network around the zone at the eastern end of Topcliffe, and also on the approaches to Asenby, in order to give advanced warning of the weight restriction - and to better direct heavy commercial traffic between the A168 trunk road and Dalton Industrial Estate. Some of this improved signage for the local highway network has already been ordered, and the installation of that signage is due to commence on site shortly. A separate scheme to improve the signage along the A168 northbound trunk road has also been drawn up and submitted to National Highways for its separate approval. Following initial comments received from the traffic signs team at National Highways, NYCC recently submitted some slightly revised proposals, along with further comments justifying other elements of the proposed design. NYCC is currently awaiting a further response from National Highways on this matter, but will be following this up with them again imminently.

7.0 Financial implications

- 7.1 A modest budget is available to introduce the necessary signage improvements on the local highway network from the existing 'Signs, Lines and TROs' budgets held by the relevant Area offices. Further funding for the signage improvements required on the National Highways network will be available from a separate Section 106 planning agreement associated with a planning application to expand the Dalton Industrial Estate.

8.0 Legal Implications

- 8.1 Consideration has been given to the potential for any legal implications arising from the recommendation.
- 8.2 The recommendation is to retain the Traffic Regulation Order of 1999 in its current form and therefore no additional legal process is required.
- 8.3 In the event that the Corporate Director, Business and Environmental Services (BES) and the BES Executive Member – Highways and Transportation resolve not to follow the recommendations contained in this report and a new or revised Traffic Regulation Order is required then this would be subject to the statutory legal process in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

9.0 Equalities Implications

- 9.1 Consideration has been given to the potential for any adverse equality impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010. A copy of the completed Equalities Impact Assessment decision form is attached as Appendix 6.

10.0 Climate Change Implications

- 10.1 Consideration has been given to the potential for any adverse climate change impacts arising from the recommendation. It is the view of officers that the recommendation to retain the TRO in its current form does not have an adverse impact on climate change. However, amending the TRO would lead to some increase to journey length for heavy commercial vehicles and therefore would have an adverse impact. For this reason a Climate Change Impact Assessment has been carried out and is attached as Appendix 7.

