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**Report of the Director of City Development**

**Executive Board**

**Date: 16 July 2008**

**Subject: OTLEY – HGV MANAGEMENT PROPOSALS**

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**Electoral Wards Affected:**

Otley and Yeadon  
Adel and Wharfedale

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

1. This report details progress made towards the resolution of longstanding community concerns about HGV traffic using roads in North Otley, in particular Newall Carr Road and Farnley Lane which are used by approximately 220 HGVs on a typical weekday of which around 50% is aggregates traffic originating in North Yorkshire.
2. Work has been in progress on this issue since 2002. Between 2003 and 2006 voluntary HGV management arrangements were followed by a major HGV operator in the area. The operator is unwilling to reinstate this arrangement.
3. Options for the introduction of HGV regulations in North Otley have been examined in depth, however the affect of any such measures on the adjacent communities in North Yorkshire and within the village of Pool is a major consideration.
4. The work to-date indicates that ideally a package of restrictions within North Otley and on certain local roads within North Yorkshire would provide the effective resolution of this issue. However, North Yorkshire County Council does not support this approach.
5. This report identifies possible alternative regulatory options, some of which require the co-operation of neighbouring authorities, and seeks Members' determination of the preferred option and authority to proceed with design and implementation as agreed.

## **1.0 PURPOSE OF THIS REPORT**

- 1.1 This report provides an update on the progress made towards the resolution of longstanding Heavy Goods Vehicle issues in North Otley and seeks agreement from Members as to the most appropriate option, including options for Traffic Regulation Orders, for addressing this matter.

## **2.0 BACKGROUND INFORMATION**

- 2.1 This section of the report provides a general overview and chronological history of the work undertaken to address matters relating to HGV traffic in Otley.

### **Context**

- 2.2 Given the character and road network of Otley town centre and its environs, Heavy Goods Vehicle (HGV) traffic has always constituted an issue. Although accidents involving such vehicles have been very rare in October 2002 an HGV was involved in a fatal collision with a pedestrian in the town centre. This event precipitated a resolution from Otley Town Council dated 16 December 2002 that outlined their concerns and sought the City Council's support in addressing:-

- The overall volume of HGV traffic passing through the town centre.
- Traffic (principally carrying aggregates) from North Yorkshire using secondary routes through the north of the town to reach the Principal Road Network ("A" roads).
- Options for alternatives to the traffic passing through the town, for example greater use of the railways and provision of a bypass.

- 2.3 In response the Council instigated a detailed programme of traffic surveys. This programme quantified the scale of HGV traffic passing through the town and particularly the volume of quarry based traffic, which had been the main focus of community concern. A significant share of this traffic emanates from the Coldstones Quarry site near Pateley Bridge in North Yorkshire and uses minor roads including Newall Carr Road in Otley to reach Leeds and markets in the West Yorkshire conurbation. The surveys showed an overall total of 800 HGV movements through the town of which around 15% was aggregates traffic using Newall Carr Road to pass through the town.

- 2.4 More recently, road side interviews have been conducted on the B6451 at Otley and on the A658 at Pool to provide information for the Council's transport model. It was only possible to interview a small sample of HGV drivers and so a very limited snapshot of travel patterns has been obtained. On the B6451, whilst the bulk of HGV traffic was headed towards Leeds postcodes, of the traffic that could be specifically identified as aggregates, on the day of the survey the majority was headed towards Bradford. The site on the A658 picked up insufficient aggregates traffic to provide any reliable information, although overall most HGV traffic was headed equally to Leeds and Bradford destinations. A smaller proportion was destined to Otley and Wharfedale destinations.

- 2.5 The outcome of the surveys suggested that whilst a lorry ban for the whole town could benefit the local community, detailed examination indicated that restrictions could be difficult to implement and enforce and that furthermore in some instances could have impacts beyond the town. A key factor was also the significant need for servicing businesses situated in the town. It was therefore concluded that effective long term relief could only be achieved through the construction of the East Of Otley

Relief Road (identified in the Unitary Development Plan) which would relieve the town centre of through traffic which currently uses the A659 route.

