

North Yorkshire County Council

Transport, Economy and Environment Overview and Scrutiny Committee

Minutes of the Meeting held on 14 April 2021 remotely using MS Teams, commencing at 10.00 am.

This meeting was live broadcast on the North Yorkshire County Council YouTube site and a recording is available using the following link - <https://www.northyorks.gov.uk/live-meetings>

Present:

County Councillor Stanley Lumley in the Chair.

County Councillors Karl Arthur, Paul Haslam, Don Mackay, John McCartney, Andy Paraskos, Caroline Patmore, Clive Pearson and Roberta Swiers.

NYCC Officers attending: Karl Battersby, Corporate Director - Business and Environmental Services (BES), Michael Leah – Assistant Director Travel & Environment (BES), Simon Moss - Strategy and Performance Team Leader, Catherine Price - Contract and Commissioning Manager (BES) and Jonathan Spencer, Principal Scrutiny Officer (CSD).

County Councillor David Goode and County Councillors David Jeffels had sent their apologies for absence.

County Councillor Robert Heseltine was not in attendance.

Copies of all documents considered are in the Minute Book

117. Tribute to County Councillor Richard Welch

The Chairman paid tribute to County Councillor Richard Welch, who had died in January 2021. He had been a County Councillor for 12 years serving first on the Transport and Telecommunication Services Overview and Scrutiny Committee and then on the Transport, Economy and Environment Overview and Scrutiny Committee from its inception.

118. Minutes

Resolved -

That the Minutes of the meeting held on 21 January 2021 be confirmed and signed by the Chairman as a correct record.

119. Declarations of Interest

There were no declarations of interest to note.

120. Public Questions or Statements

A statement had been received from a member of the public (Mr Breakell) which was taken at agenda item 6.

121. Corporate Director's update

Considered –

The verbal update of the Corporate Director - Business and Environmental Services.

Karl Battersby provided the following update.

- NY Highways – the teckal company was on course to go live on 1 June 2021. Looking ahead there was a need to make sure that NY Highways not only ensured a smooth transition of service delivery from Ringway but looked at how things could be done better. Early on, an example of this would involve looking at the winter management programme to see what had worked well last winter and what could be done better in future years.
- Active travel – the County Council had been successful in securing just over £1 million for four active travel fund schemes: three in Harrogate and one in Whitby. Virtual meetings had been held on those schemes, with a good turnout for the Harrogate meetings but lower attendance at the Whitby meeting. The Harrogate scheme relating to Outlands Drive had proved controversial and so the County Council had sought to amend the scheme, particularly in terms of the one-way nature of that scheme, and was now into the detailed design stage.
- The County Council was also managing the Transforming Cities Fund schemes across North Yorkshire. Initial consultation had been carried out with many responses received back. Comments were currently being analysed to feed into the next stage of consultation before delivery of the schemes took place.
- Kex Gill (A59 realignment) – all planning issues had now been resolved and the County Council was about to commence the procurement process to secure a contractor. The side road orders would be published shortly and the acquisition of the land.
- A19 (Selby district) - the County Council was working with Balfour Beatty to finish the works as early as possible and the hope was to finalize the program in the next two to three weeks. Working days had been lost due to recent inclement weather but the County Council was confident that they would be clawed back as a result of introducing seven day working that had been carried out fairly recently on the scheme.
- Community renewal fund – the County Council was marshalling bids on behalf of all North Yorkshire districts for submission to government. The County Council was also looking at what it wanted to submit to the fund. Options included whether to group specific schemes together under one theme, particularly around transport, so that the county as a whole could get greater economies of scale. The bid would need to go through to the County Council's Executive to meet the deadline of 18 June 2021 for submissions to government.
- Joint Waste Authority – the County Council had entered into an agreement to formalise the informal partnership that it had with City of York Council in respect of

a Joint Waste Authority. Work was also underway to examine what the partnership should be doing in relation to responding to the government's waste strategy. The government had recently published three consultations in that regard and County Council officers were currently preparing responses for submission to BES Executive Members for approval.

