



## Notice of a public meeting of

### Economy, Place, Access and Transport Scrutiny Committee

- To:** Councillors K Taylor (Chair), Pearson (Vice-Chair),  
B Burton, J Burton, Fenton, Healey, Hook, Nelson,  
Steward and Whitcroft
- Date:** Tuesday, 26 September 2023
- Time:** 5.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West  
Offices (F045)

### AGENDA

- 1. Declarations of Interest** (Pages 1 - 2)  
At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.  
  
An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.  
  
[Please see attached sheet for further guidance for Members]
- 2. Minutes** (Pages 3 - 14)  
To approve and sign the minutes of the Economy and Place Scrutiny Committee meetings held on 8 and 21 of March 2023.

### **3. Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the Committee.

**Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Friday 22 September 2023.**

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

#### Webcasting of Public Meetings

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During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

### **4. Blue Badge Holder Access** (Pages 15 - 60)

This report outlines blue badge holder vehicular access to roads in the city centre of which access was permanently removed in 2021.

### **5. Work Plan** (Pages 61 - 66)

Members are asked to consider the Committee's work plan for the 2023/24 municipal year.

### **6. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democratic Services officer:

Name:

Robert Flintoft

Contact details:

- Telephone – (01904) 555704
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For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

**我們也用您們的語言提供這個信息 (Cantonese)**

**এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)**

**Ta informacja może być dostarczona w twoim własnym języku. (Polish)**

**Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)**

**یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)**

** (01904) 551550**

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**Declarations of Interest – guidance for Members**

- (1) Members must consider their interests, and act according to the following:

<b>Type of Interest</b>	<b>You must</b>
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) <b>OR</b> Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) <b>OR</b> Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

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City of York Council	Committee Minutes
Meeting	Economy and Place Policy and Scrutiny Committee
Date	8 March 2023
Present	Councillors K Taylor (Chair), Cuthbertson [until 19.02], Daubeney [until 19.27], Hook, Pearson, D Taylor and Looker (Substitute for Cllr Kilbane)
In Attendance	Andrew Morrison (Chief Executive Officer, York Civic Trust) [until 18.46] Professor Anthony May (Chair of York Civic Trust Transport Advisory Group and Environment Committee) [until 18.46] Tony Clarke (York Central Highway Authority Lead) James Gilchrist (Director of Environment, Transport) Helene Vergereau (Planning, Traffic and Highway Development Manager) Cllr D'Agorne (Executive Member for Transport) Cllr Mason (Executive Member for Economy and Strategic Planning)
Apologies	Cllr Kilbane

## 16. Declarations of Interest [17.32]

Members were 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 interest that they might have in respect of the business on the agenda. There were none.

## 17. Minutes [17.33]

Concerning the minutes of the meeting held on 17 January 2023, under the public participation, a Member confirmed that he would contact the Guildhall regarding problems with access to accessible toilets.

Resolved: That;

- i. the minutes of the meeting held on 17 January 2023 and 30 January 2023 be approved and signed by the Chair as a correct record.

- ii. the Democracy Officer follow up with the Head of Economy on circulating information to Members on inward investment from the meeting held on 17 January 2023.

## **18. Public Participation [17.34]**

It was reported that there had been two registrations to speak under the Councils Public Participation Scheme.

Flick Williams spoke on agenda items 4 - York Civic Trust 9 Cities and 5 - City Centre Café Licences. She thanked officers for their diligent enforcement of café licence actions. She explained that a number of disabled visitors may not revisit the city. She noted that a lack of parking, accessible seating and accessible toilets remained a barrier to access and she asked what enforcement was in place regarding the A boards. She added that she had counted 18 A boards in the footstreets alone with many situated where it was hazardous. She further added that there was still work to do on this and regarding the York Civic Trust 9 Cities findings she was fearful of the impact on disabled people.

Dave Merrett spoke on agenda item 6 – Highways update. He raised an issue regarding works being prioritised as some sections were severely degraded. He explained that the state of some roads was potentially dangerous for cyclists. In respect of the Lendal gyratory he raised the question of how works were being prioritised. A Member suggested that the points raised by Dave Merrett could be addressed under agenda item 5.