- 2.6 In terms of the second point raised by Otley Town Council - the HGV traffic principally carrying aggregates and emanating from North Yorkshire and serving customers in West Yorkshire, the view locally was that the resolution of this issue was should be capable of shorter term action.
- 2.7 These matters have been considered in some detail and a very significant amount of time has been devoted to investigating the problems and seeking, through a process of stakeholder engagement, an appropriate solution that commands the support of the local communities affected by this traffic. The remainder of this section details this work and Section 3 following outlines the options which have been investigated.
- 2.8 Early discussions on the matter were held with Hanson Aggregates regarding the traffic originating from Coldstones Quarry, which led to them volunteering to operate their traffic in a one-way circuit which effectively halved the volume of aggregates traffic using the roads in North Otley. Under this arrangement which commenced on 16 June 2003 vehicles delivering in the Leeds/Bradford conurbation travelled southbound through Otley and used various alternative routes, principally the A658 and B6161 to return to the quarry (Appendix 1). This arrangement operated until the spring of 2006 and reduced the number of quarry vehicles entering North Otley by approximately 50%, albeit with an increase in HGV's using the A658 at Pool.
- 2.9 To support further discussion of the issues a stakeholder forum was established to provide a route for a face-to-face dialogue with the local communities, the haulage industry and neighbouring local authorities to address this complex issue. The Otley HGV Forum was convened on 4 May 2004, and has met seven times up to 2006. The Forum has examined the matter in depth, however due to the range of local issues raised it was not possible to reach any universal consensus on a preferred solution. Indeed the view from the Otley community remained that the voluntary measures in operation were insufficient to provide a permanent long term solution. Also, the voluntary HGV arrangements drew complaints from Pool Parish Council and certain small communities within North Yorkshire.
- 2.10 The issue has been reviewed by the Scrutiny Board for Development in March 2003 and April 2004. At the latter meeting the Board recommended that 'unless the Freight Forum reaches an agreement to re-route the HGV through-traffic before December 2004, then some form of traffic weight restriction be introduced in Otley'. This position was reaffirmed in January 2005 when it was stated that:
- "the Board wish to recommend to the Director of Development that in conjunction with the Director of City Services this matter now be pursued with some urgency and that work is carried out in consultation with the HGV Forum to ascertain the most appropriate measures, including traffic regulations, to curtail HGV through traffic in Otley".
- 2.11 Further to the above at the 13 April 2005 City Council meeting Members received a deputation from the Safety on Otley's Roads (SOOR) group requesting that "the Council put into operation a relevant HGV ban in Otley as soon as possible, and before the end of the current year". As a result a report was presented to the 15 May 2005 Executive Board where Members agreed that all members of the HGV Forum and other identified stakeholders in Otley and neighbouring communities should be formally consulted on their preferences for HGV management in the area. Alongside this a further round of officer discussions with the neighbouring local

highway authorities, North Yorkshire County Council (NYCC) and City of Bradford Metropolitan District Council (CBMDC) was initiated.

- 2.12 On 16 November 2005 the results of the consultation were reported to the Executive Board which recommended that the City Council should develop proposals for the introduction of appropriate Traffic Regulation Orders to provide a more permanent resolution to the ongoing issues and that NYCC and CBMDC should be invited to collaborate in the development of a comprehensive solution that addressed the needs of all the affected communities. At the same time the continued role of the HGV Forum was endorsed.
- 2.13 As a result of these deliberations, Hanson Aggregates concluded that the voluntary one-way traffic management arrangement which had operated since June 2003 was not widely regarded in the local communities and that their continuing additional operating costs could no longer be justified. The arrangement was therefore withdrawn in May 2006.

