

Scrutiny Management Committee

27th February 2012

Report of the Assistant Director Governance & ICT

Progress Report – City Centre Ad Hoc Scrutiny Committee

Summary

1. This report is an update to Scrutiny Management Committee on progress made to date with the City Centre Access Ad Hoc Scrutiny Review. Councillor Gillies, the Chair of the Committee will be in attendance at today's meeting to answer any questions that may arise.

Background

2. In June 2011 Councillor Gillies submitted a scrutiny topic in relation to access and foot street enforcement in the city centre. This proposed topic was subsequently considered at a scrutiny work planning event held in July 2011 where it was decided that the topic should be progressed to review.
3. At the first meeting of the City Centre Ad Hoc Scrutiny Committee the following remit was set for the review:

Aim

How do we minimise vehicular movement in the city centre footstreets and immediate area to ensure the safety of pedestrians?

Key Objectives

- i. Do changes need to be made to the City Centre Area Action Plan/City Centre Access Study/Footstreets Policy to ensure:
 - Appropriate disabled access and parking provision
 - The safety of pedestrians during footstreet hours
 - City centre cycling storage facilities

ii. How could City of York Council and the Police improve partnership working in order to fully enforce the footstreets policy, including understanding:

- Who is responsible for what currently and should there be any changes
- The current barriers to enforcing the policy

Progress on the Review to date

4. Since beginning this review the Committee have met three times as follows:

14th November 2011

5. This was the first and only formal meeting of the Ad Hoc Scrutiny Committee to date. Members considered a draft remit for the review, eventually agreeing on that set out at paragraph 3 of this report.
6. At this meeting Members were made aware that there was already ongoing work in respect of the Footstreets Review and the City Centre Movement and Accessibility Study. It was agreed that it was important not to duplicate work that was already ongoing.
7. Members also agreed that it would be useful to visit some of the key areas within the city centre to look at access points, disabled parking provision and accessibility/safety hazards for pedestrians.

22nd November 2011

8. This was an informal meeting of the Ad Hoc Scrutiny Committee, who in the first instance, walked around the city centre to look at issues in respect of access and enforcement. The visit was timed to allow Members to look at the situation both before and during footstreet hours.
9. The situation was assessed at a number of points across the city centre and a number of initial and immediate observations were made, namely;

i. Davygate

- The large traffic sign that is in place is ugly in design and lacks clarity (e.g. it is unclear whether cyclists are permitted)
- The installation of a rising bollard may curtail traffic movement but would be expensive to install and maintain and may not be an appropriate option
- Consideration could be given to focussing on street design rather than relying on signage, for example the entry to Blake

Street could be altered to better deter unauthorised motorists from entering the street

ii. St Sampson's Square

- Once the disabled parking spaces are filled, this area becomes a through route for motorists looking for a place to park
- Members commented on the apparent inconsistencies in the issuing of blue and green badge permits, including misuse of the scheme by some people (*clarity on difference between blue and green permits needed*)
- When events were taking place in St Sampson's Square the number of parking spaces was reduced but this appeared to be generally accepted by traders and the public
- The use of the area as a drop off point for people using the St Sampson's Centre was noted.

iii. King's Square

- The traffic congestion in this area was noted as vehicles sought to leave the footstreets area by 11am. This was exacerbated by utility work that was taking place
- Concerns were expressed regarding the signage at the entry to Low Petergate
- The narrow pavements make it difficult for pedestrians, particularly those with pushchairs or using wheelchairs
- The evening parking that is available in Goodramgate raises awareness of this route into the city centre

iv. St Saviourgate/Colliergate junction

- A very busy junction with a high number of vehicles turning left
- Taxis were seen driving down Fossgate, although only loading was permitted

v. Parliament Square/Piccadilly/Coppergate junction

- Looking towards Merchant Gate, the pinch point was noted.
- The taxi rank was not used; consideration could be given to alternative uses
- A bullion van was parked in the footstreets but delivering to premises outside of the footstreets area.
- Consideration could be given to relocating the cycle racks currently in Parliament Street
- The plans to demolish the building housing the toilets in order to open up the vista of Parliament Square were noted

vi. Low Ousegate/Spurriergate junction and Coney Street

- The use of bollards was noted – these were installed and removed manually at the start and finish times of the footstreet hours
- A cyclist was seen riding down Coney Street

10. At the informal meeting of the Committee after the above visit, Members were made aware, by the Chair, that the York Civic Trust had produced a survey of traffic around Coppergate in April 2011. *It was agreed that a representative of the Trust be invited to a future meeting to discuss the survey's findings with the Committee.*

11. Discussions also took place around the theme of the second key objective of the remit set for this review. It was acknowledged that there were various difficulties in enforcing the footstreet arrangements that were currently in place. The following were also mentioned:

- It was unlikely that the Government would enact Part 6 of the Traffic Management Act (relating to the civil enforcement of moving traffic offences)
- Details of a scheme in operation in Oxford whereby CCTV was used to assist in enforcement, including arrangements that had been put in place in respect of bus lanes (*further information was requested on the arrangements in place in Oxford*)
 - In relation to the above a motorist who had been issued with a penalty notice, had challenged the decision and had taken the case to the High Court but the judge had ruled in favour of the local authority. *Officers were asked to give clarity as to whether this type of arrangement was something that York could consider.*
 - It was suggested, in Oxford, that the local authority had provided CCTV evidence to Police/Crown Prosecution Service who had then taken action. *Clarification needed to be obtained as to whether this was the case and, if so, the views of North Yorkshire Police regarding the option.*
- It was noted that exemptions to enforcement measures were in place, including bullion vans and vehicles from the various utility companies.

12. Members referred to the congestion in the Coppergate area of the City and felt that this could make some members of the public reluctant to travel by bus; the congestion making it less likely that buses would keep to their timetable. Members initial thoughts were that action would need to take place to alleviate this; however to date they have not identified

any potential solutions. In the first instance and before any recommendations were put forward by the Committee, they requested that *a representative from the Quality Bus Partnership and a representative from a taxi company be invited to a future meeting to discuss the matter further.*

13. At this stage of the review the Ad Hoc Scrutiny Committee agreed that the arrangements that were currently in place within the city centre were not working effectively in the areas identified in the above paragraphs. Members agreed that it was important to come up with a range of options for consideration to ensure that this changed.

19th December 2011

14. At this, the second informal meeting of the Committee, Members considered the following:
- A briefing note on City of York Council's Traffic Regulations (which was discussed with CYC officers and a representative from North Yorkshire Police) – this detailed the City of York Council's Traffic Regulations which are contained in four traffic orders namely:
 - Parking, Stopping and Waiting Order
 - Traffic Management Order
 - Speed Limit Order
 - Off-Street Parking Places Orders
 - A report which had been presented to the Cabinet Member for City Strategy on 1st December 2011 entitled 'City Centre Footstreets Review' and the decisions he made at that meeting
 - An e-mail from a Member of the Ad Hoc Scrutiny Committee containing options for raising pedestrian safety in the city centre
 - Potential consultation questions to put to key groups in the city who may be affected by any recommendations made by the Committee
15. The Committee sought the views of both CYC officers and a North Yorkshire Police Officer regarding partnership working to enforce the footstreets policy.
16. The City of York Council's City Centre Enforcement Officer highlighted the following issues:
- The Council has limited powers in terms of enforcement and does not have the power to stop moving traffic
 - There are particular problems with vehicles using Goodramgate and Davygate
 - Signage is too high and not always clear to understand

- It is difficult to identify vehicles with disabled drivers or passengers as often permits are not displayed until the vehicles are parked
- There is abuse of the permit scheme
- Because taxis are permitted to drop off and collect permit holders, it is difficult to ascertain if taxis are in the area legitimately
- Deliveries to shops needed to be taken into consideration and there needed to be enough loading/unloading bays available

17. The North Yorkshire Police Officer detailed the following concerns:

- Signage is poor and is too high to be easily visible. A case is currently going through the Courts in relation to signage in Coppergate
- The city has good Park and Ride facilities and the buses drop people off close to the city centre. Could more be done to encourage more use of this provision to discourage vehicles from entering the city centre?
- Many of the problems originate at Goodramgate
- Consideration should be given to a bollard type arrangement at Church Street/Colliergate and at St Helen's Square
- There should be greater consistency in footstreets times
- A very high number of tickets are being issued. More could be issued if officers were available but the Police have to prioritise.
- Some drivers find it difficult to understand the differences between the blue badge and the green badge schemes, particularly when signage refers to 'permit holders'
- Not all cyclists abide by one way systems. Because of the lack of repeater signs it is sometimes difficult to issue tickets to offenders. The footstreet signage does not explicitly show no cycling and some cyclists do not class themselves as vehicular traffic
- Most of the complaints that the Police received related to motor vehicles in the city centre rather than cyclists
- PCSOs (Police Community Support Officers) do not have the power to stop moving traffic

18. In addition to the above discussions Members commented on:

- The need to ensure sufficient, secure and covered parking for cyclists. However, they did query whether this should be situated within pedestrian areas. It was noted that at the moment it was permissible to use the cycle parking facilities in the footstreet areas without actually being able to cycle there. An added complexity was the fact that the cycle parking facilities could be used after

footstreet hours, when it was also acceptable to cycle in these streets.