## **19. York Civic Trust 9 cities [17.42]**

In April 2021, York Civic Trust were invited by council officers to research some possible case studies from which the Council might learn in preparing its new Local Transport Plan (LTP4). The Trust selected nine cities from England and continental Europe which share some common characteristics with York in terms of size, geography, economy and history. The overall summary of what the Trust saw as the key messages from the nine case studies was detailed in Section 6 of their Transport Strategy for York, which was included at Annex 1 of the report and the draft case studies are included at Annexes 2-10 of the report.

In attendance at the meeting from York Civic Trust were Andrew Morrison (Chief Executive Officer) and Professor Anthony May (Chair of our Transport Advisory Group and Environment Committee). Professor May thanked the Committee for their invite to the meeting. He explained the



case studies noting that the Trust had offered visits and to work up two or three case studies, which had not been taken forward by the council. He noted the strategic messages from the case studies. Andrew Morrison explained that the request for the case studies came from the council Assistant Director Policy and Strategy as it was linked to engagement in using other cities as case studies which was around transport but not principally around engagement.

In response to questions raised by Members, Professor May and Andrew Morrison explained that:

- The research was about looking at participation in the broadest sense, starting with the vision then the strategy. Reference was made to the International Association of Public Participation and the levels of engagement detailed by the Association were explained.
- An integrated approach was needed to all modes of transport and there needed to be a reduction of 15% to be free of congestion and 20% to reduce emissions. This needed to be made attractive and communities needed designing so that there was no need to travel for amenities.
- Some cities used revenue from road pricing to invest in transport. The Trust said it would be a good idea to commission a study on it. The value of looking at case studies was that those cities had been through the changes and offered a valuable way of learning.
- Regarding drawing from successful approaches from the nine cities, the Trust had offered to work up two or three case studies. This involved looking at what did work and analysing it in terms of York.
- Regarding the impact of changes in political administration, an all party informal members group had been formed in 2021 and there would be an election this could be an all party group. It was noted that there were coalitions in European countries and different government structures.

[The Director of Transport, Environment and Planning noted the benefits of getting buy in from residents. He noted the focus on overarching strategy in the transport plan and credited Cllr D'Agorne for setting up the cross party group, which still met. He added that the draft transport strategy was considered by that group before going to Executive].

- There would be a joint strategy for York and North Yorkshire that would need to be signed off by the new Lord Mayor. Regarding rural North Yorkshire and urban York, there was a need to get a balance and there would be areas of conflicting need which would need to be resolved in advance of March 2024.

- The Groves scheme had been beneficial to that community and more of that type of scheme would help produce a 20% reduction in emissions. Enforcement models in different cities was discussed.

Resolved: That it be recommended that the Executive Member for Transport work with York Civic Trust and relevant officers on taking the report forward with two or three case studies and focus on building public buy in into medium and long term traffic strategies.

Reason: To improve public buy in into medium and long term traffic strategies.

The Chair thanked Andrew Morrison and Professor May for attending the meeting and they left the meeting at 18.46.

## **20. City Centre Café Licences [18.46]**

Members considered a report that provided an update on the current policy of City Centre Café Licences, the number of licences issued, the enforcement approach and future changes once the Levelling up and Regeneration Bill is enacted. The Traffic and Highway Development Manager outlined the report.

The Executive Member for Economy and Strategic Planning was in attendance to answer Member questions. In response to Member questions, the Traffic and Highway Development Manager and Director of Transport, Environment and Planning explained that:

- Enforcement action around A boards was separate to café licences and officers on visits to the city centre could ask for A boards to be removed.
- The new policy included a width of 1.5m on footways to remain available for people to pass by café areas. Licences taking the whole of the footway would only be allowed if the footway was level with the carriageway in pedestrianised areas. Local guidance followed national guidance. If the Levelling up and Regeneration Bill was not passed before summer the temporary deregulated regime may be given a further extension of a year.
- An online course about counter terrorism awareness was a requirement of a café licence.
- At present café licences were delivered through highways and the temporary legislation removed the requirement for planning permission.

- The reason for the refusal of ten café licence applications was because the cafes could not preserve a 1.5m width on the footway. Licence breaches included barriers not being set up correctly and some cafes had been using the area outside their premises without a licence.

