

# North Yorkshire Council

## Thirsk and Malton Area Committee

27 September 2024

### Maintenance and Repair of Thirsk Market Place

#### Report of the Corporate Director – Environment

#### 1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is for information and to appraise Members of the current position regarding the condition of the pavements around Thirsk Market Place, what is presently being done to mitigate the state and advise Members in terms of future plans.

#### 2.0 BACKGROUND

- 2.1 Thirsk Market Place is the main central business district serving the communities of Thirsk and Sowerby. It is home to various shops, cafes, restaurants, public houses and other business premises, and is the commercial hub of the town.
- 2.2 The A61 runs directly through the Market Place. This is one of the main east-west routes in the area, and forms part of the local primary/key route highway network. The B1448 also peels off the A61 at this location and provides a connection between the A61 and the A168. The layout and overview of the status of the land in the marketplace is shown on the attached plan in Appendix A.
- 2.3 In summary, the carriageways of the A61 and the B1448, as well as the footways around the perimeter of the Market Place, form part of the Highway Maintainable at Public Expense (HMPE). These shaded areas are controlled by North Yorkshire Council (NYC) as the local highway authority. The unshaded areas of land which include the off-street parking areas and central areas that are trafficked by pedestrians are also under the control of the council albeit not classed as HMPE. For completeness, the location of the public rights of way which link to the Market Place are also identified on the plan.

#### 3.0 CONDITION OF THE LOCAL HIGHWAY NETWORK, AND ONGOING REACTIVE MAINTAINANCE WORKS

- 3.1 A capital resurfacing scheme was completed on the sections of the A61 and B1448 carriageways running through the Market Place during the financial year 2023/24 and are in a good condition.
- 3.2 The condition of the footways around the perimeter of the Market Place including the central areas is deteriorating. Whilst the natural profile of the stone (Riven York Stone) can be an issue for some highway users, when this is coupled with deteriorating condition this issue becomes amplified.
- 3.3 Over recent years a number of repairs have been carried out involving re-setting and re-lay various 'rocking' flags around the Market Place. However, in some instances flags are cracked/split, and cannot be re-used. On such occasions the flag is locally replaced with an asphalt material. Whilst this is not aesthetically pleasing, it ensures that the footways can continue to operate safely. Although there have been some third-party claims against the

highway authority relating to the areas of York Stone paving, the levels could be described as 'stable' at the time of writing and are not considered to be an unsustainable burden at this time.

#### **4.0 BACKGROUND TO THE CASE FOR CAPITAL MAINTANANCE WORKS**

- 4.1 Following routine inspections and condition surveys a request for capital maintenance funding was made by the local Area 2 Highways team. In 2020/21 and 2021/22 financial years two budgets were identified to fund highway maintenance works on the footways in Thirsk Market Place to be used over consecutive years. An initial budget of £104,000 was allocated for phase 1 works, which was later increased to £147,000. A further budget of £100,000 was approved for phase 2 of the works. In total £247,000 was made available over a two-year period from the annual Local Transport Plan (LTP).
- 4.2 This amount of money would likely have been sufficient for a scheme with very limited scope, such as re-pointing the joints between the existing paving and spot replacement/renewal of individual/small areas of the existing riven paving. Officers therefore concluded that the level of funding available was insufficient to carry out a 'meaningful' scheme of the kind required i.e., the replacement/renewal of all the areas of York Stone paving. Such a scheme would also result in continued ongoing repairs funded by the revenue budget which ultimately would become an unsustainable burden. The decision was therefore taken to proceed with detailed design, including further investigation, in order to establish a budget estimate required to deliver a scheme with a more appropriate scope.
- 4.3 Detailed design commenced in November 2021 as part of which investigations were required on site in order to confirm the scope of the scheme including trial holes within the York stone paved areas to confirm existing make up, condition and stability of the foundations.
- 4.4 Subsequent analysis of the results and structural calculations have confirmed that the construction and condition, of the existing foundations is insufficient/unsuitable for re-use, and therefore the scope of any project will have to incorporate excavations and the construction of new foundations throughout the footprint of the scheme in addition to a new bedding course and the renewal of the York Stone paving.
- 4.5 As it was acknowledged that any scheme would likely far exceed the budgets available from the LTP, whilst the design and investigations were ongoing meetings were held between NYCC highways staff and colleagues in the former Hambleton District Council (HDC) regarding additional potential sources of funding.
- 4.6 Advice on the planning and conservation elements of the project was also obtained from HDC's Conservation Officer, and a liaison meeting held with Thirsk Town Council in August 2023 in order to run through progress to date.