- Planning function – a peer review had been carried out of the authority's planning service. External support had been provided and action plans were being developed. Changes to the service would include having a dedicated enforcement and monitoring resource.
- Budget – a small overspend of between £50,000 and £90,000 of the overall budget was predicted. This was mainly due to the increased cost of the winter programme due to the inclement weather.
- Flood resilience – the County Council had successfully secured flood resilience monies from the Environment Agency in a joint bid with City of York Council to respond to wider flooding and catchment issues.
- Bus Back Better – the government had issued its new national bus strategy. Local authorities were being asked to decide which option they should adopt – a partnership or franchise model. Local authorities were required to respond by 9 June, so the County Council was doing some work around scenario planning. Following the submission to government regarding which option to adopt, local authorities would need to produce action plans to be submitted to government by October. For the County Council this would include aspects relating to bus priority and reliability measures and the types of areas that we would want to address in terms of a new bus strategy going forward. Linked into that the County Council was also looking at a demand responsive pilot in the Ripon area.
- Highway maintenance – this remained a significant priority for the County Council; spending in the region of £50 million a year maintaining the largest road network in the country. However, the government had made some financial changes to the maintenance allocation, which meant a £7 million reduction on the maintenance budget. Members were being consulted on what this would mean for the highways maintenance programme in their local area and an agreed programme was now in place.
- Brierley Homes – 235 homes were in the process of development at present, including completed sites and ongoing developments. Brierley Homes was taking a cautious approach but was gaining momentum and increased interest as the brand and the quality of the product that it was producing was becoming better known. Some homes were starting to be sold off-plan.

Members made the following key comments:

- County Councillor John McCartney referred to the A19 repairs and asked how confident the directorate was in meeting the mid-June re-opening date. Karl Battersby replied that he was confident that this target would be met unless something untoward happened such as a freak weather event. Efforts were being made to re-open the relevant A19 section prior to mid-June.
- County Councillor Paul Haslam noted that highway maintenance obviously needed to be a priority but asked what the budget was for public rights of way or cycle routes. Karl Battersby confirmed that there was a separate budget for public rights of way. The county had the largest public rights of way in the county but despite

that did well in terms of management and maintenance because there was a strong network of volunteers who assisted. Without those volunteers, the County Council would struggle to maintain the network that it had. Cycle routes were part of the overall maintenance budget but one of the aspects that the directorate was currently looking at was whether it could create a dedicated revenue and capital budget in relation to active travel. At present, the directorate tended to add on existing schemes or use developer contributions or bid for external monies to improve the cycle network rather than having a specific dedicated capital pot for cycling schemes. This aspiration had however taken something of a backward step this year to being realised due to the significant reduction in the maintenance budget.

- County Councillor Karl Arthur asked in relation to Brierley Homes what level of income was it providing and asked for future projections. Karl Battersby replied that currently it provided an income stream because it was linked to the other Brierley group of companies. He said that he was not able to provide a precise figure but a business plan was in place, which included income projections. The aim was on each development site to return a profit of around 15%. A healthy return was predicted in going forward and if a unitary county authority was created this would open up a wider range of opportunities.
- County Councillor Don MacKay said that he wished to pay tribute to the quality of the houses being built by Brierley Homes, which in his view was far superior to any of the properties built by large housing developers. He said that he felt that the profit margin of 15% was reasonable and possibly not ambitious enough. Karl Battersby replied that there were some sites where it was estimated that Brierley Homes would be able to achieve a higher profit margin but profit was not the sole factor, social value also played its part. The surplus Brierley Homes made was being re-invested in services that the customer valued. Sustainability and future-proofing was being considered in the design of properties such as the installation of heat pumps and electric charging points for electric vehicles.
- County Councillor Karl Arthur queried, in respect of the Bus back better strategy, how the revenue would be raised if the local authority adopted a partnership approach or franchise approach. He had received reports about car parking charges increasing and congestion charges being applied in cities that had adopted a franchise model. Karl Battersby replied that the government would be encouraging local authorities to look at transport policy holistically, and if the local authority was trying to encourage more people to use public transport and put in place bus priority measures etc., that would be linked to wider policies around parking. However, North Yorkshire County Council had not formed any firm ideas of what they would look like and at present, it did not have full control of parking charges because the district councils were responsible for off-street parking. He went on to note that when local authorities developed their action plans, the document was effectively a bidding document so some of that would be bidding for monies for service improvement. Separate to this there was a national fund aimed at electric buses and related infrastructure, with an opportunity for local authorities to bid for any costs in terms of infrastructure changes. In terms of the operator costs, under the partnership option, the operator would still bear the revenue risk of running the services going forward. Under a franchising model, the local authority would take over the running of bus services in the county and would then take the revenue risk if the patronage fell.
- Councillor Paul Haslam said it was important not to discount a bus franchising option now and believed that in time all areas of the country would have bus

services running on a franchise model either by individual local authorities or on a national basis.