[Cllr Cuthbertson left the meeting at 19.02]

- Regarding feedback from businesses regarding the support offered to them, they were appreciative of the team that had been on site to advise them. They also fed back that they needed to provide too much information for their application.
- Regarding staffing, there were two members of staff doing some rounds of visits and Gough and Kelly also check the cafes and provide reports to CYC.
- If there was the same issue following a warning, a second warning would be issued. If it was a new issue, a new warning would be issued. The definition of new issues was detailed in the categories within the policy.
- With reference to the LGA representation on national legislation, seizing furniture would not be good. It was preferable to have the same enforcement powers as in London where fines can be issued for licence breaches.
- The Access Officer was involved in the process and their involvement was explained.

Resolved: That;

- i. It be recommended that the Committee consider adding café licences to their workplan for the new municipal year.
- ii. Members note the report on the current policy, number of licences issued, enforcement approach at present and future changes once the Levelling up and Regeneration Bill is enacted.

Reason: In order to be updated on café licences.

## **21. Highways Maintenance, Capital Programme & Major Development Highways Impacts Update, Scheduling & Planning Report [19.13]**

The Committee considered a report that provided an update on highways maintenance, the capital programme and major highways developments. It includes an update on major development highways impacts including

scheduling and planning. The York Central Highway Authority Lead gave an overview of the report.

The York Central Highway Authority Lead, Director of Environment, Transport and Planning, Traffic and Highway Development Manager and Executive Member for Transport were in attendance to answer questions. Officers were asked and explained that:

- The city had a transport model that covered the whole transport network.

[Cllr Daubeney left the meeting at 19.27]

- The most disruptive elements of the works on Water End, Leeman Road, and York railway station would be timetabled to occur at different times where possible. However, there would be individual elements and projects that would overlap owing to the volume of works occurring in the city over the next few years.
- The management of the station works was explained.
- Regarding the possibility of interim bus stops on Clifford Street due to the closure of Coppergate, work was being undertaken on a review of bus operations and the request would be fed back.
- Further dates on the work for the station frontage could not be given as the contract was not yet in place.
- Work on the A19/A1237 junction was in an application for resurfacing work on the A19. Work on roads in Askham Richard and Moor Lane was a highways maintenance issue.
- Councillors were asked to report their concerns about highways to the council.
- Work on Lendal Bridge would be major and the programming and timing of the work was yet to be determined. As the Highways Authority, the council had the opportunity to be flexible with the timing depending on what the detailed condition survey came back with.
- The Water End closure would affect the no10 bus service and an extra bus service to the city centre, paid for by the York Central developers, was being potentially looked at.
- Bus operators would be notified of temporary traffic orders. Councillors and residents were encouraged to sign up to traffic alerts.
- Regarding residents receiving a hard copy of information on the closure of Water end, they should receive a letter from the developers regarding the activity.
- There had been a media briefing to explain the scale of works planned and how the council will work with the media proactively to disseminate information.. The council would be looking at how Leeds City Council communicated highways work on its website. Information on highways works was also included on road signage.

- Regarding section 278 works on Wigginton Road, which relate to the Nestle South development, there would be a remodel of the junction and a relocation of the bus stops.
- Concerning any associated roadworks with the Haxby station scheme, these were unlikely to have a significant network impact, and would be considered through the planning and streetworks processes.
- Regarding works on the National Railway Museum, from a regulatory point of view the council had an obligation to be reasonable in assisting the delivery of the scheme and would follow the due regulatory processes in accordance with decisions made by Members.
- There was a balance to be struck regarding the timings and impacts of highways works.

Resolved: That it be recommended that the Committee consider adding an quarterly update on highways and regular updates on the highways capital programme to their workplan for the new municipal year.

Reason: In order to be updated on highways.

## **22. Work Plan [20.01]**

Resolved: That it be recommended that the Committee consider adding café licences, a quarterly update on highways and regular updates on the highways capital programme to their workplan for the new municipal year.

Reason: In order to be keep the workplan updated.

Cllr K Taylor, Chair

[The meeting started at 5.32 pm and finished at 8.02 pm].