#### **5.0 FUTURE PROPOSALS**

- 5.1 Phase 1 of a special engineering scheme for Thirsk Market Place has provisionally been entered into the draft Area 2 Highways capital programme for delivery in financial year 2025/26.
- 5.2 W Detailed design is currently being finalised including a detailed budget cost estimate in order to ensure that all parties can accurately estimate what the final outturn cost of the entire scheme should be.

- 5.3 The main outstanding issue to resolve remains securing the necessary funding required to deliver the scheme, and where this comes from. Members should note that NYC do not currently have any confirmation of funding for financial year 2025/26, or beyond, from the DfT, and are currently planning delivery proposals based on assumptions.
- Based on inflation and year on year uplifts, the latest total available budget that has been identified is £543,600.
- 5.4 At the time of writing this report a detailed budget cost estimate for the delivery of the project as a whole is being prepared including the anticipated duration and costs for people and plant. Initial calculations for costs of the York stone, alone, are estimated to be in excess of £1 million. Consequently, pending receipt of the finalised bill of quantities, we would estimate that the delivery of the entire scheme could cost in excess of £3 million.
- 5.5 Furthermore, it was noted from discussions with Thirsk Town Council, as discussed in 4.6 above that they have aspirations to carry out some improvements (e.g. pedestrianisation of certain areas, planting etc) to Thirsk Market Place, and have commissioned consultants separately to develop some outline proposals. Members should note that NYC does not have any funding for highway improvements that are not developer led and funded or targeted at sites with a significant injury accident record. Consequently, if highway maintenance funding (i.e. budgets derived from the LTP) are to be utilised to fund the majority of the scheme, the project scope will be limited to a like-for-like replacement of the existing areas of York Stone paving, albeit with new foundations and a bedding course.

## **6.0 ALTERNATIVE OPTIONS CONSIDERED**

- 6.1 Given the estimated costs explained in 5.0 above, consideration to alternative delivery options is ongoing through officer dialogue with the Councils Principal Conservation Officer and colleagues in NY Highways. Options under consideration include the use of alternative materials to York Stone and delivery of works through separate phases based on condition.
- 6.2 Officers are currently working with the Councils Principal Conservation Officer to seek a suitable alternative material to York Stone which will meet the objectives of the conservation area whilst being more cost effective. It is agreed and acknowledged that there cannot be a compromise on the foundation requirements to ensure the longevity of any scheme delivered.
- 6.3 Alongside the consideration of materials officers are looking at the most appropriate phasing or delivery in sections based on existing condition. It is acknowledged that the area in need of maintenance work in a first phase would be the length of footway between Millgate and Kirkgate on the north side of the market place.
- 6.4 Once the detailed budget cost estimates are available and alternative options have been determined, officers will produce a further report setting out the options for a way forward given that the cost estimate is expected to be significantly higher than the available funding.

## **7.0 FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications arising directly from this report as it provides information only. The financial implications in relation to the proposals for the maintenance and repair of Thirsk Market Place will be considered in line with NYC financial and governance process.

## **8.0 LEGAL IMPLICATIONS**

- 8.1 There are no legal implications arising directly from this report as it provides information only. Further consideration of whether any legal implications arise will be required as the scheme proposal progresses and during the delivery of the scheme.

## **9.0 EQUALITIES IMPLICATIONS**

9.1 An initial equalities impact assessment form was completed and is included as Appendix B. The assessment of this report concluded that there is no impact on people with protected characteristics.

## **10.0 ENVIRONMENTAL IMPACTS/BENEFITS INCLUDING CLIMATE CHANGE IMPACT ASSESSMENT**

10.1 See Appendix C

## **11.0 REASONS FOR RECOMMENDATIONS**

11.1 The recommendations contained below are to engage with and invite comments from Members of the content of this report, which is in response to Members' request for this information.

