

North Yorkshire County Council

Executive

Minutes of the meeting held at No. 3 Racecourse Lane, Northallerton on Tuesday, 15 October 2019 commencing at 11.00 am.

County Councillor Carl Les in the Chair. County Councillors, David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

Also in attendance: County Councillors Derek Bastiman, Bryn Griffiths and Paul Haslam.

Officers present: Stuart Carlton, Gary Fielding, Richard Flinton, Daniel Harry, Barry Khan, Barrie Mason, Andrew Bainbridge, John S Lee, Rebecca Gibson, Richard Webb, Catriona Gatrell and Melanie Carr.

There was two representatives of the press in attendance.

Copies of all documents considered are in the Minute Book

369. Minutes

Resolved –

That the Minutes of the meeting held on 24 September 2019, having been printed and circulated, be taken as read and confirmed, and signed by the Chairman as a correct record.

370. Declarations of Interest

Councillor Paul Haslam declared a disclosable pecuniary interest in regard to Agenda Item 4 (Minute No. 372 below) on the basis that the proposal for a relief road bypass would potentially impact the land on which he resided, together with other associated land. It was noted that on 3 January 2019 Councillor Haslam had been granted a dispensation by the Standards Committee allowing him to speak on business relating to the Harrogate Congestion Study, until the date of the next County Council elections in 2021.

371. Questions and Statements from members of the public

There were no public questions or statements.

372. Consideration of the results of the Public Engagement for the Harrogate Congestion Study

Considered –

The report of the Corporate Director - Business and Environmental Services, presenting the results of the Harrogate & Knaresborough congestion study public engagement.

County Councillor Don Mackenzie introduced the report detailing the long running traffic issues facing both towns and gave thanks to those officers involved for their professionalism, understanding and patience during what had been at times a difficult consultation process.

Barrie Mason, Assistant Director for Highways & Transportation provided a detailed overview of:

- the two packages of measures consulted on (one of which included a potential relief road in the Nidd Gorge area);
- the significant public engagement process undertaken including the level of attendance at the exhibitions and overall response rates, and;
- the subsequent analysis of the feedback from residents.

He went on to highlight a variety of external factors that were thought to have heightened interest in the congestion study, and noted there had been a degree of cynicism around the consultation process from some residents, as a result of the level of road maintenance works being undertaken during the consultation period.

County Councillor Janet Sanderson commented on the successful use of heat maps to show the level of support from different areas within the study area, and sought reassurance that the analysis of the feedback had been based on more than just the response statistics.

Andrew Bainbridge, Transport Planning Leader confirmed that information gathered by NYCC officers and the consultation specialists and the strength of feelings expressed by residents at the various exhibitions etc together with the free text responses received had all helped inform the analysis of the data. He also confirmed that at no point had a commitment been made that the County Council would abide by a majority view arising from the consultation.

Members picked up on a number of examples where the analysis of the responses had highlighted a number of conflicting views e.g. 71% of responders agreed or strongly agreed that park and ride facilities should be introduced, yet 49% of responders said they would rarely or never use those facilities. They also questioned the validity of some of the responses e.g. 75% of responders said they would rarely or never use a relief road between Harrogate & Knaresborough if one were constructed.

Members considered the next steps for consideration, and raised the following issues:

- a significant modal shift would be required to get walking and cycling to be considered the everyday norm for getting to school and work;
- A review only of on street parking by NYCC would not have the desired result – it would require Harrogate Borough Council to review their off street parking charges as well. Any such review would need to include Knaresborough;

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- Increasing car parking charges would be a dis-incentive to drive into Harrogate town centre but it would have an adverse effect of businesses;
- The Killinghall bypass was an existing retained route on the map and therefore it needed assessing – Members expressed support for it with no pre-conditions;
- Whilst there was support for not progressing the Harrogate inner relief road it was accepted that future councils may choose to revisit that decision based on the success or otherwise of the measures arising from the congestion study;
- Concern was expressed about the time and financial resources required to assess the feasibility of a package of P & R sites and services;
- P& R was not the panacea of all congestion issues and were not suitable everywhere especially where the congestion was mainly as a result of internal to internal journeys.
- Whilst P & R might be a good commercial option for bus companies the potential cost of providing the sites and infrastructure might prove prohibitive;
- The County Council had a duty not to waste time or money and therefore the work needed progressing quickly;