Resolved –

That the Committee notes the Corporate Director's update.

122. Air Quality Strategy

Considered –

The written report of the Corporate Director - Business and Environmental providing an overview of the Air Quality Strategy and responses received from the draft strategy public consultation.

Simon Moss presented the report.

Simon Moss explained about how the development of the Air Quality Strategy linked into the County Council's policy framework including the Local Transport Plan and the Council Plan.

He then went on to explain about the consultation process for the draft Air Quality Strategy for North Yorkshire. The aim of the strategy was to protect and where necessary improve air quality. In order to achieve that ambition there were four key objectives, which he went on to detail, as set out in the document.

The consultation had been undertaken in four phases each involving different respondents, including members of the public and external stakeholders such as the local planning authorities and Areas of Outstanding Natural Beauty (AONBs). The consultation period had been extended due to the COVID-19 pandemic.

A number of technical responses had been provided including from members of the public who had in-depth knowledge.

Simon Moss noted that there had to be a balance of what was possible in achieving the best air quality against what was realistic to do so. Three quarters of respondents either agreed or strongly agreed with the County Council's ambition, and generally speaking, they felt that the current situation regarding air quality in the county was clearly explained and that the roles between the County Council and district councils was made clear.

In relation to the objectives, only 42% of respondents thought that they were realistic and achievable. A spectrum of responses had been received from people saying the strategy was over ambitious to others saying that it was not ambitious enough. The consultation had provided some useful suggestions for actions that had previously not been included such as tackling emissions from burning moorland heather and looking at domestic heating as a source of pollutants in detail.

The next steps would be to take the finalised document to Management Board and the Executive for final approval before publishing the document.

Members made the following key statements:

- County Councillor Karl Arthur referred to Appendix A of the report and to an air quality management area that was within his division. He asked what progress had

been made and if the only way to tackle the air pollution in that area was to pedestrianise the area or provide a roundabout to keep traffic moving. Simon Moss replied that he was not able to comment on the progress of individual areas because air quality was monitored by the district councils. However, a number of measures had been put in place in the areas listed in Appendix 1 to reduce pollution.

- County Councillor Paul Haslam said the draft strategy was a substantial document and he welcomed that. He said though that it was not sufficient for the strategy to be supporting other council policies but should in fact be leading them. The Air Quality Strategy clearly needed to be co-ordinated with all other de-carbonisation and climate change policies. The four key objectives needed to be extended or linked to other policies. In particular, he said there was a need to encourage district councils to measure in 'real time' pollution levels. There was also a need for the County Council to be encouraging the reduction of car usage and at the same time improving and promoting public transport and active travel. There was also a need to refer in the document to the circular economy and to promote buying local. Building better homes and refitting old housing stock should be referenced including retrofitting old buildings, with the County Council leading by example. There also needed to be more actions in relation to domestic heating and agricultural practices, looking at low intensive farming and the restoration of peat bogs. Whilst a number were mentioned in the action plan they did not have separate leads. He went on to state that his biggest concern was about the accurate measurement of air quality, and without that it would be very difficult for the County Council to act. He concluded by saying that the strategy lacked ambition in terms of the targets and timescales.
- County Councillor John McCartney said that air pollution was a huge issue for the county. However in relation to planning applications considered by the County Council, when residents raised issues about pollution from HGV's, the County Council's Planning Committee was advised by officers that this was not an issue to take into account and that the Council's strategies on climate change and the environment more generally were not an issue for planning. Consequently, the one area where the County Council could take real action was being stopped and residents' concerns being ignored. He went on to note that the Air Quality Strategy did not refer to planning. Planning however needed to be part of the answer in tackling air pollution and not part of the problem, as was currently the case. Simon Moss replied that he was not able to comment upon individual applications but the County Council had introduced environmental impact assessments so that was part of the decision making process and so should help some of the concerns. He agreed to discuss with colleagues how this element could be strengthened.
- County Councillor Caroline Patmore said that she needed to speak up for people who lived in the countryside. The Air Quality Strategy referred to getting people to use active travel including cycling and walking. When living in the countryside though, it was often not possible to walk directly from home for any great distance because there were no footpaths by the side of the roads to be able to access the wider public footpath network. Whilst there were many cyclists, it was very dangerous for cyclists to be riding two abreast on rural roads. She said she did not want to stop cyclists and walkers from being on or near to the road but in order to make the situation safer for all road users, it would mean committing many financial resources. In addition, any scheme needed to be sensitive to the surrounding area, for example, large swathes of tarmacked paths were not suitable. In rural areas, residents often were presented with urban solutions and there was an expectation that many of those urban solutions could be applied to rural North Yorkshire. The same could also apply in terms of the electrification of the bus

fleets. A lot of the substantial progress made in the use of those technologies applied to an urban model.

