

North Yorkshire Council

Environment Directorate

29 January 2025

Consultation with the updated Traffic Sensitive Streets list

Report of the Assistant Director – Highways and Infrastructure

1.0 PURPOSE OF THE REPORT

- 1.1 To seek approval to go out to formal consultation with the updated Traffic Sensitive Streets (TSS) list, following the removal of certain criteria by the Department for Transport (DfT). Subject to any comments, we are seeking approval to then follow this up with the Lane Rental Consultation for a period of two weeks.

2.0 BACKGROUND

- 2.1 A Traffic Sensitive Street (TSS) network refers to a system of roads that are particularly susceptible to traffic flow variations due to various factors such as time of day, location, and the type of activities occurring in the area. The designation is set out by regulation of The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007 Section 16 sets out the criteria for designation of streets as traffic sensitive under section 64 NRSWA 1991.
- 2.2 Following on from a consultation conducted by the DfT in February 2023, the question was posed as to whether it was appropriate to remove winter gritting routes and tourism routes from the official criteria to designate a street as Traffic Sensitive (TS). The Council responded to this with the following:
- 2.3 ***“For NYCC [as it was known at the time] this presents an issue as our TS routes are based on winter maintenance and tourism as these are considered our most important and busiest routes. Removing the criteria, will potentially result in us downgrading around 50% of our TS routes which impedes our ability to co-ordinate efficiently. Consideration should be given to further criteria being added to include the existing Traffic Sensitive streets.”***
- 2.4 As a result of the consultation, the regulations were amended by the Street and Road Works (Miscellaneous Amendments) (England) Regulations 2022 where reg 16(f) was revoked 3 April 2023, resulting in the winter gritting and tourism criteria being revoked.
- 2.5 Having undertaken the TSS review, taking into account the revocation of 16(f). We have identified around 13% of our overall network as Traffic Sensitive and have found that this has not had any impact on our proposed Lane Rental Network which we originally consulted on in October 2024. As a result, no changes are required to the original LR consultation documentation and a smaller consultation window of only two weeks is required which will include the updated TSS network.
- 2.6 We are seeking to go out to consultation for designation of our traffic sensitive street network, following a review. Those to be consulted with include internal and external stakeholders and any Undertakers that have an interest in working in the highway. The consultation period is set at four weeks in accordance with the statutory guidance which

subject to any comments, will be followed by the consultation for Lane Rental for a period of two weeks.

- 2.7 Given the DfT's upcoming deadline for Lane Rental application assessment of 1 April 2025, and the necessity to consult and include the final TSS revised list in the application, it is not possible to seek formal approval through the usual Corporate Director and Executive Member governance arrangement. A Traffic Sensitive Street Network is a mechanism for coordination, any changes or updates are not considered a change in policy proposal. Given the available window, officers have produced a briefing note to seek approval to go out to consultation for the TSS network, followed by the Lane Rental consultation.

3.0 TRAFFIC SENSITIVE STREET NETWORK IN RELATION TO LANE RENTAL

- 3.1 North Yorkshire Council (NYC) is seeking to implement a Lane Rental Scheme (LRS) in October 2025, which is proposed to introduce a daily charge on a percentage of the road network of up to £2,500 for all works. The objective is to incentivize works promoters to work at different times of day or work differently to minimise disruption to the travelling public.
- 3.2 Fewer works at busy periods reduces disruption to vehicles. Disruption causes delay and this has a societal cost. This cost can be calculated and the improvement in societal benefit, resulting from the introduction of a Lane Rental Scheme, can be identified.
- 3.3 The Statutory Guidance for Lane Rental states that a street can only be designated as such if it is already traffic sensitive.
- 3.4 As a result, the proposed Lane Rental Streets (LRS) are based on our existing Traffic Sensitive Network in conjunction with other considerations such as analysing traffic data, accident rates, and economic activity, leading to more informed and strategic decision-making in planning and road management.
- 3.5 Input from the relevant highway teams and using local officer knowledge identified the roads that have the potential to cause the most disruption, using our Traffic Sensitive Streets (TSS) network as a basis, with a view to undertake a full TSS and LR review annually.
- 3.6 Taking advice from our consultants, who have a direct channel of communication with the DfT, the decision was taken to base the Lane Rental network on our existing Traffic Sensitive network and undertake a review soon after, on the basis that most of our TS network would remain the same.
- 3.7 Whilst in the process of NYC's consultation to implement a Lane Rental scheme, the advice has changed, suggesting that a review needs to take place before a consultation can take place and all TSS data needed to be justified by the remaining criteria.

