



House of Commons  
Regulatory Reform Committee

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**Draft Harrogate Stray  
Act 1985 (UCI Road  
World Championships)  
Order 2019**

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**Fourth Report of Session 2017–19**

*Ordered by the House of Commons  
to be printed 8 April 2019*

## The Regulatory Reform Committee

The Regulatory Reform Committee (previously the Deregulation and Regulatory Reform Committee) is appointed to consider and report to the House on draft Legislative Reform Orders under the Legislative and Regulatory Reform Act 2006. Its full remit is set out in S.O. No. 141, which was approved on 4 July 2007.

### Current membership

[Stephen McPartland MP](#) (*Conservative, Stevenage*) (Chair)

[Bim Afolami MP](#) (*Conservative, Hitchin and Harpenden*)

[Ben Bradley MP](#) (*Conservative, Mansfield*)

[Andrew Bridgen MP](#) (*Conservative, North West Leicestershire*)

[Douglas Chapman MP](#) (*Scottish National Party, Dunfermline and West Fife*)

[Mr Simon Clarke MP](#) (*Conservative, Middlesbrough South and East Cleveland*)

[Julie Elliott MP](#) (*Labour, Sunderland Central*)

[Kirstene Hair MP](#) (*Conservative, Angus*)

[Simon Hoare MP](#) (*Conservative, North Dorset*)

[Graham P Jones MP](#) (*Labour, Hyndburn*)

[Helen Jones MP](#) (*Labour, Warrington North*)

[Mr Kevan Jones MP](#) (*Labour, North Durham*)

[Conor McGinn MP](#) (*Labour, St Helens North*)

[Karl Turner MP](#) (*Labour, Kingston upon Hull East*)

### Criteria against which the Committee considers each draft order laid under section 7 of the Localism Act 2011

Paragraph (3) of Standing Order No.142 requires us to consider any draft order laid under or by virtue of section 7 of the Localism Act against the following criteria: ... whether the draft order —

- (a) appears to make an inappropriate use of delegated legislation;
- (b) has an effect which is proportionate to the policy objective intended to be secured;
- (c) strikes a fair balance between the public interest and the interests of any person adversely affected by it;
- (d) does not remove any necessary protection;
- (e) does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise;
- (f) is not of constitutional significance;
- (g) has been the subject of, and takes appropriate account of, adequate consultation;
- (h) gives rise to an issue under such criteria for consideration of statutory instruments laid down in paragraph (1)1 of Standing Order No. 151 (Statutory Instruments (Joint Committee)) as are relevant.

### **Publications**

Committee reports are published on the publications page of the Committee's website and in print by Order of the House. All publications of the Committee (including press notices) are on the internet at [www.parliament.uk/regrefcom](http://www.parliament.uk/regrefcom).

### **Committee staff**

The current staff of the Committee are Ben Sneddon (Clerk), Ellie Goodchild (Committee Assistant) and Oliver Florence (Committee Media Officer).

### **Contacts**

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# 1 Introduction

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1. The Regulatory Reform Committee's role in the making of Localism Orders is to assess whether the proposals made in such Orders meet the statutory conditions required of an Order under the Localism Act 2011<sup>1</sup> ('the 2011 Act'), and to examine the proposals against criteria set out in the Standing Orders of the House.<sup>2</sup>
2. The Committee is also required to consider the Minister's recommendation as to the approval procedure which should apply to the Order and to report to the House any recommendation that a different procedure should apply.