11.0 Recommendation(s)

11.1 It is recommended that:

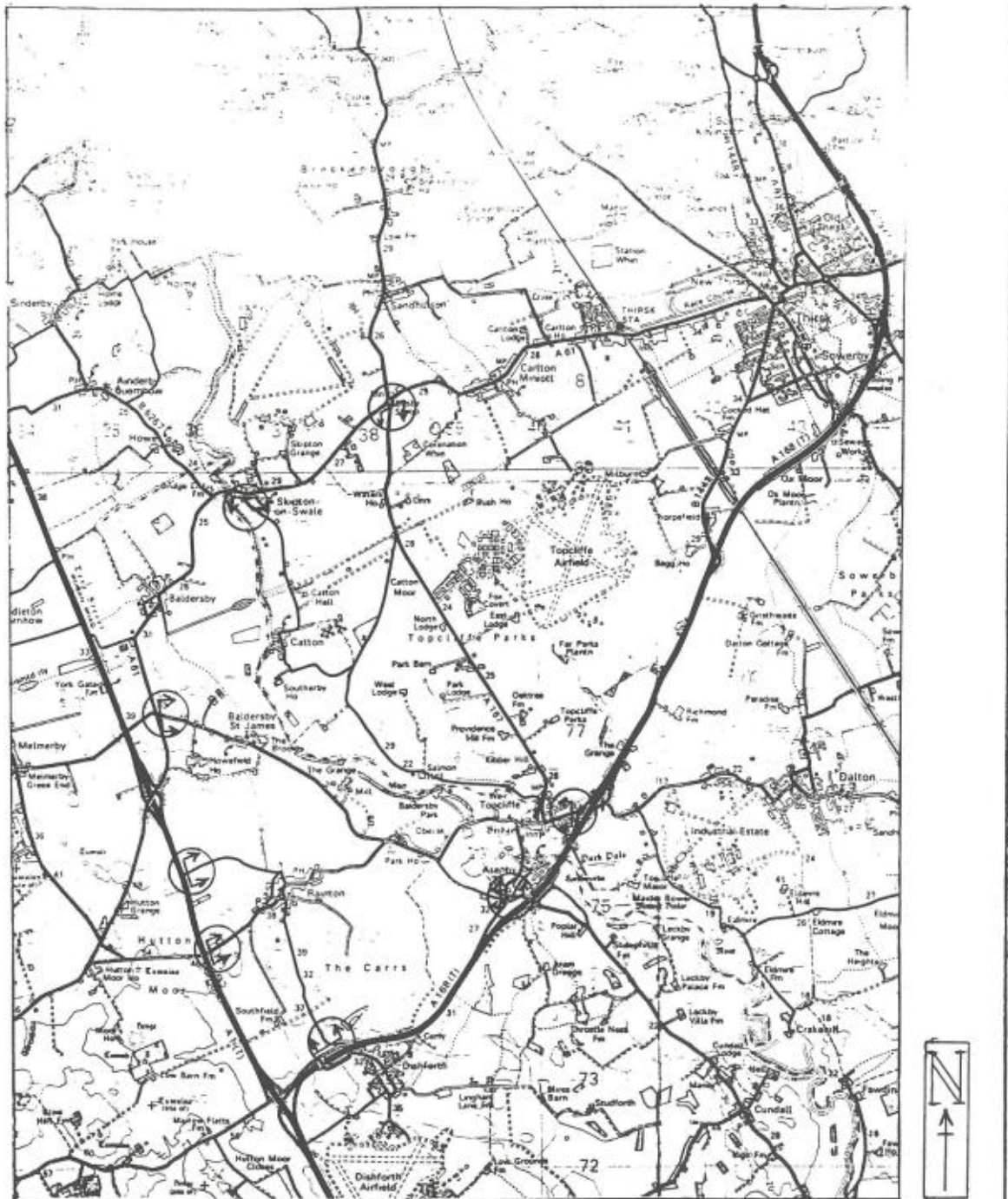
- i. the Traffic Regulation Order of 1999 is retained in its current form;
- ii. improvements are carried out to the traffic signs around the zone. Note that a scheme design has recently been produced for improved signage on the local highway network, and this will be implemented shortly using existing funds. An associated scheme to improve signage along the A168 northbound trunk road will be subject to separate approval from National Highways, although NYCC has already submitted proposals to them, plus the necessary funding being available via a Section 106 agreement; and
- iii. that further enforcement of the existing weight limit is carried out, as resources allow.


