

**Draft Memorandum of Understanding for A64 Trunk Road
York - Scarborough Improvement Strategy**

Annex A

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1. Parties

Highways Agency

City of York Council

North Yorkshire County Council

Ryedale District Council

Scarborough Borough Council

York, North Yorkshire and East Riding Local Enterprise Partnership

North Yorkshire Local Transport Body

- 1.1. **The Highways Agency (HA)** is an Executive Agency of the Department for Transport (DfT), and is responsible for operating, maintaining and improving England's strategic road network (SRN), including the A64 trunk road. The strategic road network is a nationally significant asset and its safe and effective operation facilitates economic growth. The HA has a major role in delivering the Government's policy for investment in the English road network as set out in the command paper 'Action for roads: a network for the 21st century' and is actively developing future investment strategies for the SRN through a series of route based strategies.
- 1.2. **City of York Council (CoYC)** is a Unitary Authority. It is the Planning Authority and the Highway Authority for its respective geographical areas. Although it has authority over local road networks, it does not have any authority over the operation and maintenance of and improvements to the A64 trunk road. As the Planning and Highway authority it has responsibility for consideration of development proposals that have consequences for travel on the local transport network and managing the impacts on the network.
- 1.3. **North Yorkshire County Council (NYCC)** is an 'Upper Tier' local authority which covers, geographically, the 'Lower Tier' local authorities of Craven District Council, Hambleton District Council, Harrogate Borough Council, Richmondshire District Council, Ryedale District Council, Scarborough Borough Council and Selby District Council. It is the Highway Authority for its geographic area, but is not the Planning Authority (other than for minerals and waste development and certain other county matters). Like CoYC, it has authority over its local road network, but does not have any authority over the operation and maintenance of and improvements to the A64 trunk road.
- 1.4. **Ryedale District Council and Scarborough Borough Council** are 'Lower Tier' local authorities. They are the planning authorities, but are not

Draft Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy

the highway authorities for their respective areas. The highway authorities for local roads and the SRN, respectively, are NYCC and the HA.

- 1.5. **The York, North Yorkshire and East Riding Local Enterprise Partnership (LEP)** is a business-led partnership with the public sector to help businesses in York, North Yorkshire and the East Riding improve and grow. LEPs are intended to grow the economy and create good quality local jobs. This includes ensuring that businesses are well connected to their customers, markets and workforce and that transport, mobile and broadband networks do not act as a barrier to growth but instead enable thriving, prosperous places where businesses are able to grow. The York, North Yorkshire and East Riding LEP identified improving east-west connections, including the A64 trunk road, as a strategic infrastructure priority for the whole LEP area. Improvement of the A64 trunk road is highlighted as a priority in the LEPs draft Growth Deal Implementation Plan, which was submitted to Government in December 2013 and will be finalised in March 2014.
- 1.6. **The North Yorkshire Local Transport Body (LTB)** is a partnership of transport providers and local authorities that is responsible for the management of major transport schemes delivered using devolved funding from the Department for Transport. The LEP has also agreed that the LTB will take the lead role on transport issues and schemes that are included in the SEP.

2. Purpose

- 2.1. The purpose of this Memorandum is to establish a framework for effective co-operation to enable the development and implementation of a long term programme of improvements for the A64 trunk road between York and Scarborough. The improvements will support growth focussed on York, Malton and Scarborough, whilst addressing safety concerns and taking account of sustainability and environmental issues. The programme of improvements will be based on an understanding of individual partners' aspirations and objectives and areas of mutual interest.

3. Background

- 3.1. All local authorities through which this section of the A64 trunk road passes have for many years had a desire to see it upgraded to improve access to / from the eastern areas of North Yorkshire and the Yorkshire coast as well as to improve road safety. It has long been recognised that the relatively low standard of this section of the A64 trunk road is a significant constraint on the economies of the eastern areas of North Yorkshire and the local authorities have previously co-operated to help build the case for improvement. This is reflected in the LEP identifying the

Draft Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy

improvement of east-west connections, in particular the A64 trunk road between York and the Yorkshire coast, as a strategic priority for the area in the Strategic Economic Plan.

- 3.2. In late 2012 the Government announced the Local Growth Fund which is aimed at funding initiatives to help enable local economic growth. As part of the York, North Yorkshire and East Riding LEP's Strategic Economic Plan the above, partners co-operated in preparing details of a bid for c£50m of funding to provide targeted improvements to the A64 between York and Scarborough.
- 3.3. The A64 trunk road is part of the strategic road network and the Highways Agency is therefore responsible for its operation, maintenance and improvement. As such the Local Enterprise Partnership, the local authorities, the Local Transport Board and the Highways Agency are co-operating on the development of these proposals. In particular, the other partners continue to work with the Highway Agency on the development and implementation of the route based strategy covering the A64. The local authority partners and LTB will work with the LEP and the Highways Agency to combine use of Local Growth Fund and investment identified through the route based strategy to optimum effect to deliver an agreed programme of improvements to this section of the A64 trunk road.
- 3.4. The A64 also extends westward beyond York, providing a vital connection with the A1, M1 and Leeds, and, therefore, forms part of the strategic road network within the Leeds City Region (LCR). The partners within this MoU will liaise with the LCR LEP to identify and implement, where possible, improvements to the A64 trunk road that will bring mutual benefits to both LEPs and their constituent organisations.