## Background

3. The draft Harrogate Stray 1985 (UCI Road World Championships) Order 2019 ('the draft Order') was laid by the Ministry of Housing, Communities and Local Government ('the Department') on 13 March 2019.<sup>3</sup> It was accompanied by an explanatory document.<sup>4</sup> The Department has also provided the Committee with a copy of responses to a 2018–19 consultation on the proposal, and correspondence related to matters raised within the consultation.<sup>5</sup>
4. The purpose of the draft Order is to disapply temporarily parts of the Harrogate Stray Act 1985 ('the 1985 Act').<sup>6</sup> The 1985 Act limits the duration and size of events that can be held on Stray, land owned by the Duchy of Lancaster but for which Harrogate Borough Council ('the Council') is legally responsible. It has been necessary for the draft Order to be brought forward by the Government because the Secretary of State for Housing, Communities and Local Government has decided that the 1985 Act restricts Harrogate Borough Council from exercising their general power of competence<sup>7</sup> to make arrangements to host the race finish line for the Union Cycliste Internationale (UCI) Road World Championships ('the Championships'), due to take place between 22 and 29 September 2019.
5. It is intended by organisers that Harrogate will be the focal point for the UCI Road World Championships in the UK's first hosting of the event since 1982.<sup>8</sup> The 2019 events follows Harrogate hosting the Grand Depart of the 2014 Tour de France, and the 2017 Tour de Yorkshire, an annual legacy event of the 2014 Tour in the county. Both the 2014 and 2017 tours required similar Localism Orders to be brought forward by the Government and be approved by Parliament.<sup>9</sup>

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1 [Localism Act 2011](#)

2 Standing Orders of the House of Commons - Public Business 2018, [SO No. 142](#) and [SO No. 151 \(1\)](#)

3 [Draft Harrogate Stray 1985 \(UCI Road World Championships\) Order 2019](#)

4 [Explanatory Document for the draft Harrogate Stray 1985 \(UCI Road World Championships\) Order 2019](#)

5 Ministry of Housing, Communities and Local Government, [Proposal to enable Harrogate Borough Council to use the general power of competence to host the race finish line for the 2019 UCI Road World Championships on the Stray \(November 2018\)](#)

6 [Harrogate Stray Act 1985](#)

7 The general power of competence is provided for in section 1 of the Localism Act 2011. It gives councils confidence in their legal capacity to act for communities and is designed to allow local authorities to innovate.

8 [About Yorkshire 2019](#), UCI 2019 Road World Championships (accessed 14 March 2019)

9 The Harrogate Stray Act 1985 (Tour de France) Order 2014 ([SI 2014/1190](#)) and The Harrogate Stray Act 1985 (Tour de Yorkshire) Order 2017 ([SI 2017/34](#))

6. We have contacted the local Member of Parliament for Harrogate and Knaresborough, Andrew Jones, to seek his views on this Order being made. He has confirmed that he supports the proposals and welcomes the potential income and global media interest that the Championships will have for the local area.

### **Parliamentary Procedure**

7. The Secretary of State has recommended that the draft Order to be subject to the negative resolution procedure.

## 2 Description of the draft Order

8. The purpose of the draft Order is to remove temporarily some restrictions on the use of specified parts of an area of parkland within Harrogate known as the Stray, for the purpose of preparing for and hosting the finishing line of the UCI Road World Championships in September 2019. The Championships are advertised as the “pinnacle event” in international road cycling and will include both men’s and women’s events across all age ranges.<sup>10</sup> The racing will also include, for the first time, a para-cycling event that will act as a qualifier for the 2020 Paralympic games. Races are planned to begin at different places across Yorkshire, with all finishing in Harrogate.

9. The Stray is managed by Harrogate Borough Council on behalf of the Duchy of Lancaster, under the terms of the Harrogate Stray Act 1985. The 1985 Act regulates the usage of the stray, with several provisions that would prevent the Championships being held in the form envisaged by the organisers.<sup>11</sup> The Council has requested the Secretary of State for Housing, Communities and Local Government to use his powers under sections 5 and 7(2) of the Localism Act 2011 to make an Order to temporarily disapply the relevant parts of the 1985 Act, in order that the event can go ahead.

10. The Order would enable the Council to section off up to 17.05 hectares of the 80-hectare Stray for a period of 26 days.<sup>12</sup> The 1985 Act places restrictions and obligations on the Council that would prevent it closing the Stray as required, including:

- Section 4(2), requiring the Council to maintain and preserve the aspect of the Stray;
- Section 4(3), requiring the Council to protect trees, shrubs, plants, tuft and herbage on the Stray;
- Section 4(4), requiring that where the Council encloses part of the Stray, it must, in exchange provide a substitute public area at least the same size within 100 metres of the Stray
- Section 5, giving Harrogate residents free access to, and privilege of enjoying recreation on the Stray;
- Section 6(1)(d), imposing limits on the number of aircraft landings; and
- Section 6(4), restricting the amount of land that can be enclosed, and the duration for which it can be enclosed.