County Councillor Paul Haslam, as a local Harrogate Councillor, was also given the opportunity to comment on the proposals. He commended officers for their conduct throughout the consultation period and for work on the analysis, and noted:

- Of the 17k students in the Harrogate area, only 3% were cycling to school/college;
- 60% of car journeys were less than 2.8km;
- Behavioural change would take time;
- Not enough information was given on the Killinghall bypass and the new proposed link between Otley road and the Leeds road to enable residents to comment appropriately – only 3% of the responses were from residents in the Killinghall area;
- There were a lot of commuters living in Leeds and working in Harrogate so perhaps just one P & R site on the outskirts of Harrogate, in the appropriate area, would have the desired effect;
- Timing of traffic lights and junction improvements would assist in combating congestion;
- The progression of the different measures would benefit from having one project manager;

In response to Members comments, officers confirmed:

- Local Cycling & Walking Infrastructure Plans were a relatively new thing and as such there was no evidence yet to show that the introduction of one would result in less traffic on the road.
- There was often opposition from residents to the introduction of improved cycling infrastructure in residential areas.
- New cycling routes would be considered on a scheme by scheme basis and not agreed by default.
- A joint review of all car parking charges with Harrogate Borough Council was required.
- Parking needed to be encouraged in areas where it would minimise congestion.
- Outside of the relief road option, a bypass for Killinghall and a link road between the B6162 Otley Road and A61 Leeds Road still needed to be considered.
- The assessment of a package of P & R sites and services would be a desk top feasibility with the aim of achieving an early definitive answer
- A range of softer measures would be necessary if the required modal shift was to be achieved.
- Bus operators were keen to work together to improve the commercial viability of bus travel.

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- Consideration of high cost longer term solutions for key strategic junctions would require identification of external funding and available grants, which was business as usual for the NYCC Transport Planning team.
- An officer group working with area management would look to identify opportunities for quick win pilot measures, for early delivery.

County Councillor Carl Les added his thanks to officers for their work to date and for their handling of the consultation in particular, and it was

Resolved – That:

- (i) The results of the Harrogate and Knaresborough Congestion Study engagement and the feedback from the Harrogate and Knaresborough and Skipton and Ripon Area Constituency Committees be noted.
- (ii) The recommendations set out in section 8.0 of the report be approved.

373. A59 Kex Gill Diversion Compulsory Purchase Order (CPO) and Side Road Order (SRO) - To confirm that a CPO and SRO can be made for the A59 Kex Gill Diversion Scheme

Considered –

The report of the Corporate Director - Business and Environmental Services seeking approval for the making of a Compulsory Purchase Order and Side Road Orders for the A59 Kex Gill Diversion Scheme.

County Council Don Mackenzie introduced the report and thanked officers and experts for their remarkable survey work of the area.

Barrie Mason, Assistant Director for Highways & Transportation drew Members attention to the three key issues for the Executive's consideration, as listed at paragraph 2.4 (i) – (iii) of the report.

Catriona Gatrell, Head of Legal Services provided an overview of the legal technicalities associated with the recommendations in the report and confirmed that as the special parliamentary procedure was quite cumbersome, NYCC's Consultants had been exploring options to provide new areas of land as common land. She confirmed that the Scheme in this case was unusual because of the designated land that needs to be acquired and that the planning application and funding approval would be running alongside the CPO process. With those legal technicalities in mind, a number of minor revisions to the recommendations were proposed, and it was

Resolved – That:

- (i) The Assistant Chief Executive (Legal and Democratic Services) be authorised to take all necessary steps to make the Compulsory Purchase Order and the Side Roads Order for the A59 Kex Gill Diversion Scheme to include acquiring the title to, or rights over, the land shown on the Plan shown at Appendix A to the report, or any subsequent amendment to that Plan.
- (ii) The Corporate Director of Business and Environmental Services in consultation with the Assistant Chief Executive (Legal and Democratic Services) be authorised to make minor modifications to the CPO and SRO and their plans, if required.