Barrie Mason
Assistant Director – Business and Environmental Services

Author of Report: Graham Hind

Background Documents: None

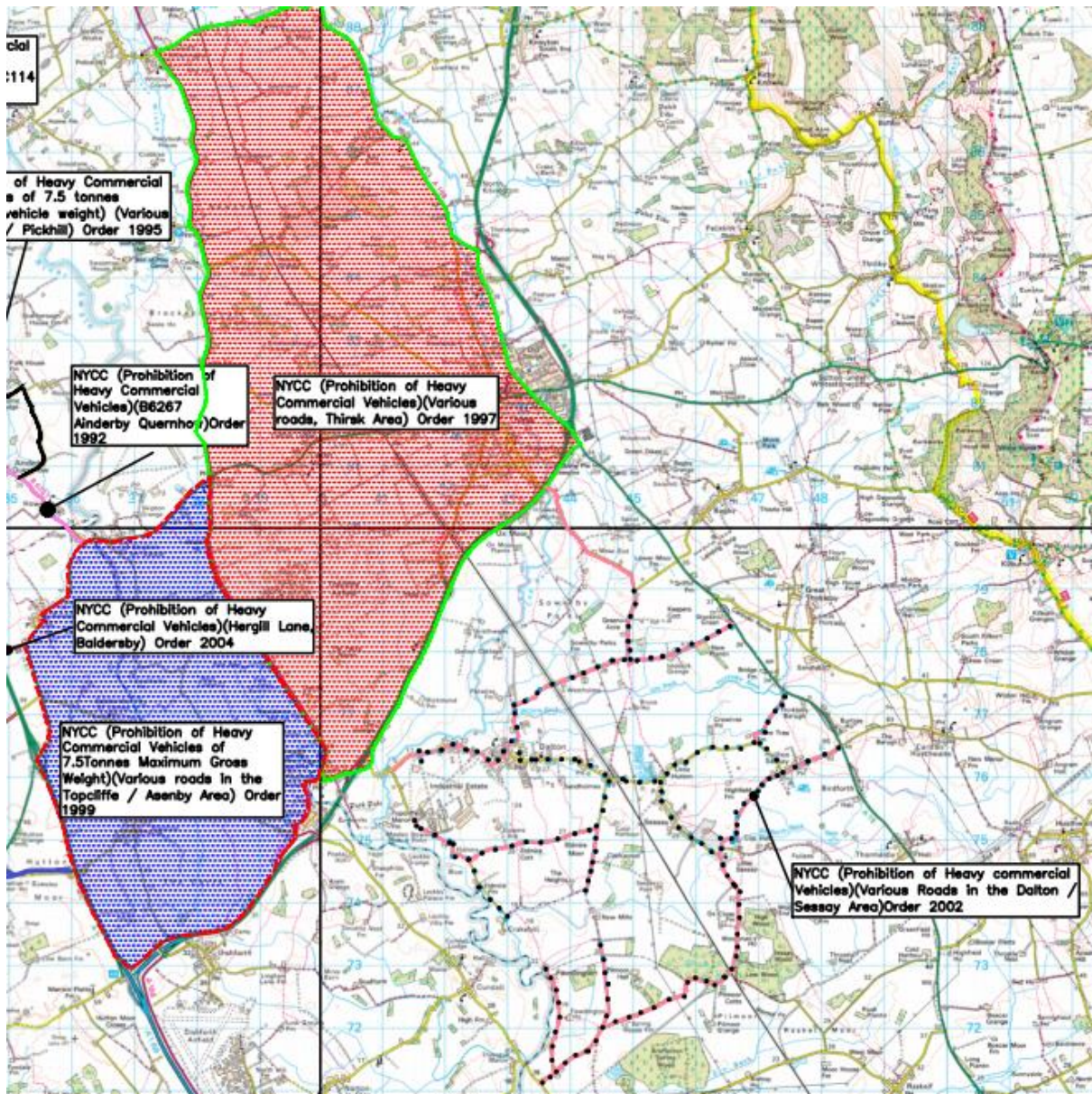
Extent of zone, as created in 1999



 **BOUNDARY OF RESTRICTED ZONE.**

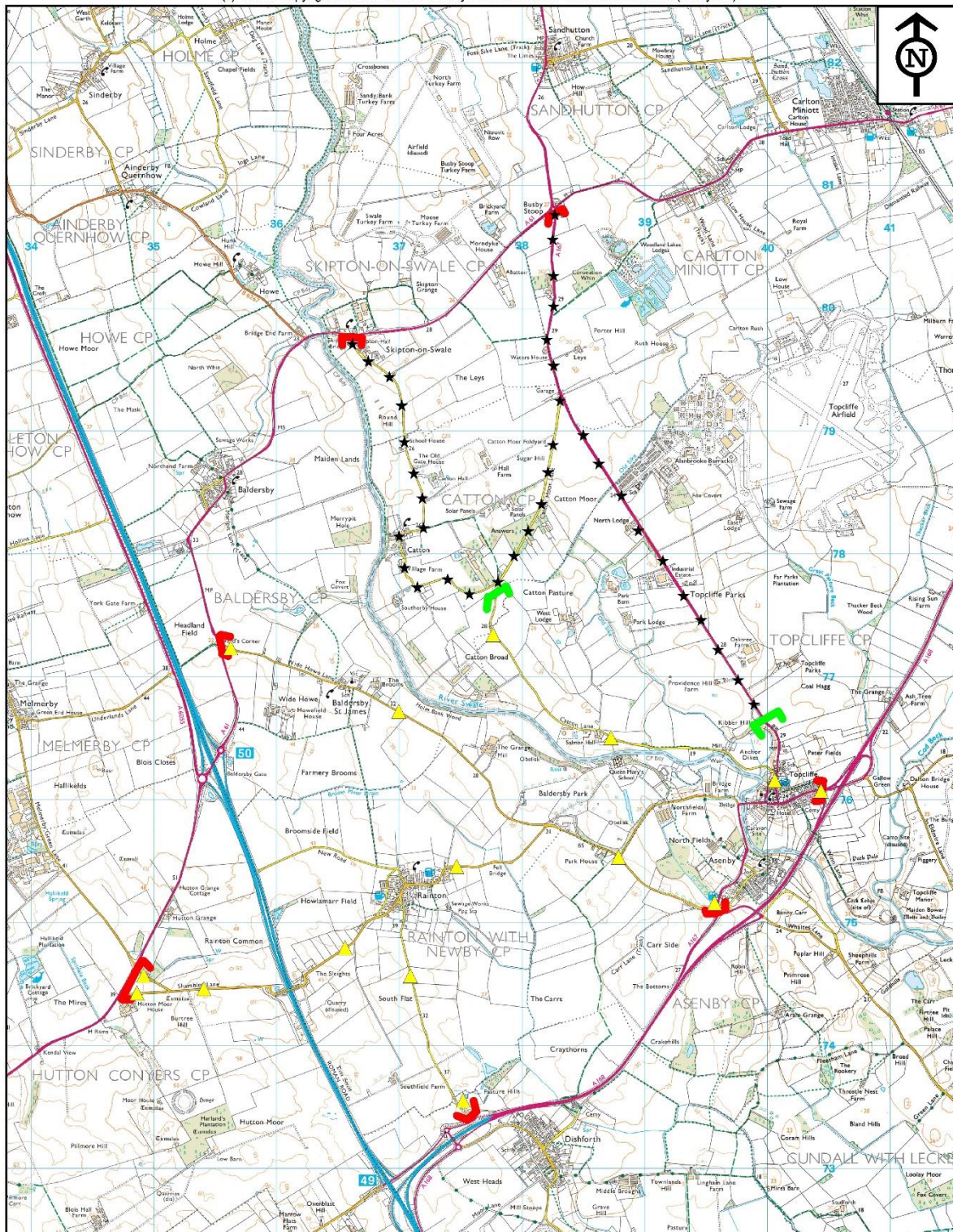
| | | |
|--------------------------------|---|-------------------|
| NORTH YORKSHIRE COUNTY COUNCIL | SCALE N.T.S. | AREA 1 |
| OBJECT | Proposed Prohibition of HCVs in Excess 7.5t MGW | DIVISION 2 |
| | | DATE JANUARY 1999 |