## **12.0 RECOMMENDATION**

12.1 Committee Members are requested to note the information within the report and offer comments where necessary.

### **APPENDICES:**

Appendix A - Plan showing extent of area and highway boundaries

Appendix B – Initial equality impact assessment screening form

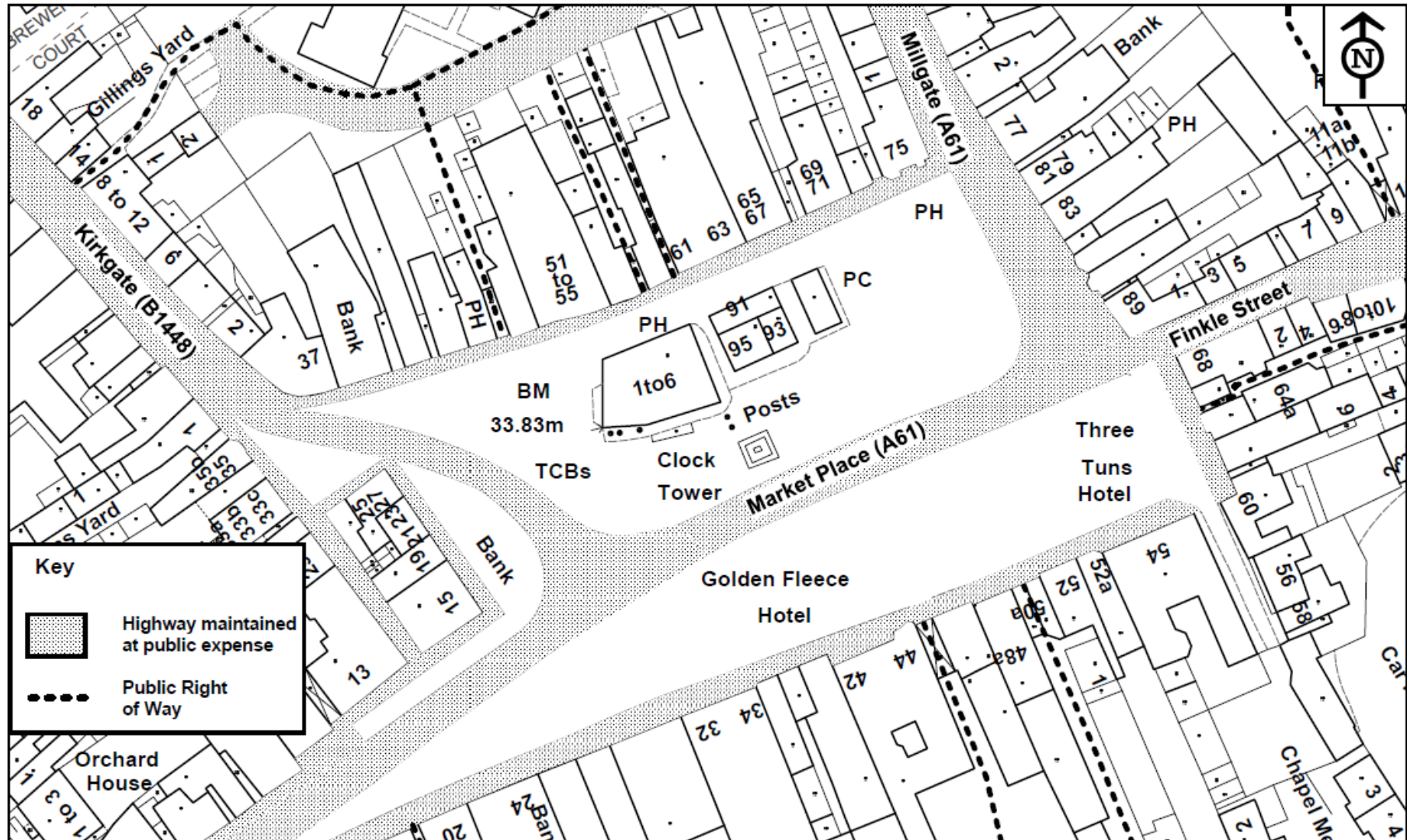
Appendix C – Climate Change Assessment

**Background Documents:** None

Karl Battersby  
Corporate Director, Environment  
County Hall  
Northallerton  
11 September 2024