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Meeting	Economy and Place Policy and Scrutiny Committee
Date	21 March 2023
Present	Councillors K Taylor (Chair), Daubeney (Vice-Chair), Cuthbertson, Hook, Kilbane, Pearson and D Taylor
In Attendance	Graham Collett (York Bus Forum Vice-Chair) Niall McFerran (York Bus Forum Secretary) Flick Williams (York Bus Forum Accessibility Officer) Cllr D'Agorne (Executive Member for Transport) Michael Howard (Head of Active and Sustainable Transport) James Gilchrist (Director of Transport, Environment and Planning)

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### **23. Declarations of Interest [17.34]**

Members were 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 interest that they might have in respect of the business on the agenda. There were none.

### **24. Public Participation [17.35]**

It was reported that there had been no registrations to speak under the Councils Public Participation Scheme.

### **25. York Bus Service Improvement Plan [17.35]**

Members considered a report that set out the Governments development of National Bus Strategy and the Councils response of developing an Enhanced Partnership and then preparing a Bus Service Improvement Plan (BSIP) which secured £17.3 million pounds of funding for the cities bus services which was received in November 2022. The report also detailed the progress towards delivery, the primary focus of which had been on safeguarding current services.

In attendance at the meeting was the Executive Member for Transport and from York Bus Forum were Graham Collett (Vice-Chair), Niall McFerran

(Secretary) and Flick Williams (Accessibility Officer). The Executive Member was also in attendance, and the Head of Active and Sustainable Transport and Director of Transport, Environment and Planning were in attendance to present the report.

Niall McFerran welcomed the BSIP funding and suggested that it needed more detail and more of a plan. He noted that buses were crucial for York and provided a reduction in pollution and congestion on the city. He noted the importance of providing a reliable bus service and that too many people in the city wanted to catch a bus but couldn't as the buses were unreliable. He added that buses were of critical importance to the city.

Graham Collett noted that there should be a focus on supported services and an enhanced bus partnership. He explained that the council was supporting three bus services from the BSIP funding. He added that it was unclear who would run and what level of service there would be for the no12 bus route. He noted a number of cancellations with that route the previous Wednesday to Saturday and there had been other cancellations from the same operator. He asked why they could not implement conditions in the contract and scrutinise bus services. He asked if the enhanced partnership was fit to work if there was no user engagement.

Flick Williams noted that the Equalities Impact Assessment (EIA) did not meet the social model of disability. She suggested that cuts to bus services were inevitable and she asked if there was funding to enhance real time information and accessibility. Regarding the EIA she noted that some disabled and older people were still cautious of Covid. She noted that the last section of the EIA suggested that groups such as York Bus Forum were being held to do the 'heavy lifting'. She noted the need for clean, regular, reliable and accessible buses.

The Head of Active and Sustainable Transport outlined the report detailing the BSIP funding. With reference to the no 12, 13 and 4112 bus services, the Director of Transport, Environment and Planning noted that those services were not being supported at the expense of others and that there was flexibility in those contracts. The Head of Active and Sustainable Transport explained that returning people back to buses was important to the BSIP and the bus network had been stabilised. In relation to investment in real time bus screens he noted that they had been trialled in a number of areas. The Director of Transport, Environment and Planning added that bus priority measures were a priority of BSIP and the council was in the process of starting a period of procurement for bus services.

In response to questions, officers explained that:

- York "MADE" it was language used by the Department for Transport (DfT).



- The funding as detailed in paragraph 25 of the report.
- There was £1.35million funding for bus services.
- The base service for the no12 bus route was usage as calculated by the bus operator.
- There was £17.35million funding for the full term of the BSIP, some of which had been allocated and some to be rolled over to 2023/24 spend. Officers undertook to email Members information on the funding.
- In order to maintain and stabilise networks and address the shortage of drivers, providers were operating revised timetables.
- There had been a shortage of drivers and a reduction in use and patronage. The council was working with operators to return to more regular timetables, which was last normalised before Covid and was yet to return to pre Covid levels with an 85% return to usage at present.
- The council monitored lost milage, and where services were missed they would pick this up with providers.
- The hospital bus was a contract between the First Bus and the NHS.
- The council would work with operators on expanding the multi modal hubs and real time information screens.
- Regarding the suggestion that monitoring lost milage was not adequate, the council contracts with operators was based on lost milage and an enhanced partnership officer would be employed to work on that.
- The advice of the Monitoring Officer was that no stakeholders could be on the operational delivery group when the BSIP was presented to Executive in 2021. The Executive Member for Transport explained the consultation on the BSIP that had been undertaken.
- £1.29 million would buy 100 real time screens.
- Officers explained the governance of the enhanced partnership within legal frameworks.
- The Department of Transport (DfT) was looking at alternative funding for the end of government double support in June 2023.