Extract of larger plan showing restricted zones in the area



First Consultation Plan

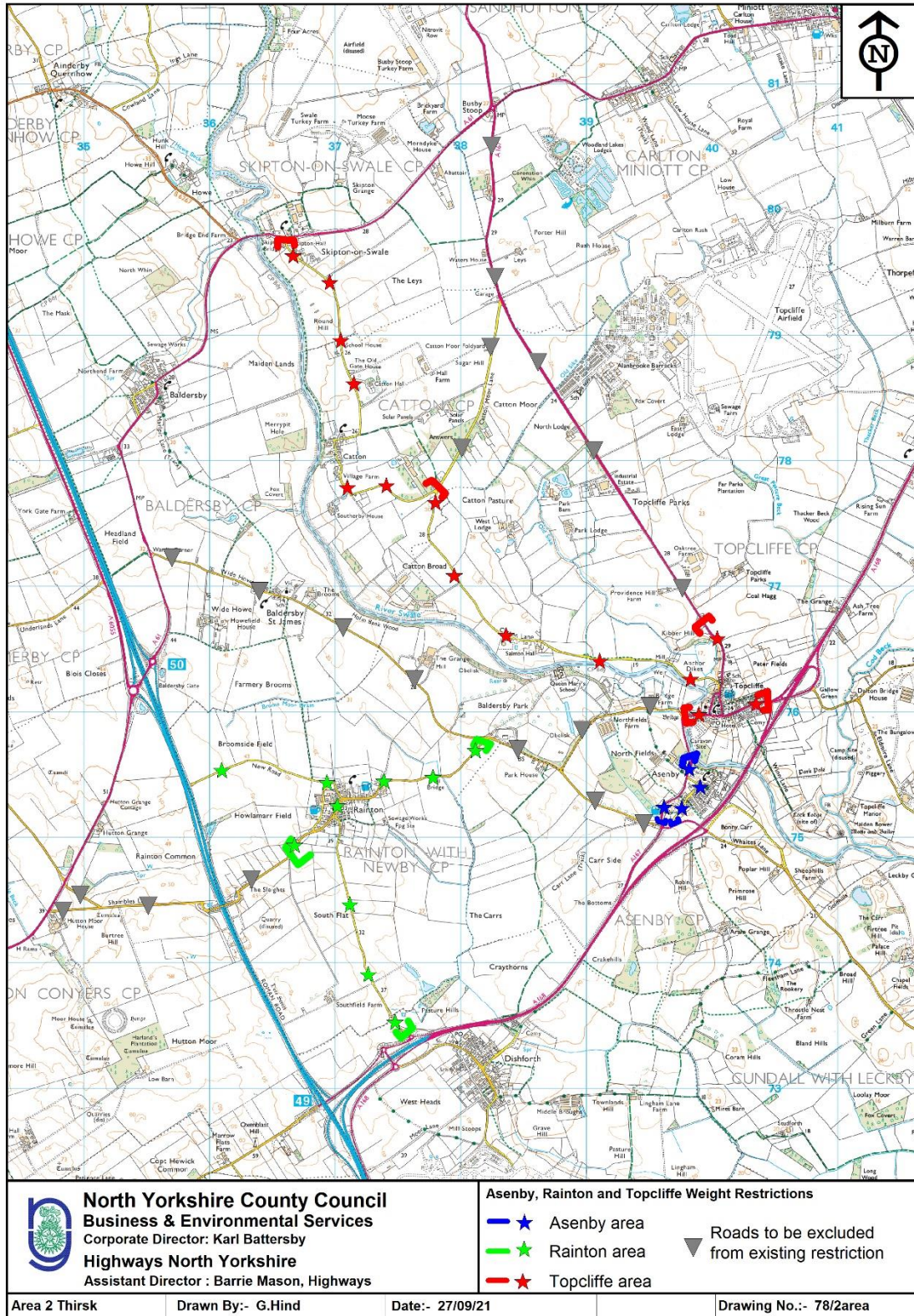
(c) Crown Copyright. North Yorkshire County Council. Licence number 10001/946 (%/year)