### **Recent developments**

- 2.14 In seeking to implement the November 2005 Executive Board decision officers have engaged in a continuing dialogue with stakeholders in the search for a consensus on the basis for longer term measures. In particular, this has focused on the need to ideally secure agreement with the neighbouring local highway authorities, since without this any regulations proposed by Leeds City Council could, if opposed by another local highway authority, result in the proposals being referred to the Secretary of State. Whilst CBMDC have consistently reserved their position, NYCC on whose roads and communities any regulations introduced in Leeds would have the most significant effect have fully engaged with the Council in this process.
- 2.15 A range of options for regulation have been investigated over an extended period with NYCC, including the use of a limited package of restrictions that would have provided a uni-directional system (similar to the former voluntary arrangement) together with other complementary restrictions in North Yorkshire. The alternative of a time based restriction which may have brought Otley some relief at sensitive times was also discussed. These options were considered by the County's Harrogate Area Committee which resolved not to support any kind of traffic regulatory approach to this problem and have continued to endorse a voluntary partnership approach, although from the City Council's perspective this has proved incapable of delivering a satisfactory solution.
- 2.16 Following the failure to reach a consensus, the Member of Parliament for Leeds North West suggested that independent mediation may be appropriate. This idea was accepted in principle by NYCC and has been examined in some detail for the City Council. Mediation is an unusual approach in this field and there is little by way of precedent for its use. However, having taken legal advice it was concluded that the Council's work over the last five years, particularly with the HGV Forum, has constituted a form of mediation and that therefore this approach has now reached its full maximum potential such that prolonging can only result in further inconclusive discussion. Arbitration has also been considered carefully but since the outcomes could be binding this is considered to present significant risks because it cannot substitute for the statutory Order process placing authorities at risk of costs and duplicated and abortive work.
- 2.17 Officers have revisited the potential for reinstating the former voluntary HGV arrangement with Hanson Aggregates (traffic surveys have not identified any other significant operator). Hanson and their sub-contractors typically constitute around

45% of the HGV traffic travelling through North Otley and across the Wharfe Bridge. These discussions were inconclusive and Hanson has not responded positively to this proposition. It is therefore concluded that the former arrangement, which in any event was based on the “goodwill” of a single operator, will not be resurrected and cannot form a long term solution.

### **3.0 MAIN ISSUES**

3.1 The previous section of this report has covered the extensive dialogue and engagement that has taken place over the last six years. This section of the report details the options for dealing with the main issue of this report, which are the environmental nuisance and road safety concerns of the local community arising from the use of Newall Carr Road by HGV traffic conveying aggregates from quarry operations in North Yorkshire to their markets in Leeds and elsewhere in West Yorkshire.

3.2 There has been three stages to the process of tackling these issues:

Stage 1 – Understanding and quantifying the issues:

Stage 2 – Establishing a dialogue with stakeholders and developing a partnership approach to resolving the issues; and

Stage 3 – The identification of alternative traffic management and regulatory options, where voluntary partnership options have not proved possible or effective.

The remainder of this section details the possible options and basis for the recommendation for further action made later in the report.

3.3 In terms of Stage 1, from the outset the local concerns have been carefully evaluated by traffic surveys and community consultation. Since early 2003 the Council has closely monitored the traffic levels in the affected area using both manual and automatic traffic counts. Information from these surveys has continued to be used to validate complaints and reports of issues.

3.4 The surveys showed that whilst there are significant numbers of lorries entering and passing through the town of Otley, around 800 per day, the general level of traffic is not exceptional in terms of such traffic using similar roads elsewhere in the Metropolitan District. The main through traffic moves through the town along the Wharfe valley using the A659 and A660. The survey did also reveal significant numbers of HGV trips on the secondary and minor road network to the north of the Wharfe Bridge. The surveys suggested that at least 50% of this traffic is quarry related and further investigations suggest that the main source of these trips was Coldstones Quarry near Pateley Bridge in North Yorkshire.

3.5 The surveys also indicated that around 40% of the total daytime lorry traffic passing through the town appeared to have business locally. Such traffic would continue to require access and would need exemptions from any restrictions.

3.6 Appendix 2 illustrates how the operation of the voluntary one-way traffic management arrangements impacted on the flows of HGV using Newall Carr Road from 2003 to 2006, and also the situation thereafter with consistent numbers of HGVs now travelling in both north and southbound directions.

