

## EAST RIDING OF YORKSHIRE COUNCIL

### ENVIRONMENT AND REGENERATION OVERVIEW AND SCRUTINY SUB-COMMITTEE

20 JULY 2011

**PRESENT:** Councillors Wilkinson (in the Chair), Aird, Bayram, Dennis, Hodgson, Jefferies, Lane, O'Neil, Peacock and Whittle.

**OFFICERS PRESENT:** Mike Ball - Principal Engineer, Paula Danby - Service Manager, John Harland - Service Manager, Highway Maintenance, David Howliston - Environmental Control Manager, Nigel Leighton - Director of Environment and Neighbourhood Services, Kristan Livingston - Head of Asset Strategy, Carl Skelton - Highway Maintenance Services Group Manager, Mike White - Group Manager, Technical Services and Jane Stewart - Overview and Scrutiny Team Leader.

Councillor Matthews, Portfolio Holder for Highways and Emergency Planning was in attendance.

Also in attendance: Press - 1  
Public - 13

Councillors Allerston, Robinson, and Engall were also in attendance.

The Sub-Committee met at County Hall, Beverley.

**10 DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS** - The following declarations of interest were made:-

- (i) Councillor Dennis declared a personal interest in minute 13 as he had a property interest in the vicinity and a personal interest in minute 17 as he was a member of Hedon Town Council and a member of an Internal Drainage Board
- (ii) Councillor Hodgson declared a person interest in minute 17 as he was the Vice-Chairman of the Holderness Flood Defence Group and Chairman of the Environment Agency Liaison Panel. He declared a personal interest in minute 18 as he was actively involved with the traveller situation around Keyingham and was the Chairman of Keyingham Parish Council
- (iii) Councillor Peacock declared a person interest in minute 17 as he was a member of an Internal Drainage Board
- (iv) Councillor Aird declared a personal interest in minute 17 as she was a member of an Internal Drainage Board
- (v) Councillor Bayram declared a personal interest in minute 17 as he was a member of an Internal Drainage Board
- (vi) Councillor Lane declared a personal interest in minute 17 as he was a member of an Internal Drainage Board

**11 MINUTES - Agreed** - That the minutes of the Environment and Regeneration Overview and Scrutiny Sub-Committee held on 8 June 2011 be confirmed and signed as a correct record by the Chairman.

**12 NEW PETITION (I) PETITION 1-11 - PARKING ON TREETON ROAD, HOWDEN** - The Sub-Committee received a petition presented by Mr David Husband, resident of Treeton Road, Howden, which detailed parking issues on Treeton Road, Howden.

Residents of Treeton Road were experiencing difficulties on leaving their properties because vehicles parked in designated parking bays were blocking visibility to the road. Residents were unable to see approaching traffic when leaving their properties and approaching traffic was unable to see them. The residents felt that the civil parking zone was not working as well as it could be in Howden as the streets were full of cars but the car parks in Howden remained empty.

The Petitioner requested a re-design of the parking bays on Treeton Road to extend the area into the four hour zone, as well as encouraging the use of the empty car parks. The petitioner felt that the issue of permits at the right price to encourage use of them could be the answer and also generate much needed income for the Council.

Councillor Bayram as ward councillor for Howden spoke on behalf of the petitioners and requested that officers bring a report to a future meeting of the Sub-Committee outlining possible solutions to the problem.

The Sub-Committee thanked the petitioner for presenting the petition.

**Agreed it be recommended** - That officers investigate the issues raised in the petition in consultation with petitioners and local ward councillors and return to a future meeting of this Sub-Committee to present their findings.

**13 NEW PETITION (II) PETITION 02-11 - HORNSEA MUSEUM PARKING** - The Sub-Committee received a petition presented Mr Stewart Would, Trustee and Honorary Curator for Hornsea Museum, which detailed parking issues for visitors to Hornsea Museum.

The Petitioner requested that the time allowed for parking in the Pay and Display car park near the Heron shop in Newbegin, Hornsea be extended to at least three hours. Two hours was proving often to be inadequate to visit the museum, church, shops and cafes for visitors alike.

Councillor Whittle as ward councillor for North Holderness spoke on behalf of the petitioners and requested that officers bring a report to a future meeting of the Sub-Committee outlining possible solutions to the problem.

**Agreed it be recommended** - That officers investigate the issues raised in the petition in consultation with petitioners and local ward councillors and return to a future meeting of this Sub-Committee to present their findings.

**14 PETITION 06-09-B1228 SUTTON BRIDGE** - The Sub-Committee received a report of the Director of Neighbourhood and Environmental Services, presented by Paula Danby, Service Manager. The report detailed the outcomes from the experimental 7.5 tonne weight limit at Sutton Bridge and the options considered and the action to be progressed.

