

Meeting	Decision Session - Executive Member for Transport
Date	19 July 2024
Present	Councillor Ravilious (Executive Member)
Officers in Attendance	James Gilchrist – Director of Transport, Environment and Planning Darren Hobson – Traffic Management Team Leader Steve Wragg – Head of Highway Asset Management Helene Vergereau – Head of Highway Access and Development Tom Horner – Head of Active and Sustainable Transport

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### **1. Declarations of Interest (10:01am)**

The Executive Member was asked to declare, at this point in the meeting, any personal interests not included on the Register of Interests or any prejudicial or disclosable pecuniary interests they might have in respect of the business on the agenda. None were declared.

### **2. Minutes (10:01am)**

Resolved: That the minutes of the Decision Session held on **28 May 2024** be approved and signed by the Executive Member as a correct record.

### **3. Public Participation (10:02am)**

It was reported that there had been 9 registrations to speak at the session under the Council's Public Participation Scheme.

Additionally 4 Written Representations were received.

Cllr Mason spoke via zoom on his petition for item 7, Pavement Café Licensing. He noted that the report did not look at streets and venues on a

case by case basis, and expressed concern that the pavement café licensing fees would disproportionately impact quieter streets with relatively low vehicle traffic such as Bishopthorpe Road or Front Street.

Flick Williams spoke on item 7 via zoom regarding disabled people and café licensing; she raised concerns about further actions and enforcement that would make thoroughfares more accessible to all.

Cllr Fenton spoke on item 5, in support of the officer recommendations concerning Tadcaster Road parking bays. He suggested that if the recommendations for item 7 were moved forward, it would be useful to offer advice to local businesses and ward councillors as to which parts of the road counted as “highway” and which did not.

Cllr Waller spoke on his petition on item 6, representing residents wishes for action to resurface the road. He noted that a further 99 signatures had been contributed since the agenda had been published. He also raised concern regarding item 7 stating that residents in his ward were concerned about how pavement café licensing could impact them, given they have considerably lower footfall than city centre businesses.

Andrew Beattie spoke on item 9 in favour of the Recommended Option 1 contained in the Decision Report.

Rory O’Connor spoke on item 11, providing further information on improving cycling facilities on Wentworth Road, offering to take an active role in facilitating installation if needed.

Edward Hustler spoke on item 7, advising how trade has been negatively impacted for cafes which no longer had a pavement café licence, and suggesting measures which could be taken to reverse the initial decision. He felt the effect on small businesses in the city centre was already punitive.

Andy D’Agorne spoke on items 8,10 and 11 discussing The Groves and Fishergate petitions and Wentworth Rd cycle parking. He supported officer recommendations and offered further options on all items to enhance the wider transport strategy in an active and sustainable manner.

The Executive Member read out written representation from Cllr Warters regarding item 4. He criticised the parking management of both the University of York and York Park and Ride, suggesting this had led to the parking problems on Tranby Avenue.

The Executive Member read out written representation from Stephen Macey regarding item 4. He asserted that university parking was the cause of the parking issues and the proposed enforcement would also penalise local residents, and was therefore not the answer, suggesting instead that a nominal parking fee could be levied to non-residents.

The Executive Member read out written representation from Andrew Pericleous regarding item 7. He expressed disappointment at the council not compromising on its prior decision and suggested that the council's actions disproportionately hindered small businesses instead of supporting them.

The Executive Member read out written representation from Rachel Gilbert-Cornish regarding item 9, representing local residents concerns about R23 implementation on Government House Road. She suggested that the latest version of the plan went against the original reason for the Traffic Regulation Order and deprived recreational users of a place to park, viewing Option 3 in the Decision Report as the most reasonable proposal offered.

#### **4. Tranby Avenue Parking Problems (10:34am)**

The Executive Member considered a report presented by the Traffic Management Team Leader.

Officers explained that the report responded to a petition received via the Ward Councillor on behalf of the residents of Osbaldwick.

The petition requested that the Council deal with the dangerous and inconsiderate University related parking issues occurring on Tranby Avenue and Cavendish Grove in Osbaldwick, suggesting that the current level of parking compromised highway safety and residential amenity in the area.