3.7 The road casualty data has been reviewed on a regular basis and is summarised in Table 1 below. This shows that in the last five years and notwithstanding the fatal

accident in 2002, since 2003 very few HGV accidents have occurred either in Otley town centre or immediately to the north of the river within the Leeds District.. Eight of the 116 recorded injury accidents involved an HGV.

**TABLE 1**

**HGV ACCIDENTS (ALL ACCIDENTS) IN OTLEY (2003 -2007)**

YEAR	SLIGHT	SERIOUS	FATAL	TOTAL
2003	2 of 18	1 of 2	0	3 of 20
2004	0 of 20	1 of 1	0	1 of 21
2005	3 of 21	0 of 2	0	3 of 23
2006	1 of 18	0 of 5	0 of 1	1 of 24
2007	0 of 23	0 of 4	1 of 1*	1 of 28
<b>TOTAL</b>	<b>6 of 100</b>	<b>1 of 14</b>	<b>1 of 2</b>	<b>8 of 116</b>

\* Fatal accident involved a collision between a car and HGV on the A659 Pool Road.

3.8 Stage 2 has been comprehensive and details of this process are covered in Section 2. Extensive dialogue has taken place through the Otley HGV Freight Forum with additional face to face dialogue with officers representing the adjacent local highway authorities. In addition elected members have attended the HGV Forum, although separate face to face meetings between Members representing the local authorities have not taken place. The work of the HGV Forum has demonstrated that the possibilities of establishing a consensual approach are remote. Therefore any future change to the status quo needs to be based on securing measures that provide some relief for Otley without unduly affecting the wider community.

3.9 Within Stage 3 and notwithstanding the present road casualty situation, alternative options for introducing traffic management measures to the north of Otley have also been considered. However, there do not appear to be any engineering measures capable of mitigating the impacts of the flow of HGVs on Newall Carr Road, given that in general the vehicles are well driven within the speed limit and with no record of road safety issues arising from their presence. Furthermore such measures could have unintended impacts on the community, such as those resulting from excessive vehicle braking and the associated noise particularly on such a gradient as Newall Carr Road. Bearing mind the unwillingness of the major aggregates operator to restore the former voluntary HGV management arrangements. It has therefore been concluded that the only realistic prospect for change is the development of an effective regulatory option.

**Options for formal regulation of HGVs**

3.10 The following options have been considered for the formal introduction of HGV traffic regulations in North Otley.

Option	Advantages	Disadvantages
1 No further action	Will leave the situation as it is in Otley and elsewhere in the Wharfe Valley, traffic in Pool and Leathley would remain unaffected.	Leaves local concerns in Otley unaddressed. HGV flows will remain unchanged and will fluctuate according to quarry production and markets. Traffic and road injury levels will continue to be monitored.
2 Voluntary arrangements with local HGV operators.	This is the form of arrangement that existed with Hanson until 2006. It worked effectively to significantly reduce traffic on the roads concerned.	The main operator involved is no longer prepared to reinstate a voluntary management plan, Additionally, the measures only partially addressed the concerns of the Otley community and there were wider implications for other communities.
3 Freight Quality Partnership	The Otley HGV Forum was developed to form the basis for such a partnership. With partners co-operation such an arrangement can provide a collaborative solution to local problems without recourse to statutory and regulatory options.	There is no statutory basis for such an arrangement and therefore it is limited by the willingness of members to adopt and implement measures. Experience with the Otley HGV Forum has shown that the potential for a stronger and more effectual partnership has limitations.
4 Traffic management (signs, markings and engineering measures)	In appropriate circumstances offers the possibility of managing safety, speed and flows of HGV traffic.	The character and alignment of Newall Carr Road in Otley does not lend itself to the development of an effective engineering solution. There is a significant risk that any such scheme could create new problems such as, additional traffic noise.
5 HGV traffic restrictions by Order – comprehensive measures on key routes in North Otley and on alternative local routes in North Yorkshire.	This package of measures if introduced with the collaboration of all the highway authorities involved would permit a comprehensive solution. HGV traffic would be directed away from local roads and would find it easier to remain on the Principal Road network. This measure would	The measure requires the full collaboration of all the authorities concerned. To date NYCC have not endorsed this approach. Bradford MDC is yet to offer a definitive view.