A report was submitted to the Environment and Transport Overview and Scrutiny Committee on 21 July 2010 which resulted in an investigation into a petition to introduce an environmental weight limit on the B1228 from the A163 Bubwith/Highfield Junction to the County Boundary at Sutton Bridge (minute 718 refers).

Sutton Bridge suffered extensive damage from vehicle impact earlier in 2010 and repairs were undertaken involving a temporary road closure. The bridge was re-opened with a temporary two metre width restriction towards the end of the repairs when access across the bridge was permitted for emergency service vehicles. However, bus services and agricultural vehicles, which needed access to local farms, were not permitted across the bridge during this period. At the time there was real concern over re-opening the bridge to HGVs prior to the completion of more improvements which included lining and signing works. In addition, more time was needed to assess possible options to reduce the likelihood of future vehicle damage. Local ward members, parish councils, York City Council and residents were invited to submit their views on the effects of the experimental weight limit.

Of the responses received, Sutton-on-Derwent and Elvington Parish Council supported the continuation of the weight limit. Newton-on-Derwent, Bubwith, Ellerton and Houghton, Foggathorpe and Holme upon Spalding Moor Parish Councils were opposed to the weight limit, with the latter four Parish Councils having submitting further comments strongly opposing the Sutton Bridge restriction. Residents of 38 properties in the area also replied with 18 supporting the weight limit and 20 against. The schools in Sutton-on-Derwent and Elvington both supported the weight limit. A petition for the removal of the restriction on Sutton Bridge containing the signatures of 284 Bubwith residents and council tax payers had been received.

On 23 March 2011, a petition from residents of Sutton-on-Derwent was presented to the Environment and Transport Overview and Scrutiny Committee requesting the retention of the weight limit and stated that if the Council was unable to support the petition as requested for an environmental weight limit on the B1228 from Bubwith/Highfield to Sutton Bridge, then the community requested that the Committee supported an Order to be made for Sutton Bridge to have a permanent Weight Restriction Order placed over the historic Grade II Listed Structure.

Sutton Bridge was structurally sound and capable of taking 42 ton HGVs and a permanent weak bridge or an environmental weight limit could not therefore be applied. A width limit also could not be justified and would prevent continued access across the bridge for bus services and agricultural vehicles.

An environmental weight limit could be applied to the B1228 but it was vigorously opposed by surrounding villages which had suffered increased HGV traffic due to HGVs displaced by the weight limit.

In the circumstances, officers recommended the only viable option was to revoke the experimental weight limit and remove the signs.

The Sub-Committee discussed the possibility of retaining the weight limit and the signage until the CCTV cameras were in place in the Autumn. Subject to satisfactory consultations with ward members, parish councils and the Police, officers were proposing to equip Sutton Bridge, Stamford Bridge and Bubwith's Derwent Bridge with CCTV cameras to monitor vehicle activity on each bridge. Camera coverage would be limited strictly to the extents of each bridge and in the event of a bridge being hit, the camera footage evidence would be reviewed. Installation of the CCTV equipment together with suitable 'CCTV in operation on bridge' signs could be completed by early Autumn 2011.

Councillor Peter Kirby, Chairman of Sutton upon Derwent Parish Council, addressed the Sub-Committee and expressed the concerns of Sutton upon Derwent and Elvington residents.

Councillor Engall, Ward Councillor for Howdenshire, then addressed the Sub-Committee expressing the concerns of the surrounding villages and the impact that the HGV traffic had had on the area.

**Agreed it be recommended** - That the experimental weight limit on Sutton Bridge be revoked and the related signage be removed.

**15 PETITION 08-10 - PARKING ISSUES 147 - 153 MARTON ROAD, BRIDLINGTON** - The Sub-Committee received a report of the Director of Environment and Neighbourhood Services, presented by John Harland, Service Manager for Highway Maintenance.

The report provided information to members on options considered to improve the parking situation adjacent to 147 - 153 Marton Road, Bridlington, following a petition that was considered by the Environment and Transport Overview and Scrutiny Committee on 22 September 2010.

The carriageway in front of the shops was five metres wide with kerbs and a footway. There had been considerably widened the paths surrounding an area of grass. Vehicles parked on the road and in a random way on the widened footway area. There were presently no waiting restrictions in the area and generally speaking there was space for around 17 vehicles. At certain times when the shops, particularly the award winning fish and chip shop, were open there was considerable congestion and difficulty in manoeuvring vehicles. This impacted on Marton Road itself as vehicles attempting to access the area could not always do so due to others leaving the remaining narrow carriageway.

Recently, the Police had issued penalty notices to cars parked upon the widened footway and had indicated that they would continue to do so. This had implications, not only for those visiting the shops, but also residents of the flats above the businesses, some of whom had mobility problems.