Bylaws made under the 1985 Act also prohibit the removal of soil or plants and prohibits the use of radios and public address systems.<sup>13</sup>

<sup>10</sup> [About Yorkshire 2019](#), UCI 2019 Road World Championships (accessed 14 March 2019)

<sup>11</sup> Section 6(3) of the Harrogate Stray Act 1985 permits the Council to enclose part of the Stray for events, but section 6(4) limits the amount of land enclosed to 3.5 hectare and the duration to a total of five weeks in any one year.

<sup>12</sup> [Explanatory Document for the draft Harrogate Stray 1985 \(UCI Road World Championships\) Order 2019](#), para 2.11

<sup>13</sup> [Harrogate Stray Act 1985](#)

11. The draft Order would disapply the above provisions and related byelaws from 9 September until 4 October, to allow for the area to be prepared and made right following the event. The Order would apply only to the limited area subject to enclosure, other than limits on aircraft landing, which would apply to the entirety of the Stray for the period.

### Differences from previous Orders

12. This is the third Localism Order brought forward on behalf of the Council to facilitate cycling events in Harrogate. The Harrogate Stray Act 1985 (Tour de France) Order 2014 required a larger area of 19.5 hectares to be closed, but for a shorter period of up to 16 days in June and July that year.<sup>14</sup> The Harrogate Stray Act 1985 (Tour de Yorkshire) Order 2017 required a smaller area of 14.6 hectares to be enclosed for up to 11 days.<sup>15</sup> The same sections of the 1985 Act were disapplied in both cases, although the 2014 Order did not include the disapplication of any byelaws made under the Act. Both Orders were made under the negative procedure, to which our predecessor Committees assented.

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14 Regulatory Reform Committee, Fourth report of session 2013–14, [Harrogate Stray Act \(Tour de France\) Order 2014 \(Draft\)](#), HC 1197, para 6

15 Regulatory Reform Committee, First report of session 2016–17, [Harrogate Stray Act \(Tour de Yorkshire\) Order 2016 \(Draft\)](#), HC 876, para 5 (note: the draft 2016 Order was made on 19 January 2017 and is dated as such)

### 3 Assessment of the draft Order

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13. Our role is to assess whether the proposals meet the statutory conditions required of an Order under the 2011 Act, and to examine the proposals against a number of tests. Standing Order No.142 sets out the criteria under which the Committee makes that assessment. In this section we assess the draft Order against those criteria. We make no judgement on the decision to locate the event in Harrogate.

#### A: Appears to make an inappropriate use of delegated legislation

14. This is the third Localism Order brought forward on behalf of Harrogate Borough Council to facilitate cycling events affecting the Stray. It is, to date, the only reason for which the powers set out in the 2011 Act have been used on behalf of a local authority. **The precedents of the 2014 and 2017 Orders and the close similarity between the proposals lead us to agree that this remains an appropriate use of delegated legislation. We agree that this test has been met.**

#### B: Has an effect which is proportionate to the policy objective intended to be secured

15. During the process for agreeing the 2014 Order to enable the Tour de France Grand Depart, the consultation on the proposals heard concern that it risked setting an “unwelcome precedent” for such events, which the Department denied.<sup>16</sup> The Council does now consider that previous events do set a precedent, but that there are “no other less onerous ways” for the Council to achieve their aim.<sup>17</sup> While the proposals in the draft Order are for a longer period than previous closures of part of the Stray agreed under this procedure, they are temporary and similar to the 2014 and 2017 Order. The Council have confirmed that the 26-day closure will count towards the 35 days of events that the 1985 Act restricts the Stray to holding, rather than seeking disapplication of this provision within the draft Order.<sup>18</sup> The Council have also indicated they expect the areas to receive significant benefits from their hosting of the Championships, and that the proposal has widespread—but not unanimous—support for the proposals. **We are content that this test has been met.**