Resolved –

That the Committee notes the summary of responses, subsequent updates to the strategy and the next steps in relation to approval of the strategy.

123. Rural Transport in North Yorkshire

The Chairman invited Mr Bill Breakell to make a statement.

Mr Bill Breakell made the following statement.

“I realise that the report covers historic issues and some matters beyond the County Council’s control, nevertheless there are many points that require major change and urgent policy revision.

- Rural bus services must be better recognised by the county council as an essential part of rural life, and as a basic human right. Community Transport and Demand Responsive Transport cannot substitute for clear, timetabled bus services with the capacity to be accessible to all and to cope with volatile demand.
- There is no mention that public transport helps to meet environmental aims, only that it has social and economic benefits.
- There is no mention that NYCC should integrate policies and practices so that all highways schemes create greatly improved facilities for buses and their passengers. Infrastructure is urgently required (bus shelters, bus boarders, bus priority measures, longer bus laybys to encourage connectivity from one bus to another). In addition, there is no consistency in timetable information around North Yorkshire, so the county council should post integrated timetable information at bus stops, as do other authorities, in order to maintain accurate and timely information.
- Paragraph 3.2.4 [of the report] states three ‘service standards’ for Local Bus Service support. These seem to summarise the approach of the County Council towards bus services in that each service standard is a negative.
- Section 4.2 [of the report] on external funding fails to explain how the county council writes bids or allocates funding. This leads to poor support from others involved in providing, promoting or using public transport. The only positive section in the report is the statement from the York and North Yorkshire devolution proposal which would see a very different approach to supporting public transport in the area.
- Paragraph 4.3 reports a Demand Responsive Transport proposal, including the phrase ‘innovative solution.’ Research into Demand Responsive Transport [DRT] shows that almost all schemes have failed to fulfil their aims and most schemes do not last beyond their pilot phase. Highly acclaimed transport academics and transport practitioners almost all suggest that DRT is fundamentally flawed and DRT as envisaged for North Yorkshire would not serve those with wheelchairs, pushchairs or shopping trolleys, or visitors to rural areas. Independent costings for one of the North Yorkshire proposals put a figure of up to £29 as the subsidy required per passenger. What the public ‘demands’ is a frequent and reliable timetabled service with capacity for all types of users. This is fundamental to providing a step change to North Yorkshire: the CPRE report Every Village, Every Hour has won much praise and denounces DRT as not of meeting rural transport needs.

- The council must recognise the visitor economy which, in the two National Parks alone generates over £1.1 billion for the local economy, and 13 million visitors. These are important public transport and equality opportunities for North Yorkshire.
 - The section on the English National Concessionary Travel Scheme (4.4) fails to acknowledge that low reimbursement rates to bus operators has led directly to several local operators ceasing to trade.
- In summary, the report suggests to me that there is still a lack of direction in how England's largest county can help its communities and visitors travel with confidence, equality and a clean environmental conscience. A basic human right?"

The Chairman thanked Mr Breakell for his statement.

Considered –

The written report of the Corporate Director - Business and Environmental providing an update report on road passenger related rural transport in the county including funding, policy and strategy.

Catherine Price and Michael Leah presented the report.

Catherine Price set out North Yorkshire County Council's strategic responsibilities in relation to securing the provision of public transport where appropriate and to have general policies in relation to how services were secured. In terms of policy and strategy, the council fulfilled its local bus service duties through a combination of strategy, policy and procedure and its Local Transport Plan set out what its strategic objectives were for public transport.

In 2015/16, the decision was taken by the council to reduce its level of bus subsidy. Since that time, the funding for public transport had largely remained the same. The council was no longer able to subsidise evening or Sunday services.

During 2020/21, the council had provided financial support to 85 local bus services through contractual arrangements with 18 operators, as detailed in Appendix One.

Catherine Price went on to note that throughout the last 12 months, staff in North Yorkshire County Council's Integrated Passenger Transport Unit team had worked with operators, in relation to school and public transport, to keep them afloat, arising from the impact of the COVID-19 pandemic. The county council had continued to provide bus operators with payments for both home to school transport and public transport providers. In addition to the contractual payments made, the council had continued to reimburse operators in relation to concessionary fares based upon pre-pandemic levels.