The report reviewed the residents request for an amendment to the Traffic Regulation Order (TRO) to introduce 'No Waiting Monday to Friday 10am to 3pm' parking restrictions on Tranby Avenue.

Officers explained that the current decision was simply to advertise and the ensuing statutory consultation would give residents opposed to the proposal (such as the speaker in item 3) an opportunity to further explore their concerns.

The Executive Member recognised the concerns raised by the petition and by public speakers. She noted that the only feasible solutions were either to introduce a TRO or to introduce a Residents Parking Priority Scheme (ResPark) and given the lack of support for the latter option, she felt that approving a TRO and engaging with the University of York to ensure staff and students did not park in this area was the best solution.

Resolved: That Option 1 – ‘Advertise a proposal to amend the Traffic Regulation Order to introduce No Waiting parking restrictions on Tranby Avenue between Hull Road and Baysdale’ – be approved.

Reason: This allows for the views of the residents and local community to be taken into consideration whilst also removing obstructive parking.

## **5. Tadcaster Road Parking Bays (10:38am)**

The Executive Member considered a report presented by the Traffic Management Team Leader.

Officers explained that the report reviewed initial consultation responses received from the residents/businesses on potential changes to parking bays on Tadcaster Road between its junctions Royal Chase and Slingsby Grove.

Officers also noted that responses from a previous consultation had suggested residents/businesses felt that the loading bay in front of the shops was not required and would like to see the removal of the bay.

Officers explained that two additional representations had been received in the week prior to the Decision Session, via the ward councillor; one from a resident concerned that they had not been involved in the initial consultation, and another from a resident who had moved to the area after the consultation date and expressed concern because the parking space they used would be being removed.

The Executive Member noted that the situation was evolving and required careful balance between bus routes, cycle routes and shops as well as local residents parking.

In response to questions from the Executive Member, officers noted that under the proposed scheme, the resident who had relocated to the area

would still have loading/unloading access via the bay they used, but that they would need to use side streets for longer term/overnight parking.

The Executive Member was satisfied that the resident who had made representation would not be unduly inconvenienced, and

Resolved: That Option 1 be approved – Advertise a proposal to amend the Traffic Regulation Order to remove the Loading Bay in the parking bay on the north west side and change the duration of parking on the bays on Tadcaster Road between Royal Chase and Slingsby Grove so the restrictions on the use of the bays are as follows:

- North west side of Tadcaster Road - 1-hour limit Monday-Saturday 9am-5pm
- South east side of Tadcaster Road - 3-hour limit Monday-Saturday 9am-5pm

Reason: This allows for the views of the residents and businesses to be taken into consideration to help provide a more suitable parking arrangement in the vicinity for the residents and businesses.

The Executive Member additionally requested consultation with bus companies regarding their use of the road.

## **6. Response to the Petitions to Resurface Foxwood Lane and Corlett Court (10:44am)**

The Executive Member considered a report presented by The Head of Highway Asset Management, which served as a response to two petitions entitled – ‘Resurface Foxwood Lane’ and ‘Resurface Corlett Court’.

These petitions had both been presented by Cllr Waller at Full Council on the 21 March 2024 and were signed by 267 and 34 residents respectively (although as Cllr Waller noted in item 3, a further 99 signatures had since been received).

Officers explained that the report detailed highway condition data for both roads and the potential need for repair or renewal works, and that

recommendations had been made to support the Executive Member's response to the petitions. Officers summarised the following:

**Foxwood Lane:** This was a major road, and while there was no scheduled maintenance in the next five years, surface dressing was proposed within two to three years.

**Corlett Court:** Given this was a smaller street with lower levels of traffic, there was no scheme officers could recommend within five years.

The Executive Member noted that while previously the work proposed by the petitions may have been eligible for ward highways funding, the new model of funding was citywide in the interests of prioritising sustainable travel and equity of treatment across York and as such there were areas of greater need.

Officers advised that as part of the local transport strategy recently presented to the Executive, active travel, local infrastructure, and cycling facilities would factor more greatly into prioritisation for resurfacing; consequently Foxwood Lane may benefit from these changes. It would be harder to argue the case for Corlett Court due to it being a quieter street.