16. The repeated use of these powers in the 2011 Act to vary a single piece of legislation (the 1985 Act), suggest that the 1985 Act may no longer be suitable for its intended purpose. In 2016 the Council consulted on potential changes to the Act to avoid having to seek the approval of the Secretary of State and to legislate to hold larger events. The result of the consultation was that there was not sufficient support for a permanent change, despite public support for a limited number of large-scale and high-profile events.<sup>19</sup> The Council has subsequently resolved not to request any further such Orders, and the Duchy of Lancaster (the landowners) have ruled out supporting further such Orders, effectively preventing the Stray from holding even a limited number of large-scale and high-profile events.<sup>20</sup> However, we note that no legislative body can bind its successors to a decision.

16 Regulatory Reform Committee, Fourth report of session 2013–15, [Harrogate Stray Act \(Tour de France\) Order 2014 \(Draft\)](#), HC 1197, para 13

17 [Explanatory Document for the draft Harrogate Stray 1985 \(UCI Road World Championships\) Order 2019](#), para 4.4

18 As above, para 4.9

19 As above, para 4.5

20 As above, para 4.10

**Should Harrogate Borough Council seek to vary the 1985 Act for a new event, they should seek a permanent amendment to the Act to remove Government and Parliament from what should be a local decision-making process.**

### **C: Strikes a fair balance between the public interest and the interests of any person adversely affected by it**

17. The Council has claimed that the Championships will bring “significant economic, cultural and sporting benefits” to the area, both during the event and as a legacy of hosting.<sup>21</sup> In consultation, 75.6 per cent of those responding supported Harrogate hosting the event, and 73.7 per cent agreed that the Stray was the appropriate place to hold the event.<sup>22</sup> The most significant concerns raised were a loss of access to the Stray for either personal use or established uses, such as Parkrun or Scouting events.<sup>23</sup> 24.9 per cent of those consulted did not agree that they would be able to freely access the Stray.<sup>24</sup> Concerns were raised about noise, traffic and public order, although only nine of these were received from Harrogate residents close to the Stray. The Council has provided reassurances to the Government on continued access, traffic management and the relocation of any directly affected events and confirmed that closures will not cover the full area for the full duration in which parts of the 1985 Act are disapplied.<sup>25</sup>

18. One respondent to the consultation expressed concerns on behalf of the Ambulance Service about access to the Stray for emergency vehicles, including helicopters.<sup>26</sup> In response, the Council and the race organisers have confirmed that North Yorkshire Police are providing representation for the emergency on a multi-agency planning group for the event, and that appropriate safeguards will be put into place to ensure emergency services can maintain access across the area, including the Stray and the event site, as necessary for the duration of the event.<sup>27</sup>

19. While we recognise that the hosting of the Championships may have a negative impact on the interests of some residents in and around the Stray, we are satisfied that the Council has made sufficient arrangements for these to be minimised. **We agree that this test has been met.**

### **D: Does not remove any necessary protection**

20. The 1985 Act provides significant protections for the “trees, shrubs, plants, turf and herbage” on the Stray and prevents actions that may permanently harm the quality of the land on the Stray.<sup>28</sup> The disapplication of these provisions as part of the draft Order are necessary for the event to proceed within the terms of the 1985 Act. The consultation found that 74.5 per cent of those responding were confident of the Council’s ability to return the Stray to its previous condition. However, two responses seen by the Committee claimed that previous events have not seen the Stray satisfactorily restored and two further responses expressed concern about the timing of the event and the potential for the Stray

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21 As above, para 2.13  
 22 As above, Chart Q1 and Q2, p 15  
 23 As above, para 4.15  
 24 As above, Chart Q3, p 15  
 25 As above, para 4.18  
 26 As above, para 3.25  
 27 As above, para 4.23  
 28 Harrogate Stray Act 1985, [section 4\(3\)](#)

to return to its previous condition over the autumn and winter.<sup>29</sup> The Stray Defence Association, a local campaign group that opposes the draft Order, notes a “real anger and apprehension” about the proposals, and calls for the Stray to be “wholly reinstated as soon as possible after the event has taken place.”<sup>30</sup>

