



TITLE OF CONSULTATION: **RESPONSE TO MOTION TO COUNCIL AND CONSULTATION ON PROPOSED HCV RESTRICTION**

OFFICER REQUESTING: **PHILLIP SPURR – PROGRAMME DIRECTOR OF ECONOMIC DEVELOPMENT, BUSINESS AND PARTNERSHIPS**

1.0 PURPOSE

1.1 A decision is required as to whether the Response to the Motion to Council and Consultation on the proposed HCV restriction, as amended by the Policy and Resources Committee on 19 March 2020 is agreed as a Part B item

1.2 A further URGENT decision is required to approve the wording of the Council's response to the Consultation on the proposed HCV restriction, to enable a response to be provided to the ongoing consultation by the deadline of 03 April 2020.

2.0 RECOMMENDATION(S)

2.1 It is recommended that:

- (i) The content of the Response to the Motion to Council and Consultation on the Proposed HCV restriction, as amended by the Policy and Resources Committee on 19 March 2020 be noted;
- (ii) The Motion to Council (as amended by Policy and Resources Committee) is referred to the next full meeting of Council;
- (iii) The wording of the Council's response to the HCV restriction consultation is agreed by the Chief Executive (using the urgency powers in consultation with the Leader and local Ward Members).

3.0 REASON FOR RECOMMENDATION(S)

3.1 The Policy and Resources Committee considered these items at the meeting on 19 March 2020 and made recommendations to Council in respect of amendments to the original Motion and parameters for a proposed response to North Yorkshire County Council's consultation.

3.2 Due to the linked nature of the Motion to Council and the HCV restriction consultation, it is considered that both matters should be dealt with as Part B items.

3.3 Officers understand that Policy and Resources Committee expected officers to put forward a form of words that reflects the view of the Committee for both the consultation

response and as an amended Motion to Council (copies of each are attached at **Appendix 1 and 2** respectively).

- 3.4 A short extension to the original consultation deadline of 26 March was sought from NYCC to give time for the above matters to be debated at Policy and Resources Committee on 19 March and decided upon at Full Council on 02 April 2020. The ***revised deadline for submission of comments is 03 April 2020.***
- 3.5 Given the cancellation of Council and Committee meetings it is no longer possible for Council to decide on the response letter and so, in order for a response to be provided to the consultation prior to the agreed deadline, the urgency powers of the Chief Executive in consultation with the Leader and local ward members need to be used.

4.0 SIGNIFICANT RISKS

- 4.1 There is a risk that RDC will not be in a position to provide a response to North Yorkshire County Council's consultation should this item not be agreed at this time.

5.0 IMPLICATIONS

- 5.1 The following implications have been identified:
- a) Financial
None
 - b) Legal
The Council has a duty to fulfil its obligations under Part IV of the Environment Act 1995 Local Air Quality Management and continue to meet these obligations
 - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
There are potential health and safety benefits of a prohibition of HCVs on Highfield Road during the periods of school arrivals and departures. There are also corresponding potential dis-benefits on the routes via which traffic might be displaced, including adverse impacts upon air quality.

6.0 MONITORING OFFICER ADVICE

Given the cancellation of Council and Committee meetings it is no longer possible for Council to decide on the response letter and so, in order for a response to be provided to the consultation prior to the agreed deadline, the urgency powers of the Chief Executive in consultation with the Leader and local ward members need to be used. The Chair of Council is also to be consulted on how to proceed given that this relates to a matter of business which was pending for the postponed meeting of Full Council.

7.0 CONSULTATION RECORD

According to the Constitution, under urgency powers, decisions usually taken by the Council and its committees are taken by the CEO following consultation with the appropriate elected members.