4.0 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 There are no alternative options to be considered. The TSS network needs to be updated and consulted on as part of the regulations. In relation to the Lane Rental project, in order for the Authority to identify the Lane Rental Network, the TS streets need to be in place. There is the potential to press on with the application, however, other Authorities that have submitted their applications to the Department for Transport (DfT) without a traffic sensitive review have been asked to complete one before the application can be processed any further which could cause significant delay to the project.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The only costs associated with the formal consultation is existing officer time which will be met through existing budgets.
- 5.2 In terms of the TSS review, there may be financial implications on both the existing permit scheme and the proposed Lane Rental streets. Any streets that are downgraded from traffic sensitive will result in a lower permit fee for Undertakers. Currently, this is estimated at around a £75,000 a year loss due to TS network downgrade. It's worth noting that a fee review will be the subject of another Corporate Director report to increase the permit fees to the maximum level allowed by DfT.
- 5.2 As per the regulations, LR streets can only be applied to existing Traffic Sensitive streets. Having undertaken the review of TSS, our previously identified LR network is unaffected by the review, resulting in no financial impact for the Lane Rental Scheme which has been included as a budget saving.

6.0 LEGAL IMPLICATIONS

- 6.1 The Highway Authority's statutory duties in respect of co-operating in and co-ordinating street works is contained within the New Roads and Street Works Act 1991. Under Section 74A of the Act the Highway Authority has the power to implement and operate a Lane Rental Scheme subject to approval of it by the Secretary of State and subject to The Street Works (Charges for the Occupation of the Highway) (England) 2012 as amended.
- 6.2 As part of the scheme application process, the guidance provides that there is a requirement for the Highway Authority to carry out a review of their Traffic Sensitive Street designations (Street Works (registers, Notices, Directions and Designations) (England) Regulations 2007 as amended) to ensure that updates to the scheme proposed have been made in line with the changes in legislation which removed certain criteria.

7.0 EQUALITIES IMPLICATIONS

- 7.1 No Equalities Implications are associated with this consultation, attached at Appendix A.

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 No Climate change implications are associated with going out to consultation, attached at Appendix B.

9.0 REASONS FOR RECOMMENDATIONS

- 9.1 As per the regulations, a consultation must take place for a minimum of four weeks to allow Undertakers to make comment on the updated Traffic Sensitive Streets. This is then to be followed up with a further Lane Rental consultation for a period of two weeks before the final application is sent to the DfT on 1 April 2025.

10.0 RECOMMENDATIONS

- 10.1 It is recommended that the Corporate Director – Environment, in consultation with the Executive Member for Highways and Transportation approve a formal consultation with internal and external stakeholders for a period of four weeks for the Traffic Sensitive Network followed by a two-week consultation for Lane Rental.

APPENDICES:

Appendix A – Equalities Impact Assessment

Appendix B – Climate Change Impact Assessment

BACKGROUND DOCUMENTATION

See TSS Excel sheet

Barrie Mason
Assistant Director – Highways and Infrastructure
County Hall
Northallerton
25 January 2025

Report Author – *Alex Hollifield, Team Leader, Network Information and Compliance*
Presenter of Report – *Allan McVeigh, Head of Network Strategy*

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

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	Environment		
Service area	Network strategy		
Proposal being screened	Traffic Sensitive Network		
Officer(s) carrying out screening	Alex Hollifield		
What are you proposing to do?	Go out to consultation on updating our Traffic Sensitive Network		
Why are you proposing this? What are the desired outcomes?	Required by the regulations under NRSWA 1991.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	None		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC'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 directorate representative 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	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	none		
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people	No		

APPENDIX A

with protected characteristics? Please explain why you have reached this conclusion.				
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	
Reason for decision	The updating of our TSS network shouldn't affect anyone with protected characteristics. It's purpose is to improve coordination of works and protect our busiest streets at the busiest times from disruption.			
Signed (Assistant Director or equivalent)	Barrie Mason			
Date	28/01/2025			

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

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

Title of proposal	Seeking approval to undertake a formal consultation for the updated Traffic Sensitive Street Network
Brief description of proposal	To seek approval to commence the formal consultation process for the updated TSS network Which identifies our busiest roads at the busiest times. A TS Street imposes higher permit fees than non-TS streets, incentivising Undertakers to work outside the busy periods.
Directorate	Environment
Service area	Network Strategy
Lead officer	Alex Hollifield
Names and roles of other people involved in carrying out the impact assessment	

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

Remember to think about the following.

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

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

APPENDIX B

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

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	X	Continue to full CCIA:	
Reason for decision	The consultation for the TSS network will have no impact on climate change.			
Signed (Assistant Director or equivalent)	Barrie Mason			
Date	28/01/2025			