

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

**Re: Review of Driven Carriageway Inspections during Covid-19**

This record is produced in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

This form should be used to record:

- EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and
- EXECUTIVE decisions (key or otherwise) taken by an OFFICER (either alone or in consultation with an Executive Member)
- A non-Executive decision taken by an OFFICER which falls into one of the following descriptions:-
  - (i) under a specific express authorisation; or
  - (ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to
    - grant a permission or licence;
    - affect the rights of an individual; or
    - award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.

(One form per decision)

The following decision has been taken: -

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| <ul style="list-style-type: none"><li>i. the relevant part of Section 2 of the Highway Safety Inspection Manual that currently reads: <i>'The maximum speed of the inspection vehicle throughout an inspection will be 20mph'</i> is amended with the highlighted text shown below to read:<br/><i>'The maximum speed of the inspection vehicle throughout an inspection will be 20mph unless a dynamic risk assessment on <u>rural</u> roads concludes it is safer to undertake these inspections at a speed more in keeping with traffic flows. However, this would still be limited to no more than 20mph on category 4b roads and 30mph on higher category rural roads';</i></li><li>ii. to retain the amendments made to the HSIM following the Executive Members meeting of 7 May 2020 shown in italics in para 2.4 of this report, with the addition of the text shown as highlighted below:<br/><i>"As an exception to the above, driven inspections can be carried out from a slow moving vehicle without a dedicated driver being present in low risk situations on category 4b roads, and in the event of a Government declaration of threat to public health for the duration of the declaration made under statutory provisions. This would be in situations where any actionable defects can still be identified and there are no additional public safety risks from not having a dedicated driver. In such circumstances the normal safety inspection vehicle may be replaced with an appropriately liveried Highways Officer's van. In <u>urban</u> areas, the inspection will be carried out at no more than 10 mph on category 4b roads and 20 mph on higher category roads and in both directions and the Highways Officer must walk any sections where parked vehicles restrict the view of the full highway extent. A record must be kept of the inspection method used including those occasions where the inspection was conducted between 20mph and 30mph in <u>rural</u> locations;</i></li></ul> |
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- iii. that such amendments are only to be effective for the duration of the public health response period as conferred by the Coronavirus Act 2020 and the Health Protection (Coronavirus Restrictions) (England) Regulations 2020 and made by Government declaration;
- iv. a further review is undertaken at the end of March 2021 unless deemed necessary to be undertaken sooner.

**By whom:** Karl Battersby, Corporate Director – Business and Environmental Services, in consultation with Executive Members County Councillor Don Mackenzie and County Councillor Andrew Lee

**On: 18 December 2020**

Was this an executive decision? **YES**  
 If an executive decision, was it also a key decision? **NO [as a non-key decision by an officer, is NOT OPEN TO CALL IN]**

**Reasons for decision: -**

The intention is to minimise the risk to the Council’s employees by adhering to the Government requirement for social distancing and so that highway inspections are carried out within Public Health England Guidelines during the emergency period.

**Details of any alternative options considered and rejected: -**

N/a

**Conflicts of Interest**

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee or Monitoring Officer in respect of that conflict.

Conflict	Dispensation?

**Background Papers**

Please attach to this decision notice, for publication, the background papers that disclose any facts or matters on which this decision, or an important part of the decision, was based and which were relied on to a material extent in making the decision, but this does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

Signed  
 KARL BATTERSBY

Publication Date: 4 January 2021

**Note 1 regarding Executive decisions only:  
 This decision will come into force, and may then be implemented, on the expiry of 5 clear**

Directorate  
Business & Environmental Services

***working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to The Assistant Chief Executive (Legal and Democratic Services).***

***Note 2: non-executive and non-key executive decisions by Officers are not subject to call in.***

**Contact for further information: [nigel.smith@northyorks.gov.uk](mailto:nigel.smith@northyorks.gov.uk)**

**Contact for copy of report considered: [tricia.richards@northyorks.gov.uk](mailto:tricia.richards@northyorks.gov.uk)**

To: The PA to the Assistant Chief Executive (Legal and Democratic Services) - for onward circulation to:

All Members of the Council; All Management Board; All Management Board Secretaries; All Senior Managers; All Democratic Services Officers; All Corporate Development Officers; Senior Press Officer; Communications Officer