**Resolved:** The Executive Member noted the report within the context of responding to queries raised by the petitions received. No immediate action will be taken in terms of scheduled maintenance, but at some point in the coming months surface dressing will be undertaken.

**Reason:** Highways funding is distributed citywide, and while these roads are of concern, there are currently other roads across the city in greater need.

## **7. Review of CYC Pavement café licensing process and guidance (10:52am)**

The Executive Member considered a report presented by the Head of Highway Access and Development and Director of Transport, Environment and Planning.

This report presented options to review the Council's pavement café licensing process and guidance following the commencement of the pavement licensing provisions laid out in the Levelling Up and Regeneration Act 2023.

The provisions included in the 2023 Act introduced a permanent pavement licensing regime to replace the temporary provisions introduced by the Business and Planning Act 2020.

The differences between the temporary regime and the new permanent regime, including options for the local authority to tailor the permanent regime to their specific circumstances are presented in this report, with recommendations on changes to be made to the local process and guidance.

The report considered options to address the issue of pavement cafes operating on privately maintained highways.

The report also acknowledged and considered options to address the concerns raised by a petition titled “Support Outdoor Dining in York”, which was presented to Full Council on 21 March 2024 signed by 282 people supporting a review of how pavement cafes can operate in the city centre following the changes to pavement café licences made in areas of the city centre where Blue Badge vehicular access has been reinstated.

The Executive Member confirmed that consistency and fairness in treatment of businesses, and a regularisation of the councils position were required.

The Executive Member recognised comments raised by ward councillors and suggested work be undertaken in accordance with recommendation c) to work with local businesses, providing advice to increase awareness of changes and the impact this will have on them.

The Executive Member expressed sympathy for the needs of businesses as expressed via the petition and in public participation, stating that there was a continually evolving picture which would continue to be reviewed as part of the council’s Movement and Place strategy, both in the city centre and in suburban areas. She clarified that it was vital to balance the needs of local businesses with accessibility requirements of blue badge drivers and wheelchair users.

The Executive Member stated her preference to license commercial activity on the vehicular part of a highway and not the footpath part of a highway in accordance with the council’s transport hierarchy.

Resolved: That recommendations a) to d) from paragraph 17 of the report be approved, viz.

- a) That legislative changes to the pavement café licensing regime and the budget decision made by

Full Council in February 2024 (concerning the pavement café licence fees and licence duration under the permanent regime) be noted;

- b) That the following changes be made to the CYC local guidance, for approval by the Licensing Committee:
  - i. Continue to implement the local guidance where a minimum available width of 1.5m is generally required on footways (with an exception for level surface streets in the footstreets area, where cafes can be licensed to occupy the full width of a footway during pedestrianised hours);
  - ii. Applications to be treated as new licence applications (£500) where there is a different licence holder, different premises and/or different terms;
  - iii. Update the guidance to state that where internal seating is provided, toilets should be available for customers. Exceptions can be made for premises which serve drinks and food as take away premises, without internal seating and without the ability to provide customer toilets;
- c) That officers will work with businesses to regularise their situation, where cafes and/or other structures have historically been used/built in areas of privately maintained highways without a licence (or without a stopping up order). Where a pavement café has been in use historically and a licence can be issued for the area, the renewal fee will be applied.
- d) That concerns raised by the submitted petition are noted, but the request be declined to reinstate pavement cafes on the corridors where Blue Badge vehicular access is permitted and where the highway space is required for Blue Badge vehicles to access safely and park, as this would conflict with Blue Badge holders' access requirements.



Reason: Recommendations a) and b) ensure that the Council's pavement café licensing guidance is in line with the new legislation and clarifies aspects of the guidance where required.

Recommendation c) regularises furniture and structures which have historically been used/built in privately maintained highway areas so that all businesses are treated consistently and in line with the permanent pavement café licensing regime, as well as ensuring that furniture and other objects placed in the highway do not cause an obstruction or hazard to pedestrians and that pavement cafes are set out according to the Council's guidance to retain the required highway widths for people to be able to walk past, including people using mobility aids and pushchairs.