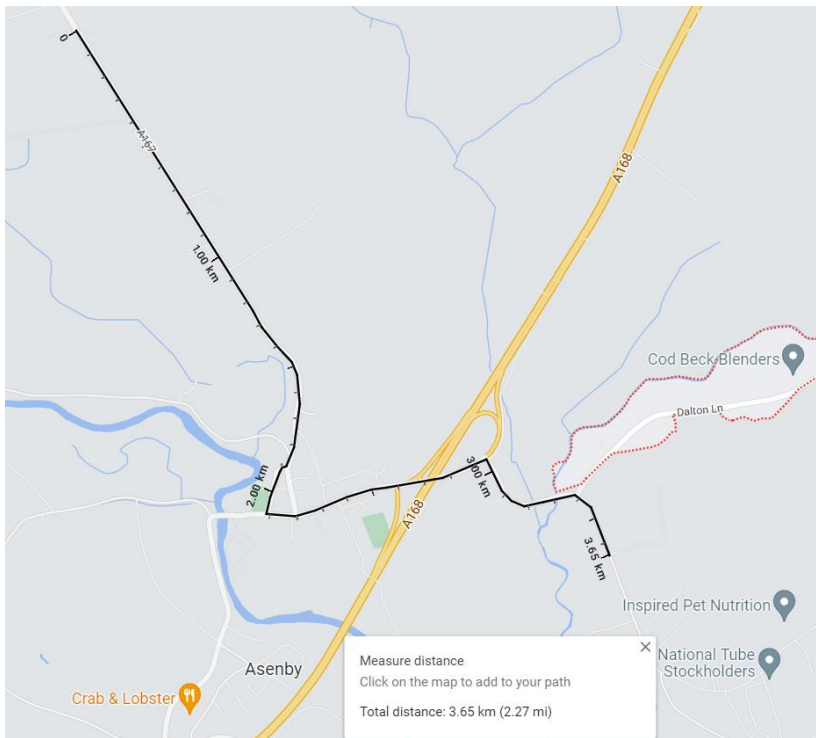
| | |
|--|--|
|  <p>North Yorkshire County Council Business & Environmental Services Corporate Director: Karl Battersby Highways North Yorkshire Assistant Director : Barrie Mason, Highways</p> | <p>Topcliffe Area Weight Restriction</p> <ul style="list-style-type: none">  Existing start/end points of the weight restriction  Proposed revised start/end points  Roads to remain restricted  Roads to be excluded from existing restriction |
| | <p>Area 2 Thirsk Drawn By:- G Hind Date:- 1/4/2021 Drawing No.:- 78/1</p> |