Six options had been considered, and the option preferred by the majority of shop proprietors was to widen the road to 5.5m and re-arranging the parking bays into 12 spaces so that a significant section of the parking restrictions would not be required.

The Sub-Committee thanked the Officer for the report and investigation. It was felt, however, that it should be made clear to petitioners that any agreed work would be submitted for inclusion onto the Council's Capital Programme list and that it could be many years before the funds were available to carry out the work. It was felt by the Sub-Committee that officers should explore the possibilities of match funding from the affected businesses in order to enable the work to be carried out in a timelier manner.

**Agreed it be recommended** - That the possibility of match funding from the affected businesses be explored by officers as a way of progressing work to improve the parking situation on the area adjacent to 147 - 153 Marton Road, Bridlington.

**16 CAR PARKING REVIEW PANEL RECOMMENDATIONS - PROGRESS REPORT** - The Sub-Committee received a joint report of the Director of Environment and Neighbourhood Services and Director of Policy, Partnerships and Improvement presented by Paula Danby, Service Manager.

The East Riding inherited a number of different regimes in respect of car parking when it was first formed from the previous Authority in 1996. The Car Parking Review Panel was set up

to examine these issues and sort a coherent and consistent approach to parking across the East Riding area. Following extensive consultation within the East Riding, the Council, at its meeting on 7 April 2010, approved all 46 of the recommendations from the Car Parking Review Panel which related to charging, policy and operational matters. Some of the recommendations were subsequently amended to take account of the change in the economic climate to ensure the impact to the economic wellbeing of local market towns were not unduly affected. The report presented an update on each of the recommendations as shown in detail at Appendix A of the report.

There were 46 recommendations of which 18 could not be put into action at the current time or had been programmed for future action. 28 recommendations had now been completed or no further action was required.

The majority of the Review Panel recommendations had been actioned or were being progressed.

The Sub-Committee discussed issues around signage. Some members felt that it had not been made clear to residents that there was a free half hour parking available at some car parks, nor that pro rata parking had been introduced up to any limits imposed by the length of stay of the car park.

**Agreed it be recommended** - That officers be thanked for their diligence in implementing the recommendations made by the Car Parking Review Panel.

**17 PRELIMINARY FLOOD RISK ASSESSMENT** - The Sub-Committee received a report of the Director of Policy, Partnerships and Improvement presented by Kristan Livingston, Head of Asset Strategy.

Preparation of a Preliminary Flood Risk Assessment (PFRA) was an obligation on the Council as a lead Local Flood Authority (LLFA) under the Flood Risk Regulations 2009 which transposed the European Flood Directive into UK law. The PFRA analysed past surface water floods and estimated the potential consequences of future floods. It was the first of a three stage process of information, preparation, collection and analysis with increasing content and then complexity required under legislation.

The Environment Agency (EA) had prepared guidance on the preparation of the first round of Flood Risk Assessments (FRAS) which would be reviewed on a six yearly cycle. Every LLFA within the EU had the responsibility and had to meet the same deadlines. The EA would collate data from all PFRAs nationally (and from Wales). This would then be submitted to the Secretary of State for the Environment prior to submission to the European Commission.

In order to be included in a PFRA, any additional indicative flood risk area (iFRA) within England had to meet the threshold of 200 people at risk in five or more contiguous 1km grid square clusters and in addition there must be a cumulative number of 30,000 or more people at risk within this area. This is a level set by the Government although all representative EU countries can determine their own level. At this level it would mean that no other areas within the East Riding, other than the 'Kingston upon Hull' cluster met this threshold, so no additional iFRAs would be put forward.

Defining the thresholds of significant risk had a political dimension not just a scientific one and the weighting of indicators would be a key issue. The balance of rural/urban issues was important. The clusters were ranked on the basis of the total number of people at risk, the

number of critical services and the number of non-residential properties. A threshold of 30,000 people was applied in England and 5,000 in Wales to determine the indicative Flood Risk Areas.

The thresholds for Flood Risk Areas had been set by Ministers. The threshold was not the subject of consultation with all authorities and as Ministers were keen to take a proportionate approach for the first cycle of the Flood Risk Regulations they proposed to concentrate on a few areas of highest risk. Defra had stated that the presence of iFRAs would not impact on the allocation of funding, however it was not clear what would be the underlying intentions of the EU once this information was held. The East Riding was putting forward three other areas of iFRA which were less than 30,000 population at risk but are greater than 5,000 given that East Riding was also of a predominantly rural nature. These were Beverley, Goole and Bridlington. If it was decided to proceed with this approach and the EA decided not to put the additional iFRA forward to the EU, the decision could be appealed.