[Cllr Hook left the meeting at 19.03]

- The works on Tadcaster Road were part of the TCF, not BSIP programme.
- Officers confirmed that the detail of the BSIP programme could be shared with Members.
- The reallocation of road space to bus space would be taken away by consultants to draw up proposals which would include consideration of cycling and walking. The identification of corridors was led by bus operators.
- The DfT bus reform team had visited York as part of the assessment for BSIP and the DfT would undertake benchmarking on it.

- The new electric buses had space for one wheelchair and one multi use space and this was decided by the operator.
- External consultants were leading on a city centre bus study.
- The Director of Transport, Environment and Planning undertook to check if the BSIP funding included mandatory training for bus staff.

[Cllr Pearson left the meeting at 19.27]

Resolved: That it be recommended that;

- i. The Executive Member and officers note the accuracy of real time information
- ii. The Executive Member and officers note the review of performance monitoring and mileages
- iii. The Executive Member request daily bus passenger information.

Reason: In order to improve bus services.

, Chair

[The meeting started at 5.30 pm and finished at 7.40 pm].



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**Economy, Place, Access and Transport  
Scrutiny Committee**

**26 September 2023**

Report of James Gilchrist - Director of Environment, Transport and Planning.

**Blue Badge Holder Access**

**Subject of report.**

1. In November 2021 the Council's Executive made the decision to permanently remove the exemption which had allowed blue badge holders vehicular access to Blake Street, Lendal, St. Helen's Square, Goodramgate (between Deangate and King's Square), Church Street, King' Square and Colliergate.
2. The lived experience in a post COVID-19 world has evidenced the significant impact on disabled people. In response a coalition of charities, associations, action groups and other organisations have worked together to reverse the ban on blue badge holders' access to York's pedestrian streets.
3. The York Labour Group's Pledge and Policy List pledges to "reverse the blue badge ban".
4. Executive have adopted the new Council Plan. The Executive report will seek to place the decision in that new policy environment also setting out options within the context of the Counter Terrorism Policing advice, the impacts on blue badge holders and the next steps to inform a decision to permit blue badge access be made.
5. The recommendations, Equalities Impact Assessment and decision will be influenced by the consultation which ended after the drafting of this report.

## Policy Basis

6. The 10-year plan sets a vision that everyone can benefit from and take pride in the city with the Council Plan setting a priority that the council will set the conditions for a healthier, fairer, more affordable, more sustainable, and more accessible place where everyone can feel valued.
7. This vision sets a clear policy that an accessible place is a priority to the Executive.
8. In addition, the Executive has set out Four Core Commitments in the Council Plan adopted in September 2023 which are those outcomes they believe will most support the delivery of their vision. One of which is “Equalities and Human Rights - Equality of opportunity - We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities”.
9. Previous decisions recognised the impact on blue badge holders and had to weigh up the negative impact in terms of equalities and human rights for a group with a protected characteristic in the context of wider human rights reflected in the Counter Terrorism Policing advice.
10. A decision made at Executive will need to again consider this balance whilst recognising that this decision is influenced by one of Executive’s four core commitments to consider the impact of any decision on Equalities and Human Rights issues.
11. The [draft Terrorism \(Protection of Premises\) Bill](#), also known as ‘Martyn’s Law’ in tribute to Martyn Hett, who was killed alongside 21 others in the Manchester Arena terrorist attack in 2017, will ensure that security preparedness is delivered consistently across the UK, ensuring better protection of the public.
12. The bill was developed with security partners, business and victims’ groups, including Figen Murray (Martyn’s mother) and the Martyn’s Law Campaign Team, and Survivors Against Terror, the new Law will require venues and public spaces to take steps to improve public safety.