Second Consultation Plan

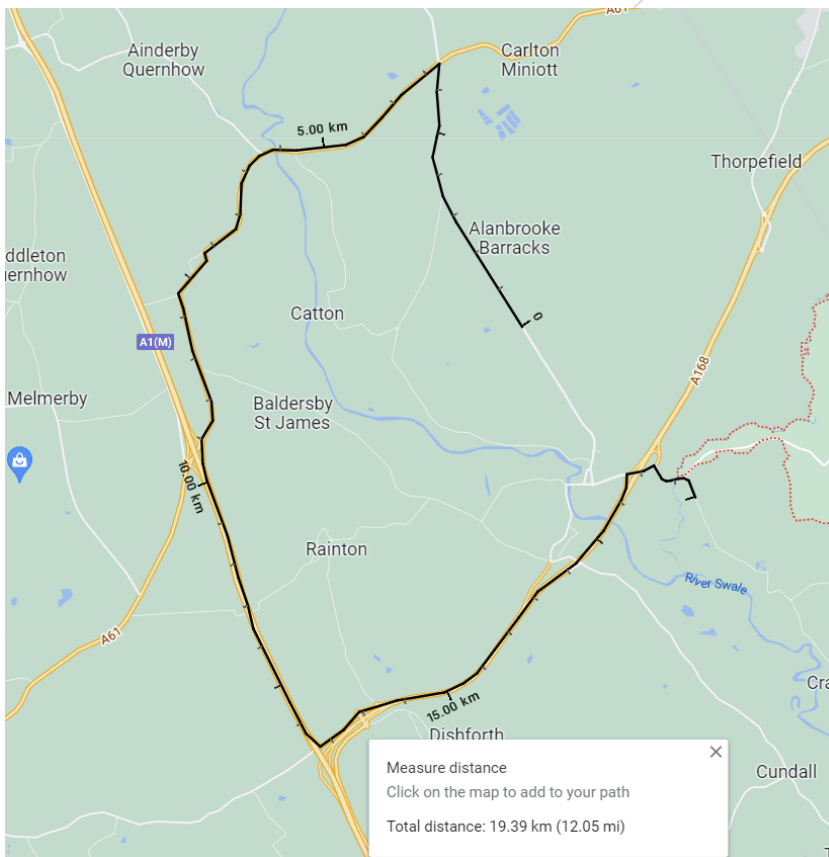
(c) Crown Copyright. North Yorkshire County Council. Licence Number 100017946 (%/year)



Example of potential increased journey



Journey to Dalton via Topcliffe: 3.65 km/2.27 miles



Same journey if the revised restriction were to be in place in place: 19.39km/12.05 miles.

| Initial equality impact assessment screening form | | | |
|---|--|----|------------------------------|
| This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate. | | | |
| Directorate | Business and Environmental Services | | |
| Service area | Highways and Transportation | | |
| Proposal being screened | Retention of an existing weight restriction Traffic Regulation Order | | |
| Officer(s) carrying out screening | Graham Hind | | |
| What are you proposing to do? | Retain the existing Traffic Regulation Order in its current form following consultation exercises on the possible reduction of the extent of the restricted zone or the creation of three smaller zones. | | |
| Why are you proposing this? What are the desired outcomes? | The proposal was developed as a result of concerns raised by parish council. To reduce the number of heavy goods vehicles passing through the zone. | | |
| Does the proposal involve a significant commitment or removal of resources? Please give details. | No | | |
| Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics | | | |
| As part of this assessment, please consider the following questions: | | | |
| <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? | | | |
| If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt. | | | |
| 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 | |
| NYCC additional characteristics | | | |
| People in rural areas | | X | |
| People on a low income | | X | |

APPENDIX 6

| | | | |
|---|---|---|-----------------------|
| Carer (unpaid family or friend) | | x | |
| Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details. | No | | |
| Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion. | No, the retention of the weight restriction should not have a specific adverse effect on people with protected characteristics. | | |
| Decision (Please tick one option) | EIA not relevant or proportionate: | x | Continue to full EIA: |
| Reason for decision | The consultation exercises on the possible amendments to the TRO have shown that there would be an adverse impact on businesses and people currently within the rural parts of the restricted zone by increasing transportation costs for goods/deliveries. It could potentially jeopardise the sustainability of local businesses, thereby reducing employment opportunities for local people. For this reason it is proposed to retain the TRO in its current form. | | |
| Signed (Assistant Director or equivalent) | Barrie Mason | | |
| Date | 31 January 2023 | | |