		relieve North Otley and make a significant but modest difference in the town centre.	
6	HGV traffic restrictions by Order – comprehensive measures on key routes into Leeds District including North Otley and the A658 at Pool.	Would reduce the impact of the HGV traffic concerned more widely including Pool.	Measure would require the co-operation of neighbouring authorities. The consent of the Department for Transport would be needed because the A658 from the A61 junction through to the A6177 at Bradford would need to be removed from the national Primary Route Network as an HGV ban would effectively remove its strategic function. There are no adjacent alternative routes so a significant diversion to use the A61, A6120, and A647 routes in Leeds would be needed.
7	HGV traffic restrictions by Order – limited measures to restrict traffic in North Otley to quieter times of the day outside peak time for travel to school etc.	Would reduce HGV traffic movements during those times of day when other travel is at its highest levels during the peak period times for travel to work and school.	Order would be difficult to enforce effectively for longer distance traffic. Measures would be open to statutory objection and would not significantly reduce overall HGV traffic levels. Unlikely to have any measurable effect on HGV related accidents which are already at a low level.
8	HGV traffic restrictions by Order – limited measures to restrict traffic in Otley to single direction (similar to the former voluntary arrangement) HGV traffic would travel southbound through Otley and return northbound by alternative routes.	This measure would significantly reduce the flow of HGV traffic in North Otley and “lock-in” a permanent solution to the issue. The measure provides an alternative compromise solution using a measure which has already been trialled on a voluntary basis and therefore has a precedent. Development of this option would need to be supported by continued officer and senior member dialogue with the adjacent local highway authorities.	The reduction in HGV traffic would not be comprehensive and the risk of statutory objection remains. The measures would increase slightly the volumes of HGV traffic using other roads in the area through the Washburn Valley (B6161) and Pool (A658). This measure could be considered the “least worst” of the Order options listed in this report.
9	Weight restriction on Wharfe Bridge at	This measure would effectively remove HGV traffic	Wharfe Bridge is currently within the Council’s bridges



	Otley	from North Otley, although some exemptions would be needed for local access which would make effective enforcement difficult.	capital programme. The works proposed are not to strengthen the bridge, which has already been assessed as capable of carrying the heaviest lorries, but to renew the waterproofing of the structure and at the same time to widen the bridge to accommodate better pedestrian footways which will allow the removal of the adjacent life expired footbridge. On this basis a weight restriction for the bridge cannot be recommended.
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### **Basis for progressing Traffic Regulation Orders (TROs)**

3.11 In view of the history of this issue legal advice has been taken on the ramifications of making an Order to resolve this issue and from this the following factors have been identified as the basis for judging the merit of any regulatory proposals:

- (i) Volume of HGV traffic: Whilst HGV traffic in Otley as a whole is probably typical for a town of its size and nature, the flows on the unclassified roads in North Otley, principally Newall Carr Road, are such to be a cause for concern in terms of the volume and nature of the traffic and disturbance to the local community.
- (ii) Road safety: With the exception of the one fatal accident in the town centre (now nearly six years ago) there are presently no identified road casualty issues which are of concern to the Council. For example Newall Carr Road is no longer identified as road casualty "Length for Concern". Furthermore it has not been possible on detailed examination to identify or justify engineering solutions in the usual way.
- (iii) Amenity: In this context it will be important to demonstrate severance above and beyond that arising from the unavoidable presence of some HGV traffic in the town centre.
- (iv) Effect on adjacent areas: Whilst we cannot be definitive on this point, the available evidence would suggest that if HGV traffic is restricted in North Otley it will disperse over a wide area without the present concentration of traffic on one local road as is the case in Otley. In particular it is expected that restriction could focus a greater proportion of the traffic onto the national Primary Route Network, principally the A59, A61 and A658 routes. Other than where vehicles are restricted by Order which they already are on a number of North Yorkshire minor routes, the routing of this traffic will be a decision of the operators concerned.
- (v) Viewpoints of potential objectors: The extended and inclusive process undertaken over the last 6 years has led to a deep and thorough understanding of the conflicting viewpoints. This added to the presence of the HGV Forum means we have taken this point very seriously.