The Sub-Committee was requested to consider the Preliminary Flood Risk Assessment prior to formal submission to the Environment Agency. Cabinet approval had been sought for the Director of Policy, Partnerships and Improvement in consultation with the Portfolio Holder for Environment, Housing and Planning, to make minor amendments to the Assessment Plan for final submission to the EA by 19 August 2011.

The Preliminary Flood Risk Assessment plan served the requirement as set out in the national interpretation of the European Directive for the Flood and Water Bill but also represented a good basis from which to draw up an overall local East Riding Flood Risk Reduction Strategy and Asset Investment Plan to identify priorities and level of investment need together with available sources of funding.

The Sub-Committee welcomed the report.

**Agreed it be recommended** - That update on the Preliminary Flood Risk Assessment be noted.

**18 UPDATE REPORT ON ACTIVITY RELATING TO TRAVELLER ENCAMPMENTS** - The Sub-Committee received a report of the Director of Environment and Neighbourhood Services, presented by David Howliston, Environmental Control Manager.

A previous report was received at the meeting of Environment and Transport Overview and Scrutiny Committee on 24 March 2010 regarding the work of the Council in relation to travellers. This report subsequently updated the Committee on information received previously.

An update on all recommendations from the meeting of 24 March 2010 was then provided. Most notably a report had been submitted to the LSP Board on 9 December 2010 to establish a Gypsy and Traveller Forum. This followed a series of meetings with Parish and Town Councils in the summer of 2010 initiated in order to promote understanding between parishes and the Council by clarifying the roles and responsibility of the Council and promoting regular communication by developing services where possible in line with the wishes of the parishes.

Officers had looked at a number of other authorities and found that the Council's approach/policies to illegal encampments were very similar. This was anticipated as there was government guidance on what local authorities were expected to do and in response to a large trespass that happened at a particular time of year most years, some local authorities had a large area of land identified to which travellers could be directed on arrival.

The teams involved in dealing with unauthorised encampments had improved its practice by offering the traveller groups a waste collection service. Collecting the waste by the travellers themselves on a regular basis prevented it building up. It was also quicker, more effective and safer for Streetscene officers to remove bagged up waste from an agreed location than for them to attend after the encampment had moved on and had to pick up the waste from the roadside and out of hedgerows. The safety of officers and the public was a significant consideration.

Some basic information of private landowners who may have sought to evict groups from the premises had been prepared, however, this information was very basic and informal and predominantly directed landowners towards seeking independent legal advice which was as far as the Council could reasonably provide.

Environmental Control as the enforcement arm maintained a good relationship with both Minority Ethnic and Traveller Attainment Services (METAS) and the Gypsy Liaison Team who were responsible for the welfare issues of the travelling community. The team also sought to ensure the level of contact with the Streetscene Team (regarding waste issues), the land owning departments, the Police, Ward Members and Legal Services to keep everyone informed of what was happening with each traveller group.

A Gypsy and Traveller code of conduct had now been prepared by officers. There were various elements to the Code of Conduct that were aimed at reducing pollution, easing waste collection and reducing damage and disruption to local landowners and the wider community.

Planning permission for the extension of the Eppleworth Gypsy and Travellers site, including ten additional pitches, was granted on 13 July 2011, securing a grant for addressing the condition of the current site. Planning permission for the replacement of the Woldgate Travellers Site providing 22 pitches was approved on 24 February 2011. It was anticipated that these investments would enable at least some of the travellers who did not have access to current pitches to be accommodated.

A funding bid for addressing the condition at Woodhill Way was currently under preparation, although the current government budget restraints lessened the chance of success. Provision of the Council's three permanent sites in good condition would hopefully benefit both the site residents and the local neighbourhood.

The Sub-Committee examined issues around travellers buying pieces of land and setting up encampments legitimately.

**Agreed it be recommended** - (a) That the Sub-Committee commend officers on the work undertaken to implement the Environment and Transport Overview and Scrutiny Committee's recommendations made at their meeting on 24 March 2010, and

(b) that this item return to a future meeting of this Sub-Committee.

**19 ENVIRONMENT AND REGNERATION OVERVIEW AND SCRUTINY SUB-COMMITTEE DRAFT WORK PROGRAMME 2011/2012** - The Sub-Committee received an update on the Draft Work Programme from the Overview and Scrutiny Team Leader following the workshop of 8 July 2011 where 13 items were put forward for the remainder of the year.

Further details were included to the scopes for the items on Kingston Communications and Private Sector Employment and Business Incentives.

**Agreed** - (a) That the Environment and Regeneration Overview and Scrutiny Sub-Committee approve its work programme, and

(b) that it be submitted for approval to the Overview Management Committee.

**20 FORWARD PLAN OF KEY DECISIONS** - The Sub-Committee was informed that there were no key decisions on the Council's current Forward Plan of Key Decisions which fell under the Sub-Committees terms of reference.

**Agreed** - That the update be noted.