21. The Stray routinely hosts events, as permitted by the terms of the 1985 Act, and the Council has provided assurances to the Government they will complete the clean-up and restoration of the Stray within the period covered by the draft Order. Furthermore, there is an enforceable contract in place between the Council and the organisers for protective measures and waste management during the event. The Council also believe that the timing of the event is beneficial for the reseeded or replanting of grass, if required.<sup>31</sup> The Government has accepted these reassurances, and on that basis we are content that the temporary withdrawal of the protections of the 1985 does not represent a breach of this test. **We are content that this test has been met.**

### **E: Does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise**

22. The 1985 Act requires that:

The inhabitants of the borough shall have free access to and a privilege at all times of enjoying recreation upon the Stray without payment but subject to provisions of the Act.<sup>32</sup>

The Act does, however, set limits on this for specific reasons or for the holding of events.<sup>33</sup> In regard to this test, the draft Order only enlarges the area of the Stray that might be closed for the purpose of holding an event by disapplying the area to be enclosed. The draft Order does not place any new restrictions on access to the Stray. Such restrictions are to be temporary, and the majority of the Stray remains available for public use. **We are satisfied that this test has been met.**

### **F: Is not of constitutional significance**

23. The proposals are of local significant for a limited period of time. Although changes to the Harrogate Stray have been the only reason for which Localism Orders have been used to date, they have not created any constitutional precedent. **We agree that this test has been met.**

### **G: Has been the subject of, and takes appropriate account of, adequate consultation**

24. Before making an Order under the 2011 Act, the Secretary of State must consult such local authorities, representatives of local Government, and other persons as he considers

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29 Collated responses to 2018–19 MHCLG consultation (not published)

30 Response to 2018–19 MHCLG consultation from Stray Defence Association (See Appendix)

31 As above.

32 Harrogate Stray Act 1985, [section 5](#)

33 Harrogate Stray Act 1985, [section 6\(3\)](#)

appropriate.<sup>34</sup> The Department ran an eight-week consultation from 22 November 2018 to 17 January 2019 on the proposals. In addition to the statutory consultees, the Department also sought views via an online survey and provided a dedicated email address and enabled postal submissions. The Council supported the consultation with face-to-face discussions, delivery of letters to the areas most likely to be impacted and a range of traditional and social media engagements. The consultation received 1259 representations, up from 21 in relation to the Tour de Yorkshire in 2017 and 14 for the Tour de France in 2014. 96 per cent of responses came from the online survey.<sup>35</sup>

25. The majority of respondents were supportive of the proposal to hold the Championships in Harrogate (75.6 per cent) and for the use of the Stray (73.7 per cent). Of the 50 individuals or organisations who submitted their views outside of the online survey, a majority were against the proposals.<sup>36</sup> The main objections were around traffic, access to the Stray and protection of the Stray. No changes were made to the draft Order as a result of the consultation. However, the Government has sought and received assurances on the issues of concern to those who raised objections to the proposals, including on restoration of the Stray, access, relocation of events, noise and security.<sup>37</sup>

26. The Stray Defence Association raised a concern that the consultation was undertaken by the Government after the decision had been taken for Harrogate to host the finish line for the Championship races, leaving the outcome as a “fait accompli.”<sup>38</sup> The full race routes and schedules were published in September 2018, 2 months before the Government launched the consultation on the draft Order.<sup>39</sup> However, Yorkshire was selected as host in October 2016 and Harrogate was named as the main competition town and finishing line in June 2017.<sup>40</sup> The supporting material for the draft notes that the Department was only approached by the Council after the September 2018 announcement.<sup>41</sup>

27. We agree with the Stray Defence Association that the consultation took place later than is desirable, leaving the Government and Parliament to take decisions on the proposals at a point where a refusal would be of significant detriment to the Council and the Championships. While we are satisfied that the tests required of the consultation have been met, we regret the Council’s delay in seeking such a consultation. **It is in the interest of local decision-making that future consultations for Orders to be made under the Localism Act 2011 to be undertaken as early as possible.**

28. **In light of the assurances made by Harrogate Borough Council on the full repair and reinstatement of the Stray, we are satisfied that the tests of the consultation have been met; however, we regret the Council’s delay in undertaking this consultation and question the effectiveness of consulting at such a late stage in the preparations for the event.**