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

Version 2: amended 11 August 2021

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

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

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

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

| | |
|--------------------------------------|---|
| Title of proposal | Existing Weight Restriction on Various Roads in the Asenby, Rainton and Topcliffe Areas. |
| Brief description of proposal | To seek approval for the Traffic Regulation Order (TRO) of 1999 to be retained in its current form. |
| Directorate | BES |
| Service area | Highways and Transportation |
| Lead officer | Graham Hind |

| | |
|---|------------|
| Names and roles of other people involved in carrying out the impact assessment | |
| Date impact assessment started | 10.01.2023 |

Options appraisal

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

Proposals have been considered to change the existing Traffic Regulation Order (TRO) of 1999 but this would lead to some increased journeys for heavy commercial vehicles operating within the area.

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

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

There is an impact on the council budget in providing improved/additional signage. Funding is available to introduce signage improvements from an existing budget held by the local area offices. There is also funding for signage improvements available from a separate Section 106 planning agreement associated with a planning application to expand the nearby Dalton Industrial Estate.

| <p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p> | <p>Positive impact (Place a X in the box below where relevant)</p> | <p>No impact (Place a X in the box below where relevant)</p> | <p>Negative impact (Place a X in the box below where relevant)</p> | <p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> Changes over and above business as usual Evidence or measurement of effect Figures for CO₂e Links to relevant documents | <p>Explain how you plan to mitigate any negative impacts.</p> | <p>Explain how you plan to improve any positive outcomes as far as possible.</p> | |
|--|---|---|---|---|---|---|--|
| <p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p> | Emissions from travel | | | x | Amending the existing Traffic Regulation Order would lead to some increased journeys for heavy commercial vehicles, and thereby increased emissions. | Retain the Traffic Regulation Order in its current form. | |
| | Emissions from construction | | | x | Emissions associated with the construction work (vehicles, other plant and materials) involved with amending the signage layouts, although this would be very short duration. | Retain the Traffic Regulation Order in its current form. | |
| | Emissions from running of buildings | | x | | | | |
| | Emissions from data storage | | x | | | | |
| | Other | | x | | | | |

| <p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p> | <p>Positive impact (Place a X in the box below where relevant)</p> | <p>No impact (Place a X in the box below where relevant)</p> | <p>Negative impact (Place a X in the box below where relevant)</p> | <p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents | <p>Explain how you plan to mitigate any negative impacts.</p> | <p>Explain how you plan to improve any positive outcomes as far as possible.</p> |
|--|---|---|---|---|--|---|
| <p>Minimise waste: Reduce, re-use, recycle and compost e.g. reducing use of single use plastic</p> | | | x | <p>Waste materials would be generated by construction activities.</p> | <p>Retain the Traffic Regulation Order in its current form.</p> | |
| <p>Reduce water consumption</p> | | x | | | | |
| <p>Minimise pollution (including air, land, water, light and noise)</p> | | | x | <p>Amending the existing Traffic Regulation Order would lead to some increased journeys for heavy commercial vehicles and thereby increased emissions.</p> | <p>Retain the Traffic Regulation Order in its current form.</p> | |
| <p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p> | | | x | <p>Amending the existing Traffic Regulation Order would lead to some increased journeys for heavy commercial vehicles and thereby increased emissions.</p> | <p>Retain the Traffic Regulation Order in its current form.</p> | |
| <p>Enhance conservation and wildlife</p> | | x | | | | |

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

| |
|--|
| <p>Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.</p> |
| <p>None.</p> |

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.

It is considered that the recommendation to retain the TRO in its current form does not have any adverse impact on climate change. Changes to the TRO would lead to some increased journeys for heavy commercial vehicles with an associated increase in emissions.

Sign off section

This climate change impact assessment was completed by:

| | |
|------------------------|-----------------------------|
| Name | Graham Hind |
| Job title | Project Engineer |
| Service area | Highways and Transportation |
| Directorate | BES |
| Signature | <i>G. Hind</i> |
| Completion date | 10.01.2023 |

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 31 January 2023