The COVID-19 Bus Support Grant provided by the Department for Transport (DfT), had allowed the county council to provide support payments to contractors in relation to lost revenue. As the recovery was going to take some time, the county council continued to hold discussions with the key operators. The county council had received a share of the DfT's Better Deal for Bus Users funding announced in February 2020. Following the pandemic, the DfT had subsequently advised local authorities to maintain the network rather than for the purpose that it was originally intended. The county council had not been successful in receiving funding in relation to the Rural Mobility fund, as detailed further in the report.

Catherine Price went on to refer to the devolution proposal submitted by North Yorkshire County Council for the creation of a unitary county local authority, and in

particular, the two elements relating to passenger transport. This included substantial funding for the transition to zero exhaust emissions on public transport and for pump priming new services.

She went on to refer to the demand responsive bus service to be put in place in the Ripon area on a trial basis for 12 months. This would involve sharing vehicles and varying their routes in response to demand, rather than having a fixed timetable. An overview would be provided to the committee at its mid-cycle briefing on 1 June 2021.

Catherine Price went on to refer to the concessionary fares scheme and noted that in North Yorkshire the county council went beyond the minimum requirements set out in the national scheme. This included using discretionary powers to allow concessionary bus passes to be used over a wider period during the day and to allow companion passes for people who required somebody to travel with them.

She went on to refer to community transport and the car schemes in operation in the county. They remained very important aspects of the transport network in terms of providing access to services. The county council provided funding for both, as detailed in the report.

Michael Leah said that he wished to respond to the points raised by Mr Breakell in his statement. He noted that Mr Breakell's statement acknowledged that the report was retrospective and that some of the points raised in the statement were for national consideration rather than local. Bus services in the county were now at the potential cusp of wholesale change in the way that they were funded and operated because of the national bus strategy. He added that staff in North Yorkshire County Council's Integrated Passenger Transport team would be happy to speak to individuals to better understand their local needs when considering the national bus strategy to see if they could work together with communities to help unlock any issues or remedy any problems that they have in those areas.

He said that in terms of the background, it was important to be aware of the fact that the county council's budget and spending power had reduced by over a third over the course of the last decade and that the bus subsidy had not been able to be immune from that. The role of officers had been to secure best value and provide the best possible transport service to all communities across North Yorkshire against the backdrop of reductions to the bus subsidy. Demand for services had outstripped the funding that was available, which inevitably meant that some communities felt like they did not get the service that they would like.

He underlined the county council's commitment shown over the last 12 months to providing financial support to bus operators to enable them to remain in business. He also referred to the demand responsive bus pilot in the Ripon area and clarified, in response to Mr Breakell's statement, that it was the county council's intention to ensure that the pilot would cater for wheelchair users.

Members made the following key statements:

- Councillor Paul Haslam said he welcomed Mr Breakell's comments and they would be useful in anything that the council looked at in terms of implementing the government's Bus Back Better strategy. It was important that the Transport, Economy and Environment Overview and Scrutiny Committee had sight of the final submission to government about whether a partnership approach or a franchise model would be chosen. Michael Leah replied that the Executive would make the final decision but in advance Members would be engaged as far as possible to seek further input. Part of the requirements of the submission to government

included putting together a bus service improvement plan, with the aim being to increase patronage in transport in the county. He went on to provide an example and the work that had already been undertaken with commercial operators during the last few years about future planning of services.

- County Councillor Paul Haslam mentioned that one of the aspects of the North/South divide was that the same length of journey in London was in the region of three to four times cheaper than it was anywhere in the North of England. That was because bus passengers had to pay separate fares when changing services to complete a journey especially when it was with a different bus company. He asked for consideration to be made of introducing an Oyster card or its equivalent in North Yorkshire so that people could pay a single 'pay as you go' fare across a number of different bus services.

Resolved –

That the Committee notes the information in the report.

124. Work Programme

The report of the Principal Scrutiny Officer asking the Committee to confirm, amend or add to the areas of the work listed in the Work Programme schedule (Appendix 1 to the report).

Jonathan Spencer introduced the report.

A discussion followed.

Resolved -

- a) That the work programme be noted.
- b) That the Bus back better strategy and the county council's response be included as an item for discussion at the committee's mid-cycle briefing on 1 June 2021.
- c) That an update on the rollout of the Temporary Vehicle Activated Speed Signs project be included in the road safety report to be discussed at the meeting of the committee to be held on 21 October 2021.

The meeting concluded at 11.47 am.

JS