- (iii) The Assistant Chief Executive (Legal and Democratic Services) in consultation with the Corporate Director of Business and Environmental Services be authorised to seek confirmation of the CPO and SRO, and to take all necessary steps for that purpose including following any Special Parliamentary Procedure required, or securing that appropriate land will be given in exchange for the common land acquired.
- (iv) The Assistant Chief Executive (Legal and Democratic Services) be authorised to take all necessary steps in the event of a Public Inquiry
- (v) The Assistant Chief Executive (Legal and Democratic Services) be authorised to take all necessary steps to vest the land in the County Council, in the event the CPO and SRO are confirmed with or without modifications

374. Annual Report of the North Yorkshire Pension Board

Considered -

The report of the Assistant Chief Executive (Legal and Democratic Services) presenting the Annual Report of the North Yorkshire Pension Board.

County Councillor Gareth Dadd introduced the Annual Report confirming it would be presented for approval at the next meeting of Full Council.

Resolved – That the Annual Report of the Pension Board for 2018/19 be noted.

375. North Yorkshire Pension Board - Amendment to Terms of Reference - Report of the

Considered -

The report of the Assistant Chief Executive (Legal and Democratic Services) providing an update on a recent review of the Pension Board's Terms of Reference.

County Councillor Gareth Dadd introduced the report which sought a recommendation from the Executive that the County Council approve an amendment to the Board's remit.

Resolved –

That the change to the Terms of Reference for the Pension Board be noted, and recommended for approval by County Council.

376. Burton Salmon Community Primary School - Lowering the Age Range to 3-11 –

Considered -

Report of the Corporate Director for Children and Young People Service on the outcome of an informal consultation carried out by the Governors of Burton Salmon Community

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Primary School on a proposal to lower the age range of the school from 4-11 to 3-11, in order to offer nursery education for three year olds.

County Councillor Patrick Mulligan introduced the report highlighting the consultation undertaken, the school's response to the issues raised, and the governing body's acceptance of the proposal.

Resolved – That:

- i) The publication of the proposals and statutory notice to lower the age range of Burton Salmon Community Primary School from 1 January 2020 be approved.
- ii) A final decision on the proposals be considered by the Executive at its meeting on 17th December 2019.

377. Corporate and Partnerships Overview and Scrutiny Committee response to the Notice of Motion

Considered -

Report of County Councillor Derek Bastiman, Chair of Corporate & Partnerships Overview & Scrutiny Committee detailing the committee's response to the notice of motion referred to it by County Council at its July 2019 meeting.

County Councillor Derek Bastiman introduced the report highlighting that the officer advice provided had weighed heavily on the Committee's considerations i.e. that:

- The company would not have cash available in the medium term to distribute profit for the purpose of social housing
- The purpose of the County Council's commercial agenda was to reduce the impact of austerity through the use of any surplus generated to support frontline services.

He confirmed they were the main reasons why the Committee had decided not to support the motion.

In response County Councillor Bryn Griffiths who originally seconded the Motion, re-affirmed the purpose of the Motion and clarified that neither he nor County Councillor Geoff Webber (proposer of Motion), had expected any dividend to be made by the Company in its initial years.

County Councillor Gareth Dadd questioned whether the Council was at this time in a position to financially support social housing.

Resolved -

That the Corporate and Partnerships Overview and Scrutiny Committee's response to the Notice of Motion be recommended to County Council on 13 November 2019

378. Establishment of a Statutory Joint Health Overview and Scrutiny Committee for West Yorkshire and Harrogate to review changes to NHS Vascular Services

Considered -

Report of Assistant Chief Executive (Legal & Democratic Services) proposing that County Council appoints, jointly with other authorities, and becomes a member of, the North Yorkshire and West Yorkshire Mandatory Joint Health Overview and Scrutiny Committee.

County Councillor Michael Harrison introduced the report which detailed the County Council's ongoing involvement in the West Yorkshire Joint Health Overview & Scrutiny Committee in a co-opted capacity.

County Councillor gave her endorsement of the report recommendations, and it was

Resolved –

That the report and the recommendations to County Council by the Scrutiny of Health Committee be noted.

379. Area Constituency Committee - Feedback

Considered -

Report of the Democratic Services & Scrutiny Manager, presenting information on the key issues arising from the Harrogate & Knaresborough Area Constituency Committee on 19 September 2019 and the Scarborough & Whitby Area Constituency Committee on 25 September 2019.

Resolved -

That the updates be noted.

380. Forward Work Plan

Considered -

The Forward Plan for the period 13 September 2019 to 30 September 2020.

Resolved -

That the Forward Plan be noted.

The meeting concluded at 12:32 pm.

MLC

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