The appropriate elected members are:

- The Leader of the Council
- The Chair of the appropriate committee, for matters relating to that specific committee¹
- Relevant Ward member(s), if any, for matters of particular relevance to that ward²

Consultation Summary:

Relevant Ward Members were consulted with a copy of the draft consultation response (included at Appendix 2) by email on 27 March 2020 (see Appendix 3). Although the proposal for an HCV restriction specifically relates to an area within Malton, Ward Members for Norton East, Norton West, and Derwent Ward Members were also copied into this consultation, as being potentially indirectly affected. The only Ward Member responses, other than from Cllrs Duncan and Cleary (who had already been consulted in their roles as Leader and Chair of the Council, respectively) were from Cllr Keal and Cllr Burr as set out below:

Name of consultee	Cllr Duncan – Leader of Council, Chair of Policy and Resources, & Ward Member – Norton East
The Leader of Council was consulted on 25 March 2020 and approved the draft consultation response prepared by Officers. Further consultation with the Leader took place on 1 April 2020 and 2 April 2020.	
(iii) The consultation response is urgently required in order for RDC to reply to NYCC's deadline. The content of this response should reflect the unanimous view of the Policy and Resources Committee as stated in Appendix 1.	
(ii) The motion, proposed by Councillor Keal and seconded by Councillor Mason, should stand referred for consideration to the next meeting of Full Council, unless they are content to accept the amendment recommended by Policy & Resources Committee. It is vital that the motion is debated in line with the correct democratic procedure.	
Date consultation completed	25-03-20; 01-04-20; 02-04-20

Name of consultee	Cllr Cleary – Chair of Council & Ward Member – Derwent Ward
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¹ "Chairman of the appropriate Committee" refers to committee specific matters and does not mean that all Committee Chairs will be consulted on everything

² "Relevant Ward Member(s), if any" refers to ward specific matters and does not mean that all Members will be consulted on everything

The Chair of Council was consulted on 25 March 2020 and supported the recommendation from Policy and Resources Committee given that there is cross-party support for this. The Chairman suggested that the word 'strongly' be added into the consultation response so that it would read 'The Council strongly considers...'

Date consultation completed	25-03-20
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Name of consultee	Cllr Keal – Proposer of Motion & Ward Member – Norton West
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Cllr Keal has advised that she is broadly happy with the consultation reports, however she is concerned that having restrictions on Highfield Road only in place during school hours will be extremely difficult to police, with HGV drivers possibly pleading ignorance and using the route anyway, unless CCTV can be utilised to monitor the situation. She also advised that she does not think the letter makes clear that the motion is calling for a smaller roundabout at the Huttons Ambo junction, rather than the bigger proposal that NYCC has been talking about for some time. She has requested that this point be made clearer in the response.

Date consultation completed	27-03-20
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Name of consultee	Cllr Lindsay Burr – Ward Member - Malton
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Cllr Burr advises that the County and District Councils must actively work together to draw up a plan in readiness for the LEP in case funding is made available. She states that "we desperately need a small roundabout at the bottom of Musley Bank and we need slip roads from the B1257 onto the A64 to take lorries from the North of Ryedale out of the town". She and Cllr Thackray have been in talks with Ian Mosely Hauliers and they have consulted with other hauliers and they are all in agreement with this solution.

Date consultation completed	27-03-20
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8.0 DECISION

Decision of the CEO based on consultation	The recommendations are agreed. The consultation is to be responded to in line with the recommendation at Policy and Resources Committee on 19 March 2020. The motion will be considered at the next meeting of Full Council.
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Date	03-04-20
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Amended Motion to Council as recommended by P&R (19/03/20):

Part 1 - In relation to A64 junctions:

The Council welcomes the commitment from North Yorkshire County Council to undertake work to develop proposals for a junction that allows for all-direction movements between York Road and the A64, near the western end of the Malton Bypass. It is understood that the intention is to develop proposals to a stage whereby bids for funding the junction could be submitted at short notice.

Further, officers will continue discussions with colleagues at North Yorkshire County Council with the aim of identifying options and developing proposals for a junction or slip roads between Broughton Road and the A64.”

Part 2 - In relation to proposed ban on heavy vehicles:

The Council considers that the only way to solve the issues of HCVs within Malton and Norton is to upgrade the infrastructure by developing additional access points onto and off the A64 (for example in the vicinity of Musley Bank and Broughton Road) in order to minimise the need for through-traffic.