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34 [Localism Act 2011, section 5\(7\)](#)

35 [Explanatory Document for the draft Harrogate Stray 1985 \(UCI Road World Championships\) Order 2019](#), paras 3.3 - 3.6

36 As above, para 3.15

37 As above, paras 4.18 - 4.27

38 Response to 2018–19 MHCLG consultation from Stray Defence Association (see Appendix)

39 [Explanatory Document for the draft Harrogate Stray 1985 \(UCI Road World Championships\) Order 2019](#), para 2.8

40 As above, para 2.6, and [Yorkshire host towns revealed for 2019 UCI Road World Championships](#), British Cycling, 28 June 2017 (accessed 15 March 2019)

41 [Explanatory Document for the draft Harrogate Stray 1985 \(UCI Road World Championships\) Order 2019](#), para 2.9

**H: Gives rise to an issue under such criteria for consideration of statutory instruments laid down in paragraph (1) of Standing Order No.151 (Statutory Instruments (Joint Committee)) as are relevant**

29. The draft Order does not give rise to any issues under this test.

**Parliamentary Procedure**

30. The draft Order makes only temporary changes to the 1985 Act, and does so with considerable local support, including from the local Member of Parliament. The two previous Orders made under the 2011 Act were also subject to the negative procedure. **We support the use of the negative procedure in this case.**

## 4 Conclusions

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31. We conclude that the tests against which we are required to consider the draft Order have been met. *We recommend that the draft Harrogate Stray Act 1985 (UCI Road World Championships) Order 2019 be made.*

32. We agree with the Secretary of State's opinion on Parliamentary procedure. *We recommend that the draft Order should be subject to the negative procedure.*

# Appendix 1: MHCLG consultation submission from the Stray Defence Association

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Dear [Ministry of Housing, Communities and Local Government official]

Thank you for inviting us, The Stray Defence Association, to comment on the proposal for the Secretary of State for Housing, Communities and Local Government to disapply certain legal restrictions to allow a major cycling event to be held on the Stray, by temporarily lifting restrictions in the Harrogate Stray Act 1985 (the 1985 Act) to allow the 12 races of the 2019 UCI Road World Championships (the Championships) to end at a finishing hub on the Stray.

We understand that Harrogate Borough Council have asked for this and that the event will take place for nine days, from 21 to 29 September. The parts of The Stray involved would be closed for 26 days, from 9 September to 4 October 2019, to include preparatory and restoration work.

Although this consultation would seem to have been presented as a ‘fait accompli’, as it has already been very widely, both nationally and internationally, publicised, that these Championships are indeed to be held in Harrogate in September 2019, since receiving your communication asking for our views, we have taken time to invite the opinions of our membership, as well as those of other people in Harrogate, before responding.

The conclusion is that everyone has stated almost precisely the same thing. That this consultation is too little too late and is merely paying ‘lip service’ to public opinion. General consensus is that for it to have any validity it should have been part of the Council’s bidding process for the Championships. This proposal has caused a great deal of justifiable anger, that, yet again, The Stray will be enclosed, and areas will become inaccessible to the people of the town.

It will shortly be 250 years since the people of Harrogate were ‘given’ their beloved Stray and it cannot be stressed highly enough how fundamental The Stray is to the people of Harrogate. On August 19th, 1778 the Award of the Commissioners for the Enclosures of the Forest of Knaresborough, in the Duchy of Lancaster, came formally into effect. From that date the control and management was established of 200 acres of open common in Harrogate which had been pastures for all and sundry from time immemorial.

The Stray belongs to the people of this town and its importance to them and the town is immeasurable. They hold its open free space in the highest regard and are rightly angered by its appropriation by the Council without their prior consent.

The Harrogate Stray Act 1985 (the 1985 Act) protecting our Stray was conceived to ensure that these green acres at the heart of our town remain safe, sacrosanct and intact. They are enshrined in the history of Harrogate and are there for the free use of the people of Harrogate and district. “The inhabitants of the Borough shall have free access to and a privilege at all times of enjoying recreation upon the Stray without payment but subject to the provisions of this Act.”