4. Status

- 4.1. This Memorandum relates to co-operation on the development of schemes and proposals for the improvement of the A64 trunk road between York and Scarborough. The strong focus will be on that specific section of the A64 trunk road between the Hopgrove roundabout north east of York and the Musham Bank roundabout south west of Scarborough. However, in order to meet the growth needs of York and fulfil the LEP Growth Plan, the co-signees to this Memorandum will seek to facilitate upgrading of adjacent sections of the A1237 and A1079, which link with the A64 to the east of York. All reference to the A64 trunk road in this MoU relate solely to the section described above.
- 4.2. It is however recognised that there is other co-operative working between the authorities and the Highways Agency being undertaken especially

Draft Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy

under the duty to co-operate in the development of local planning proposals. Work carried out in the context of this MoU will have due regards to all other joint working on matters relating to the A64 trunk road.

- 4.3. This Memorandum does not and is not intended to create any legal relationship between the Partners. All matters described in this Memorandum are subject to appropriate corporate and regulatory authorisation and, where appropriate, formal agreement.
- 4.4. Nothing in this Memorandum shall affect the statutory or regulatory duties or responsibilities of any Party and its existence does not preclude the taking of independent actions by the respective local authorities or the HA where any party considers it is appropriate to do so.
- 4.5. Although the Partners agree in good faith to deliver against the agreed work areas subject to their other duties and the corporate framework within which they operate (including exploring opportunities for joint funding and other resources), this Memorandum does not commit any Party to the allocation of funds or other resources.

5. Aims

- 5.1. The shared aims of the Parties agreeing to this MoU are:
 - To develop and implement proposals for improvements to the A64 trunk road to support economic growth focussed on York, Malton and Scarborough, whilst addressing safety issues.
 - To develop short to medium term (to 2021) improvement plans on the A64 trunk road to an appropriate level for inclusion in bids for any funding opportunities including, but not limited to, the Local Growth Fund, the Highways Agency's route based strategies and future road improvement funding opportunities.
 - Subject to the availability of appropriate funding, to co-operate on the details of design and delivery of improvement schemes on the A64 trunk road.
 - To identify and develop (including scheme design work) longer term improvements (post 2021) to the A64 trunk road including for village bypasses east of Malton
 - To co-ordinate potential improvements and the different funding opportunities available to the LEP, the local authorities, the LTB and the Highways Agency.

Draft Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy

- To support local authority partners and the LEP in presenting a single 'local authority and LEP' voice in lobbying Government with regards to the strategic importance of the A64 trunk road and the need for improvements in the context of regional economic growth.

6. Objectives

6.1. This Memorandum of Understanding is intended to:

- To promote closer working relationships between the LEP, the local authorities, the LTB and the Highways Agency on matters relating to the A64 trunk road.
- To encourage more effective communication between the Partners with regards to the improvement of the A64 trunk road.
- Develop an agreed, prioritised programme of schemes that can form the basis for current and future bids for funding to Government.
- Provide the basis for potential future joint working on the design and delivery of improvement schemes.
- Wherever possible, agree a joint position, including communications, regarding the need for improvements to the A64 trunk road and the process of promoting and developing improvement schemes.
- Provide input into the Highways Agency route based strategies and other consultations to deliver co-ordinated and optimised local benefits from the strategy and funding allocated to the LEP through the Local Growth Fund.
- To co-ordinate bids for funding opportunities available to the LEP, the Local Authorities, the LTB and the Highways Agency in order to optimise delivery of improvements to the A64 trunk road and ensure that best Value for Money is achieved.

7. Deliverables

7.1. The partnership aims (subject to funding constraints) to deliver the following:

- A prioritised list of the schemes for inclusion in the c£50m bid (through the SEP) to Local Growth Fund (deliverable by 2021) and for potential inclusion in future funding bids available to both the LEP, the local authorities and the Highways Agency (deliverable by 2021).
- An appropriate level of advanced justification, development and designs on the schemes included in the lists above to allow the submission of funding bids at short (12 week) notice.

Draft Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy

- Identification and advanced design on potential future improvement schemes (deliverable post 2021) with a view to being able to submit future funding bids.
- Agreement of a long-term vision for improvement of the A64 between York and Scarborough to support growth, address safety issues and enhance the accessibility of the Yorkshire coast.

8. Statutory obligations and confidentiality provisions

- 8.1. This MoU does not supersede, eradicate or alter the need of any Party to meet their statutory obligations; nor should it be implied that the Parties are obligated to agree on the outcomes or deliverables identified above.
- 8.2. Subject to any statutory and regulatory requirements any Party may request that commercially confidential information provided in connection with this Memorandum should not be disclosed. Any information regarded by any party as commercially confidential may be provided separately, so as not to inhibit the disclosure of other information.
- 8.3. If the HA or any local authority (as a public authority) receives a request, under the Freedom of Information Act 2000, for information relating to activities undertaken under this Memorandum, it shall inform the other Parties of the request as soon as possible and discuss as to the potential application for any exemption. For the purposes of section 43(2) of the Act, the Parties acknowledge and agree that the disclosure of any commercially sensitive information relating to the activities undertaken under this Memorandum is likely to prejudice the commercial interests of the Parties.

9. Joint review

- 9.1. The MoU shall be reviewed annually to ensure that it is fulfilling its purpose and to make any revisions that may be agreed as necessary to ensure such is the case. Any party may withdraw from this MoU by giving one month's written notice, so long as reasoned justification is provided.

10. Signatories

The signatories to this MoU on behalf of the Highways Agency, the LEP, the LTB and the constituent core local authorities:

For Highways Agency

For City of York Council

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Person

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Person

Post

Post

Date.....

Date.....

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For North Yorkshire County
Council

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Person

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Date.....

For Ryedale District Council

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Person

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Date.....

For Scarborough Borough Council

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Person

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Date.....

For York, North Yorkshire and
East Riding Local Economic
Partnership

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Person

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Date.....

For North Yorkshire Local
Transport Body

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Person

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Date.....