(vi) The TRO must be a stand-alone measure: Without the collaboration and participation of the neighbouring Highway Authority, any measures proposed by the City Council must be defensible on their own merits without any requirement for any other external interventions by parties other than the Council.

- 3.12 There are two mechanisms for promoting the Order, which can either be done by advertising a once and for all permanent Order or, alternatively to provide an opportunity for testing and modifying the proposal, it could be advertised as an Experimental Order.
- 3.13 In this instance the circumstances are such it is considered that the most appropriate approach to the making of a TRO restricting HGV traffic would be to use Experimental Order provisions. This would allow an Order to be introduced for a “trial” period of up to 18 months and offers the opportunity to test and modify a scheme before proceeding, if appropriate, to making a “final” permanent Order. However, the making of an Experimental Order does not obviate the need for consultation, nor the provisions allowing neighbouring Local Authorities to appeal within 21 days of notice and hence the proposals may still result in a referral to the Secretary of State.
- 3.14 Thus whilst the experimental provisions are helpful, this approach cannot mitigate the risks of an objection. Nevertheless, where a neighbouring highway authority has objected – if the Secretary of State is satisfied that a genuine problem exists the Experimental Order route allows the opportunity for the proposals to be reviewed by an independent inspector and allows them to be monitored and refined before a final decision is made.

### **Recommended approach**

- 3.15 As this report has made clear there are several limitations on the Council’s ability to provide effective relief to the local concerns in Otley about HGVs whilst also ensuring the expeditious movement of goods into and through the district. The concerns about HGV traffic in Otley are also mirrored by the Pool in Wharfedale community in terms of the A658 and have also been raised by residents within the North Yorkshire communities in the Washburn Valley.
- 3.16 The consultation process has shown that there is in fact a consensus among all the local communities in the area for comprehensive HGV management measures to be introduced. However, this would need the full collaboration of NYCC (and possibly CBMDC) since some of the measures needed to make this approach work would need to be introduced within North Yorkshire. The County Council has indicated that it does not support this approach and therefore any regulatory action would need to be taken by Leeds alone with measures that are free standing and do not require other parties support. This effectively means the regulatory Options 5 through to 8 could be problematical. Whilst the option of making an Experimental Order may assist in reducing the risks in terms of Otley itself, the matter of HGV traffic travelling through Pool is more difficult because the A658 is a Primary Route defined by the Department for Transport which has no nearby alternative.
- 3.17 If Option 5 is impractical without the necessary support an alternative is Option 8, which could offer the potential for achieving a benefit for the community of Otley that may be more justifiable in terms of any potential objections. By formalising the former voluntary one-way traffic arrangement previously operated by Hanson Aggregates, this approach can be shown to have been tried and tested with impacts at the time which appeared to have been manageable. Under this scenario, the

displaced traffic would divert to alternative routes including a proportion which will use the A658 Primary Route through Pool. If this option was introduced with an Experimental Order it could be monitored before any final decision on the confirmation of a permanent Order is taken.