13. This will also likely see the introduction of legislation and/or guidance to strengthen the current legislation placing duties upon public authorities.
14. Under the Equality Act, the Council must in the exercise of its functions have due regard to the need to eliminate discrimination, harassment, victimisation, and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This is referred to as the Public Sector Equalities Duty.
15. The Human Rights Act 1998 (“HRA”) states that it is unlawful for a public authority to act in a way which is incompatible with a right or freedom under the European Convention on Human Rights. The provisions of Article 8 (right to respect for private and family life) and Article 14 (protection from discrimination) have been considered and taken into account. These rights can be interfered with where the interference has a legitimate aim. For example, where it is necessary in the interests of other concerns including public safety and health or where it is necessary in the wider public interest, and it is proportionate.
16. Executive will be asked to consider both the right to life and the protection from discrimination. Neither of these duties take precedence and the Executive will need to make a decision proportionately, having regard to all impacts, to reach a balanced decision including the Councils responsibilities under the Public Sector Equalities Duty.

### **Recommendations**

17. Scrutiny are asked to review the information contained within this report and review the draft Equalities Impact Assessment contained with Annexe A. This will need updating once the current consultation closes. Scrutiny are asked to make any recommendations to Executive to help inform their decision.
18. Executive will be asked to consider a number of options:
19. Option 1 – revert to two separate phases of Hostile Vehicle Mitigation. This would allow the highest risk area focusing on Parliament Street to be emergency/blue light vehicle access only.

Blue badge access could then be permitted to the outer area as it existed immediately prior to the COVID-19 Pandemic as this area was defined as a lower risk area by the original risk assessment. See Annexe B.

20. To determine if this is a credible option, a refreshed risk assessment would need to be undertaken. It is also not an immediate resolution to restoring blue badge access to the pedestrianised streets as it existed before the emergency measures in response to COVID-19, as it would take significant time to implement. The other issue is that this option would have significant capital costs of circa 2 million pounds. It would also introduce further construction works in the city centre, which like any construction causes disruption to residents and businesses, often with greatest impact on disabled people.
21. Option 2 – This option is to make no change to the way blue badge access into the pedestrianised area operates. This would provide maximum mitigation to the security risks in accordance with the previous advice from Counter Terrorism Policing that any additional motor vehicles in a pedestrianised area poses a risk. However, it continues to disadvantage some disabled people and leaves the council open to accusations of discrimination.
22. Option 3 – is to continue to operate the hostile mitigation measures and allow blue badge access into the secure zone. This conflicts with the historic advice of the Counter Terrorism Policing Teams and up to date advice is being sought. But it is a balance the Council needs to make. The risk is that vehicles within the secure zone can be commandeered and used as a weapon anywhere in the secure zone by those determined to do so.
23. There is also the intrinsic risk of having any vehicles in an area where there is a public expectation of no vehicles. This risk could be reduced by also reinstating the exclusion of blue badge holders for the times the city is busiest such as the Christmas Market. This would mirror the risk prior to COVID-19. Although the Hostile Vehicle Mitigation Measures will prevent the delivery vehicles which access the footstreets during pedestrianised hours from physically being able to gain access.
24. In addition, the introduction of a An Anti-Terrorism Traffic Regulation Order (ATTRO) would give the police powers to remove blue badge access for events or specific risks. An ATTRO

is a counter terrorism measure pursuant to the provisions of the Civil Contingencies Act 2004. Members may recall that a temporary ATTRO was put in place for the Maundy Thursday visit of the now King. This allows traffic orders to be put in place by the Traffic Authority for the purpose of: 'avoiding or reducing, the likelihood of, danger connected with terrorism'; or 'preventing or reducing damage connected with terrorism'.

25. These orders can only be made on the recommendation of the Chief Officer of Police and are subject to prior statutory consultation. An ATTRO could be put in place on a permanent basis which covers the whole City Centre including the Minster area, but only enacted in response to specific circumstances or elevated threat levels. The contingent nature of the ATTRO means that it would only be utilised as an operational response where the Police believe that this would be a proportionate counter terrorism response to the needs of an event, incident or to intelligence received.
26. The ATTRO would only be brought into use as an operational tool under the direction of the Police, where the responsible officer has sound reasons on the basis of a security assessment or tactical intelligence of a likelihood of danger or risk of damage due to terrorism. Having a permanent ATTRO would mean that the Police could rely on the order being generally available as an operational tool but on a contingency basis that could be "activated" at any time in accordance with the Schedule to the ATTRO which reflects the statutory requirements for making such an order.
27. There will be an impact on pavement cafes on the streets that access is permitted.
28. Access would be facilitated by a staffed presence at the two entry points (Blake Street and Lendal). When officers last spoke to Chester this was the solution they were using to facilitate blue badge access. Bath have a different solution which is route through the secure area protected by further security bollards.