Report author and presenter: Jayne Charlton Area Manager Area 1 Brompton on Swale & Area 2 Thirsk offices

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**North Yorkshire Council**  
 Environment Directorate  
 Corporate Director: Karl Battersby  
 Highways North Yorkshire  
 Assistant Director, Highways & Transportation: Barrie Mason

Maintenance and repair of Thirsk Market Place  
  
**APPENDIX A**

Area 2 Thirsk
Drawn By :TL
Date : August 2024
Scale : NTS
Drawing No. : APP 1

<b>Initial equality impact assessment screening form</b>			
<b>This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.</b>			
<b>Directorate</b>	Environment		
<b>Service area</b>	Highways and Transportation, Parking Services, Street Scene, Parks and Grounds – Highway Operations		
<b>Proposal being screened</b>	Highways Works Programme & Delivery, Thirsk Market Place maintenance works		
<b>Officer(s) carrying out screening</b>	Jayne Charlton - Area Manager		
<b>What are you proposing to do?</b>	The purpose of this report is to apprise Members of future proposals for the maintenance of Thirsk Market Place		
<b>Why are you proposing this? What are the desired outcomes?</b>	This report is an 'information only' report for members. There are no outcomes other than ensuring that members have received the update on the topic requested.		
<b>Does the proposal involve a significant commitment or removal of resources? Please give details.</b>	<b>No</b>		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics</b>			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul>			
<b>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your <a href="#">Equality rep</a> for advice if you are in any doubt.</b>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		✓	
Disability		✓	
Sex		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
<b>NYC additional characteristics</b>			
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	

**APPENDIX B**

<p><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.</p>	<p>This is a Member information only report. There are no proposals that would impact on people with protected characteristics.</p>		
<p><b>Will the proposal have a significant effect on how other organisations operate?</b> (e.g. partners, funding criteria, etc.). <b>Do any of these organisations support people with protected characteristics?</b> Please explain why you have reached this conclusion.</p>	<p>No</p>		
<p><b>Decision (Please tick one option)</b></p>	<p>EIA not relevant or proportionate:</p>	<p><input checked="" type="checkbox"/></p>	<p>Continue to full EIA:</p>
<p>Reason for decision</p>	<p>This is a report for information. There is no adverse impact on any of the protected characteristics. A further Equality Impact Assessment will be carried out once confirmation of delivery is confirmed.</p>		
<p><b>Signed (Assistant Director or equivalent)</b></p>	<p>Barrie Mason</p>		
<p><b>Date</b></p>	<p>10/09/2024</p>		

## Climate change impact assessment

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

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

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

### Version 2: amended 11 August 2021

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

Planning Permission  
Environmental Impact Assessment  
Strategic Environmental Assessment

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

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

<b>Title of proposal</b>	Highways Works Programme & Delivery, including Thirsk Market Place
<b>Brief description of proposal</b>	Update to Thirsk and Malton Area Committee on the above
<b>Directorate</b>	Environment
<b>Service area</b>	Highways and Transportation, Parking Services, Street Scene, Parks and Grounds – Highway Operations
<b>Lead officer</b>	Barrie Mason
<b>Names and roles of other people involved in carrying out the impact assessment</b>	Jayne Charlton - Area Manager
<b>Date impact assessment started</b>	20 May 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.

This report is for information only and as such no other options were considered.

**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.

This report is for information only – as per the main body of the report, there is no impact on budgets, so is cost-neutral.

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

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

**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 – report for info only

**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.

Report is for information only, there is a neutral impact.

**Sign off section**

This climate change impact assessment was completed by:

<b>Name</b>	Jayne Charlton
<b>Job title</b>	Area Manager
<b>Service area</b>	Highways and Transportation, Parking Services, Street Scene, Parks and Grounds
<b>Directorate</b>	Environment
<b>Signature</b>	
<b>Completion date</b>	14/08/ 2024

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

**Date:** 10/09/2024