Draft Response to Consultation:

PROPOSED EXPERIMENTAL PART-TIME PROHIBITION OF HEAVY COMMERCIAL VEHICLES, HIGHFIELD ROAD, MALTON

Thank you for consulting Ryedale District Council on the above matter. This has now been considered by the Council's Policy and Resources Committee and the Council's official response is set out below.

As a consequence of a number of factors (including the constrained historic road network, traffic congestion, air quality issues and the declaration of Malton Air Quality Management Area (AQMA), the limited access points onto and off the A64 and the need to access Showfield Lane industrial estate) there are no quick or easy solutions to concerns relating to heavy vehicles passing through residential areas and past the primary schools on Highfield Road.

However, introducing additional HCV restrictions, such as on HCVs using Highfield Road, will not solve the underlying problem. It is likely to displace traffic onto other routes, exacerbating existing issues within the AQMA (with additional HCVs queueing to pass through Butcher Corner) and creating new issues elsewhere (with HCVs following inappropriate alternative routes, such as Peasey Hills Road, Princess Road, Wentworth Street or Greengate).

The part-time nature of the proposed experimental prohibition may go some way to mitigating displacement, however, it remains unclear what the impact of such displacement might be. If North Yorkshire County Council decide to introduce the proposed experimental part-time restriction on HCVs, the Council suggests that very careful consideration be given to how these impacts could be minimised, including:

- avoiding the restriction being in place when schools are closed;
- careful consideration of signage to avoid displacement onto inappropriate alternative routes;
- working with affected businesses and their suppliers to encourage their HCV drivers to avoid the town centre during the affected times, wherever possible.

The Council strongly considers that the only way to solve the issues of HCVs within the town is to develop additional access points onto and off the A64 (for example in the vicinity of Musley Bank and Broughton Road) in order to minimise the need for such through-traffic. Ryedale District Council is fully supportive of the work being undertaken by North Yorkshire County Council to consider such proposals.

Ward Member Consultation email:

From: Howard Wallis
Sent: 27 March 2020 16:59
To: Cllr Paul Andrews <cclr.paul.andrews@ryedale.gov.uk>; Cllr Lindsay Burr <cclr.lindsay.burr@ryedale.gov.uk>; Cllr Angela Raine <cclr.angela.raine@ryedale.gov.uk>
Cc: ccg.people <ccg.people@ryedale.gov.uk>; Cllr Michael Cleary <cclr.michael.cleary@ryedale.gov.uk>; Cllr Susan Graham <cclr.susan.graham@ryedale.gov.uk>; Cllr Keane Duncan <cclr.keane.duncan@ryedale.gov.uk>; Cllr Ray King <cclr.ray.king@ryedale.gov.uk>; Cllr Dinah Keal <cclr.dinah.keal@ryedale.gov.uk>; Cllr John Mackenzie <cclr.john.mackenzie@ryedale.gov.uk>
Subject: Consultation Response - Proposed Part-Time HCV Restriction on Highfield Rd, Malton
Importance: High

Dear Councillors

Please see attached a draft letter in response to a County Council consultation on a proposed experimental Heavy Commercial Vehicles ban on Highfield Road, Malton (copy also attached). This matter was discussed at Policy and Resources Committee on 19th March and it was the clear view of the Committee that the response should express that the only way of solving the HCV issues is by delivering improved infrastructure on the A64. The draft letter therefore reflects this position.

The Council needs to respond to this consultation by 3rd April 2020.

Although the proposal specifically relates to a proposed restriction in Malton, I have also copied in both Norton and Derwent Ward Members as being potentially indirectly affected.

If you have any comments please could you respond **by 12:00 midday on Monday 30th March** to the following email address:

ccg.people@ryedale.gov.uk

Kind regards
Howard

Regards

Howard Wallis
Senior Economy & Infrastructure Officer

NB – I am currently working away from the office so the best way to contact me is via email

T: 01653 600666 ext 43274

E: howard.wallis@ryedale.gov.uk | www.ryedale.gov.uk

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