- 3.18 Under Option 8, restrictions would prevent through HGV traffic travelling in a northbound direction from the Wharfe Bridge in Otley to the edge of the town by means of Orders affecting traffic using the three through routes of Weston Lane, Newall Carr Road and Farnley Lane. The measures would therefore have the affect of reducing all through HGV trips in a northbound direction, whilst at the same time permitting essential access to service local destinations within North Otley. It is envisaged that any detailed proposals could provide for local agricultural vehicles and limited locally based delivery traffic to access destinations immediately adjacent to the town in North Yorkshire (permits could be used for this). The alternative options 6 to 8 would use similar locations but the timing and extent of the restriction would be adjusted. Within option 5 complementary restrictions in North Yorkshire would be considered by the County Council. Within Option 6, the Council would need to submit proposals to the Department of Transport to remove the A658 from Primary Route Network.
- 3.19 Progressing Option 8 would leave the door open for NYCC to provide an enhancement by providing further complimentary restrictions on their own local roads and thereby ensuring that the HGV traffic concerned is diverted to make more use of the Principal Road and Primary Route networks for the greater part of their journeys. However, it is considered that the measures can be free standing without the need for this action.
- 3.20 In terms of the specific impacts of these options on Pool village, it is difficult to make a precise estimate of HGV flows on the A658. As noted in section 2, the available evidence points to the traffic in North Otley travelling to variety of destinations, primarily in Leeds and Bradford. These destinations are dispersed such that if prevented from travelling through Otley drivers are likely to chose a range of alternative routes. On this basis, for indicative purposes, assuming 50% of the displaced traffic would use the A658 this translates to increases in HGVs of 16% for Option 5 and 7.5% for Option 8, against the typical daily flow of 480 HGVs.
- 3.21 In addition to considering proposals for formal restrictions, it is also suggested that officers continue a dialogue with NYCC throughout the process and that senior Members establish a similar dialogue with their counterparts on the County Council in order to maximise the success of the proposals for all concerned.

### **Consultation**

- 3.22 As this report has already explained, extensive consultation and stakeholder engagement has been a central element of the process. This has occurred both through the HGV Forum and by formal written consultations with all the stakeholders having an interest in the issue. Throughout this has confirmed a wish to see a solution to the problems but has also underlined the difficulties of achieving a solution which is practical and achievable.
- 3.23 Representatives from the haulage industry have been represented at the HGV Forum and have consistently supported the voluntary partnership option for resolving these issues, although as this report has indicated earlier it has not proved

possible to sustain such an approach against the range of other stakeholder concerns and views.

#### Ward Members

- 3.24 Members for Otley and Yeadon have expressed a preference for a complete HGV restriction to the north of Otley. However, two Members in their response to formal consultation have acknowledged the difficulties of this option and would therefore be prepared to consider a compromise option.
- 3.25 The Members for Adel and Wharfedale Ward indicate that they could not support any measures to alleviate the issues in Otley unless these could be complemented by restrictions on the A658 to relieve any adverse impacts on the village of Pool in Wharfedale. Some options address this concern but cannot wholly mitigate for any increases in traffic in Pool.

#### Other consultees

- 3.26 A full consultation process will be initiated as part of the detailed preparation of any future Order proposals. However in the course of previous discussions West Yorkshire Police have been consulted and have indicated that subject to a suitable scheme they would not object to the proposals. Consultation with North Yorkshire Police would be required for any cross-boundary options and would be a matter for NYCC.

## **4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**

### **Compliance with Council Policies**

- 4.1 Vision for Leeds 2004 – 2020: The aims and aspirations of this report reflect the vision and support the key environmental themes.
- 4.2 People Strategy: The proposed measures will provide a benefit for disabled, elderly and less agile members of the community wishing to access the available public transport services.
- 4.3 Local Transport Plan: These proposals will contribute to the plan's aspirations for improved quality of life and improved road safety in accordance with the objectives of the Plan.
- 4.4 Environmental Policy: The measures are in line with Aim 6 of the Policy, by introducing measures to encourage alternatives to the private car (such as walking) and improving overall road safety.

## **5.0 LEGAL AND RESOURCE IMPLICATIONS**

- 5.1 The legal implications are referred to throughout the Report. Essentially neighbouring Highway Authorities have a statutory right of objection to any TROs which they believe may affect them. Such an objection, if unresolved between the promoter and the objectors, would trigger the automatic referral of the proposals to the Secretary of State for Transport who is likely to appoint an independent inspector to hold a local Public Inquiry to determine the outcome of the proposals.