- The footstreet hours – some thought these should be from 10am to 4pm whilst others felt that they should be extended to 5pm.
- It was noted that whilst it was a highways offence to cycle on pavements, this legislation did not extend to footstreet arrangements.

19. Further discussions ensued on some of the points raised above; in particular in relation to the following;

- It is apparent from evidence received to date that there is an issue about the clarity of current signage. The 'Reinvigorate York' initiative includes proposals to de-clutter where possible. There needs to be less signage but it has to provide greater clarity.
- One way in which it could be made clearer that an area is pedestrianised is by changing its physical appearance so that people are aware that they are moving from one type of environment to another – however, this may be cost prohibitive
- Consideration is being given to addressing issues in respect of moving and non-moving traffic offences, including the legalities of enforcement in respect of bus lanes
- The background of the introduction of the green permit scheme.
- Issues in respect of enforcement, including the difficulties that would be faced in reducing traffic in the city centre unless rising bollards were used
- The indiscriminate way that some lorries/vehicles parked when delivering goods outside of the footstreet hours

20. In relation to the report that had been considered at the Cabinet Member for City Strategy's Decision Session Members had questioned how the work of the Ad Hoc Scrutiny Committee fitted with that already taking place on the Footstreets Review and Reinvigorate York. It was explained that the Decision Session had enabled the Cabinet Member to provide direction in respect of the work but further consultation still needed to take place. *It was suggested at this point that the consultation the Ad Hoc Scrutiny Committee would undertake as part of this review and the resulting recommendations, could be fed into the consultation process instigated by the Cabinet Member.*

Next Steps

21. After gathering the evidence summarised above the Committee agreed to delegate the task of collating some consultation questions to the

Chair, technical officers and scrutiny officer. This work is currently in progress.

22. The actions highlighted in italics throughout this report are still to be addressed as part of the review.

Consultation

23. Whilst yet to be confirmed the Ad Hoc Scrutiny Committee plans to consult some or all of the following as part of this review:
 - Representative of Reinvigorate York
 - Representative from York Civic Trust
 - Representative from the retail sector
 - Representative from a cycle organisation
 - Representative from the Independent Living Network
 - Representative(s) from disability groups
 - Representative from the Quality Bus Partnership
 - Representative from a taxi association
 - Representative from shopmobility

Options

24. Members are asked to note and comment on the report.

Analysis

25. The Cabinet Member for City Strategy attended the meeting of the Ad Hoc Scrutiny Committee on 14th November 2011 and was supportive of this review. He felt that the work being undertaken by the Scrutiny Committee could complement the work already being undertaken on the Footstreets Review (detailed in a report received by him on 1st December 2011). To this effect, both the Cabinet Member and the Chair of the Ad Hoc Scrutiny Committee will be involved in devising some consultation questions which will be used both as part of the scrutiny review and the Footstreets Review.
26. However, there have been some delays in putting together the consultation questions which means that this review is unlikely to be completed by the end of this municipal year. Once the consultation questions have been agreed then the scrutiny officer will be able to write to the consultees and arrange a further meeting date to receive responses and to discuss some of the issues raised in more depth. It is therefore suggested that this review should be concluded during the early part of the municipal year 2012/13.

27. In addition to this the Ad Hoc Scrutiny Committee still need to address and/or receive information on the issues highlighted in italics within this report. They will also need to analyse and make recommendation on all the information they have received as part of the review.

Council Plan 2011-2015

28. This review directly relates to the 'Get York Moving' theme set out within the Council Plan 2011-2015. As part of the 'Get York Moving' theme there is a commitment to look at 'improving movement in the city centre'. Many of the areas being explored as part of this review complement this.

Implications

29. **Financial** – There are no known financial implications associated with the recommendations in this report, however implications may arise as the review progresses.
30. **Human Resources** – There are no Human Resources implications associated with the recommendations within this report, however implications may arise as the review progresses.
31. **Legal** – There are no known legal implications associated with the recommendations within this report, however implications may arise as the review progresses.
32. There are no other known implications associated with the recommendations within this report.

Risk Management

33. There are no known risks associated with the recommendations within this report.

Recommendations

34. Members are asked to note and comment on the progress made on this review, which is likely to continue into the next municipal year.

Reason: To keep Scrutiny Management Committee aware of the progress made on this Ad Hoc Scrutiny Review.

Contact Details

Author:

Tracy Wallis
Scrutiny Officer
Scrutiny Services
TEL: 01904 551714

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director Governance & ICT
TEL: 01904 551004

**Report
Approved**



Date 20.02.2012

Specialist Implications Officer(s) None

Wards Affected: Guildhall Ward

All

For further information please contact the author of the report

Background Papers:

None

Annexes

None