Recommendation d) ensures that Blue Badge holders can safely access the footstreets using the two designated corridors and that pedestrians on the corridors where Blue Badge access is permitted are able to use the footways to enable authorised vehicles to get past safely.

## **8. Response to the Petition entitled "Reopen The Groves Roads" (11:00am)**

The Executive Member considered a report presented by Head of Highway Access and Development which served as a response to an e-petition entitled 'Reopen The Groves Roads', which was presented to the Council in April 2024, signed by 19 people.

Officers stated that the report acknowledged and responded to the Petition, as required by the Council's Petitions Scheme.

The Executive Member noted the petition and report, commenting on the positive impact of the Groves Low Traffic Neighbourhood scheme, which had resulted in more cycling and walking in the area, enhanced community projects, better air quality and greater road safety; the majority of people were benefitting from this scheme and were supportive of it continuing.

The Executive Member also noted that the report indicated that the impact on surrounding roads was minimal. She recognised comments made in item 3 and agreed that the council needed to work with York Hospital to manage congestion in the Wigginton Road area.

The Executive Member acknowledged concerns raised by the petition, but stated that reopening the Groves would not solve the problem of congestion in the area around the Groves, but she would instead address congestion as part of the Local Transport Strategy and Movement and Place plan.

Resolved: That Option 1 in paragraph 21 of the report be approved, viz.

That the concerns raised by the Petition be acknowledged and the aims of the Petition considered within the context of York's emerging Local Transport Plan and wider Council objectives.

Also that the request to reopen the roads closed to through travel by motorised traffic as part of the Low Traffic Neighbourhood scheme (which became permanent in January 2022) be declined.

Reason: The current scheme supports the provision of quality alternative sustainable modes of transport in order to encourage behavioural change and maximise the use of walking, cycling and public transport and continue improving road safety, minimises the emission of harmful pollutants and traffic danger within The Groves, enhances public streets and spaces to improve the quality of life, minimises the impact of motorised traffic in The Groves and encourages economic, social and cultural activity, in line with the Council's principles and policies of the emerging Local Transport Plan.

### **9. Consideration of results received from the consultation to extend R23 Residents Parking Zone to include Government House Road and a decision to be made on implementing restrictions on Water End slip road (11:04am)**

The Executive Member considered a report presented by the Head of Highway Access and Development, which discussed the results of informal consultation feedback received from residents in response to a proposal to extend Resident Parking (ResPark) zone R23 (Westminster Road) to include properties on Government House Road.

This amended report was a revision of that put forward at the May 2024 Decision Session, and per the revised report, officers proposed implementation of no waiting restrictions on Water End slip road, removal of unrestricted parking to ensure that pedestrian and cycle access to the river front remained free from obstruction and reduced danger arising from vehicles turning/reversing when looking to park or exit from the area.

The Executive Member acknowledged all written and verbal representation on this matter.

In regard to the slip road, the Executive Member stated that the riverside area was easily accessible via bus routes/Park and Ride, and that providing parking for recreational use was not part of the Local Transport Strategy. In agreeing to advertising the proposed parking restrictions, the Executive Member stated she was content that this emphasised active travel in the area and ensured that people can walk and travel safely in this corridor.

In regard to Government House Road itself, the Executive Member expressed satisfaction that the majority of residents were in favour of the ResPark scheme and she was therefore happy to approve this. It was therefore

Resolved: That Option 1, outlined in paragraphs 35-36 of the report, be approved; viz.

That an amendment to the Traffic Regulation Order be advertised, to introduce new Residents' Priority Parking restrictions for Government House Road, operating 24 hours Monday to Sunday, to be an extension of R23.

Also to advertise the introduction of 'No Waiting at any Time' restrictions (Double Yellow Lines) on Water End slip road to restrict parking 24 hours a day.

Reason: This supports the Council's Local Transport Plan objective to transfer commuting and visitor trips to the Park & Ride services, support residents' cycle and pedestrian access needs to the cycle route networks and riverside paths, addresses the parking displacement issues which would arise if restrictions were only implemented in one area, and acknowledges the views of the majority of residents on Government House Road.