This free access at all times is not only enshrined in the Parliamentary Stray Act but in the hearts and minds of the Harrogate people. This is not the Council's Stray, to use as *they* choose, *whenever* they choose. This is the people's Stray for *them* to use *whenever they* choose.

When the Tour de France was brought to the town in 2014 yet again the consultation with your Department was only *after* the agreement was reached to stage the event in Harrogate. Events such as the Tour de Yorkshire have followed, and this indeed is to take place, once again, early this year, using The Stray once more.

Harrogate people were assured, absolutely assured, that the Tour de France was a "one off", that such an event would not occur again. Clearly this has not been adhered to by the Council and once more people's access to their Stray is to be restricted.

For a considerable number of the people of Harrogate these events are not what they want in their town, and particularly, on their beloved Stray.

How can the Council have been allowed to consent to such an event as this Championship to take place on The Stray, over a lengthy period, without prior and proper consultation with the citizens of Harrogate?

This is not acceptable. It is, in effect, putting the cart before the horse.

Asking permission of the Secretary of State retrospectively is also unacceptable in the opinion of many, many Harrogate people.

Suspension of a Parliamentary Act protecting Harrogate's Stray is not something which should be regarded as a minor issue. Without protection The Stray is, potentially, open to irreparable damage, and misappropriation. The proposed Suspension is clearly removing necessary protection for the Stray and there is very real anger and apprehension about this.

The Stray Defence Association believe that the people of Harrogate & District need unqualified assurances from Harrogate Borough Council that this proposal is only for a very limited, and prescribed, period and that all the areas of the Stray commandeered for this purpose will be wholly reinstated as soon as possible after the event has taken place.

By wholly reinstated we mean the following:

- That the *full protection* of the Stray by its Parliamentary Act will be restored at the end of the prescribed period of time
- That no area of Stray land *whatsoever* will be misappropriated
- That no area of Stray land *whatsoever* will be permanently damaged
- That no area of Stray land *whatsoever* will sustain the loss of any trees; shrubs; plants; bulbs; or grass
- That no area of Stray land *whatsoever* will have any roads or pathways remaining after this event other than those originally there and in their original widths and positions

In the opinion of The Stray Defence Association the removal of the protection given by the Harrogate Stray Act can only be justified if written assurances have been received from Harrogate Borough Council that the Stray will be wholly reinstated, as set out above, within a brief, reasonable period after the event.

I therefore request, please, the Secretary of State, to require such assurances to be given as a pre-condition to any suspension of the Act.

Whilst we do not agree with the proposed suspension of the Stray Act in 2019, I also politely request assurances that, should this suspension be agreed upon, this will, indeed, be the very last time the Harrogate Stray Act 1985 is suspended.

Yours faithfully,

Mrs J M d'Arcy Thompson

Chairman

The Stray Defence Association

Harrogate

14 January 2019

# Formal minutes

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**Monday 8 April 2019**

Members present:

Stephen McPartland, in the Chair

Douglas Chapman Mr Kevan Jones

Ben Bradley

*1. Draft Report (Draft Harrogate Stray Act 1985 (UCI Road World Championships) Order 2019)*

Draft Report (*Draft Harrogate Stray Act 1985 (UCI Road World Championships) Order 2019*), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph

Paragraphs 1 to 32 read and agreed to.

Appendix read and agreed to.

*Resolved*, That the Report be the Fourth Report of the Committee to the House

*Ordered*, That the Chair make the Report to the House.

[Adjourned to a date and time to be fixed by the Chair

## List of Reports from the Committee during the current Parliament

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All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

### Session 2017–19

First Report	Draft Regulatory Reform (Fire Safety) (Custodial Premises) Subordinate Provisions Order 2018	HC 869
Second Report	Draft Legislative Reform (Regulator of Social Housing) (England) Order 2018 and Draft Legislative Reform (Constitution of the Council of the Royal College of Veterinary Surgeons) Order 2018	HC 944
Third Report	Draft Legislative Reform (Horseracing Betty Levy) Order 2018	HC 1756