- 5.2 Given the strength and diversity of views on this matter, it is highly likely that a significant number of objections will be received including as already mentioned a potentially statutory objection from North Yorkshire County Council with the potential for representations or objections to come from the City of Bradford metropolitan district council also. Legal advice has been taken to guide the Council's preparations and response to such possibilities.
- 5.3 Whilst the financial resources required to design and implement a TRO scheme are quite modest, the likely contentious nature of any proposals including the recommended approach described in this report will provide a very significant call on the resources required from the Highways and Strategy and Policy Divisions of City Development. Significant input will also be required from the Council's legal officers. If the proposals are progressed, although the experimental provisions will ease the process the likelihood of a Public Inquiry remains. Should the Secretary of State's inspector conclude that an inquiry is required significant staff and financial resources will be needed to prepare for and represent the Council's case. The appointment of a legal counsel to act as advocate for the Council's case will also be needed. At this stage a firm cost for this cannot be estimated but on the basis of the likely time required it can be expected to fall between £40,000 and £50,000.

## **6.0 CONCLUSIONS**

- 6.1 This report has summarised a process of nearly six years of dialogue and consultation aimed at securing resolution of local concerns in Otley about the volume of HGV traffic, principally of aggregates in the area North of the river Wharfe. No consensus has emerged from this work which has served to confirm that satisfying the range of local concerns in Otley and elsewhere in the lower Wharfe Valley cannot be readily achieved without the full co-operation of all parties.
- 6.2 Voluntary arrangements for the diversion and management of some of the aggregates traffic operated between 2003 and 2006 on the initiative of the Coldstones Quarry operator. However, this initiative was withdrawn when the City Council agreed to look towards a more formalised approach in 2006 following the reviews by Scrutiny Board and continued concerns from the local community in Otley. Discussions with the quarry operator have failed to identify the basis for reintroducing this arrangement and therefore the only remaining course of action is through some form of regulation if the present status quo is to be changed.
- 6.3 It is the considered view after all this time that the most effective measure would be the introduction of a joint scheme between the Council and North Yorkshire County Council to manage the HGV issues across the County/District boundary in a manner which channels the traffic to remain on the Principal Road network (i.e. the A roads). However, the County Council does not support this regulatory approach and therefore this report details the options identified for resolving this matter (including the possibility of using traffic Orders in a limited way to provide a compromise solution) to allow Members to determine the most appropriate approach.
- 6.4 There are of course significant risks to this approach, since unless the City Council and County Council reach a compromise solution, the advertising of Orders is likely to result in a statutory objection from the County Council which would then be referred to the Secretary of State for a decision. The costs to both authorities of any resulting public inquiry will be significant in terms of both staff and financial resources without any certainty or precedent for the outcome.

- 6.5 These options are presented on the basis that the potential of the alternative voluntary and partnership approaches has now been exhausted and that the use of traffic Orders is likely to offer the most effective long term solution. At the same time it is also suggested that officers continue their contacts with neighbouring authorities and that senior elected members of both the key authorities, and City of Bradford if appropriate, establish a dialogue aimed at finding a solution without the need to involve the Secretary of State in the decision.

## **7.0 RECOMMENDATIONS**

- 7.1 Members are requested to:

- (i) Note the contents of this report;
- (ii) Consider and determine their preferred option for progressing this matter;
- (iii) In the event Members wish to proceed then:

Authorise the Director of City Development and the Assistant Chief Executive (Corporate Governance) to develop the preferred option including the detailed development of the scheme and, if required, to prepare and implement the Traffic Regulation Orders; and

Authorise that contacts between senior Members are established and those between officers are maintained with the representatives of the adjacent local highway authorities until the proposals or alternative arrangements have been implemented.

## **8.0 BACKGROUND INFORMATION**

- 8.1 The following documents provide background information for this report:

- i) Otley – Heavy Goods Vehicle Traffic, Report of the Acting Director of Highways and Transportation to the Scrutiny Board (Development and Sustainability) 17 March 2003.
- ii) Otley – Heavy Goods Vehicle Traffic – Progress Report -, Report of the Director of Development to the Scrutiny Board (Development and Sustainability) 16 October 2003.
- iii) Otley – Heavy Goods Vehicle Traffic – Progress Report -, Report of the Director of Development to the Scrutiny Board (Development and Sustainability) 8 April 2004.
- iv) Otley – Heavy Goods Vehicle Traffic – Report to Executive Board – 5 May 2005
- v) Otley – Heavy Goods Vehicle Traffic – Report to Executive Board – 16 November 2005