## **10. To acknowledge receipt of a petition to review road safety around Fishergate Primary School (11:08am)**

The Executive Member considered a report presented by the Head of Highway Access and Development which discussed an e-petition titled 'Fishergate Primary School Road Safety' which was open to signatures in December 2023 and January 2024 and received 184 signatures.

Officers acknowledged the objectives of the petition and the changes it proposed. The report considered the issues raised and feasible options to address them through Council's Safe Routes to School programme during 2024/25.

Officers explained that once a decision was made, discussions would take place with the school regarding the Road Safety Strategy and at this point the focus was feasibility.

The Executive Member acknowledged signatories of the petition, and proposed extension of the area considered by 'Safer Routes to School' to include both Kent Street and Blue Bridge Lane, given the number of children travelling to school along these routes. This expansion was with a view to covering road safety for childrens' full route to school. Officers noted that Kent Street was already addressed in paragraph 13 but both streets could be named specifically within the resolution. It was therefore

Resolved: That recommendations a)-b) in paragraph 9 of the report be approved, with amendments, viz.

- a) That the petition and the concerns raised by the petitioners with regards to road safety in and around the area of Fishergate School be acknowledged;
- b) That the inclusion of the Fishergate School area, including Kent Street and Blue Bridge Lane, into the Council's Safe Routes to School programme for 2024/25 be approved to enable a feasibility study to be conducted and officers to report back once the study is completed.

Reason: To review the issues identified by the petitioners, the Executive Member and CYC officers and identify possible measures to address them and

improve road safety in the vicinity of Fishergate School.

## **11. Petition Improving Cycling Facilities on Wentworth Road (11:14am)**

The Executive Member considered a report presented by the Head of Active and Sustainable Transport, acknowledging receipt of a petition titled 'Improving Cycling facilities on Wentworth Road', submitted to City of York Council on 11 March 2024 and receiving 12 signatures. The report explored potential options to address the issue to which the petition referred, namely the provision of secure on-street cycle parking for residential use (Cycle Hangar) and the pros and cons of those options.

The Executive Member welcomed the petition, and acknowledged contributions via public participation. She discussed the benefits of rolling out a citywide solution versus a pilot scheme for Wentworth Road. In line with the Local Transport Strategy she concluded that she would prefer to roll facilities out citywide at pace, but if a reasonable citywide strategy had not been achieved within six months, a specific pilot for Wentworth Road could be revisited.

Officers noted that the procurement exercise may cause the overall process to take longer than six months, but the Executive Member was satisfied that the aim would be to make significant progress towards installation, not necessarily to have completed installation itself, within six months.

It was therefore

Resolved: To approve Option B, outlined in paragraph 4 of the report, viz.

To explore a city-wide solution for residential on-street cycle parking as part of a city-wide review of cycle parking.

To move at pace, with agility, and to get this scheme rolled out with a view to prioritising Wentworth Road when considering the pilot.

Reason: The provision of public cycle storage would support the following council objectives:

- Council Plan, One City for all, 2023 to 2027 – Priority D - Transport: Sustainable, accessible transport for all - change the way we move through and around the city, prioritising sustainable transport and discouraging non-essential vehicle journeys.
- York Climate Change Strategy 2022-2032 – Objective 3.2 – Increase take-up of active travel, reduce overall car usage through alternative modes of transport, public transport and car-sharing.
- Joint Health & Wellbeing Strategy 2022-2032 – Big Goal 5 – Reverse the rise in the number of children and adults living with an unhealthy weight, Big Goal 9 – Reduce sedentary behaviour, so that 4 in every 5 adults in York are physically active.
- York Economic Strategy 2022-2032 – a greener economy – increase cycling and active travel to work where appropriate as modes of commuting, along with increased safe cycle parking provision.
- Emerging Local Transport Strategy – supports the following key themes.
  - Improve walking, wheeling and cycling,
  - Shape healthy places,
  - Safeguard our environment by cutting carbon, air pollution and noise,
  - Manage York's transport networks for Movement and Place,
  - Reduce car dependency.

Cllr Kate Ravilious, Executive Member

[The meeting started at 10.00 am and finished at 11.26 am].