## Background

29. The decision by Executive in November 2021 was the culmination of a series of decisions made by the previous Executive. Therefore, in terms of reviewing the decision it is important to consider all the advice and rationale behind those previous decisions. The key points are summarised below with a link to the detailed reports for a full history.

i. In February 2018 the Executive considered the first report which alerted the Executive to the risks around terrorism, particularly for those areas of the city with high numbers of people. Areas where people congregate, and predictably crowded places are defined as targets. The report recognised that the existing vehicular access controls were not an absolute control and relied on people being law abiding, the inference being that terrorists were not law abiding. Executive therefore instigated a scheme of engineering measures to give effect to the traffic regulation orders and a review of who could access the pedestrian area. The report recognised the potential impact on blue badge holders and requested engagement with disabled people's organisations.

<https://democracy.york.gov.uk/documents/g10196/Public%20reports%20pack%20Thursday%2008-Feb-2018%2017.30%20Executive.pdf?T=10>

ii. In September 2018 the Executive considered a report which proposed a phased approach to security measures within the city centre pedestrianised zone. The Council having received advice from the Counter Terrorism Unit and the Centre for the Protection for National Infrastructure appointed industry experts to risk assess the streets that posed the greatest risk from a Hostile Vehicle Attack, this was attached as an annexe. The report was accompanied by a letter from the Police urging action as they considered the lack of suitable vehicle mitigation measures in York an unacceptable risk for the city to carry. It identified Article 2 of the European Convention of Human Rights (also described as The Right to Life) and how it places a positive duty on the state (i.e., public bodies) to protect life. A scheme was proposed to protect the priority one area including Parliament Street, High Ousegate, Spurriergate,



Coney Street, Daveygate, Finkle Street, Church Street and Jubbergate. This was identified as a first phase, taking an onion skin approach, with future phases of protection to a much wider area identified as priority/phase 2. The report recognised that some people would be disadvantaged as a consequence of making the city safer by reducing the risk of attack but would seek to mitigate these impacts. The Executive approved an Experimental Traffic Regulation Order adding St Sampson Square to the phase 1/priority 1 area see map at Annexe B. [\(Public Pack\)Agenda Document for Executive, 27/09/2018 17:30 \(york.gov.uk\)](#)

- iii. At Executive in August 2019 Executive considered a further report. This updated on the engagement with disabled people and disabled people's organisations and made the Experimental Traffic Regulation Order permanent removing the access from St Sampson Square. The My City Centre Project was commissioned by Executive.  
<https://democracy.york.gov.uk/documents/g11108/Public%20reports%20pack%20Thursday%2029-Aug-2019%2017.30%20Executive.pdf?T=10>
- iv. In February 2020 Executive approved the anticipated revenue and capital allocations for the Hostile Vehicle Mitigation Measures and authorised a procurement process to progress the phase 1/priority 1 area.  
<https://democracy.york.gov.uk/documents/g11116/Public%20reports%20pack%20Thursday%2013-Feb-2020%2017.30%20Executive.pdf?T=10>
- v. In response to the COVID-19 Pandemic and the requirement to queue outside shops, the exemption which allowed blue badge holders to park on some pedestrianised streets outside the phase 1/priority area was temporarily removed. In June 2020 the Executive approved a One Year Transport and Place Plan as part of its COVID-19 Recovery and Renewal Strategy. The Executive decided to extend the removal of blue badge access in footstreets as part of the economic recovery to create increased public spaces that can be used by local businesses to adapt their operating models with outdoor seating. In response, some areas for blue badge parking were provided on the outskirts of the pedestrian area and linked to shop mobility and a temporary

shuttle service. A temporary extension to footstreet hours later into the evening during COVID-19 was also extended through the recovery phase.

<https://democracy.york.gov.uk/documents/g12293/Public%20reports%20pack%20Thursday%2025-Jun-2020%2017.30%20Executive.pdf?T=10>

- vi. In November 2020 whilst the pandemic restrictions continued, a decision was taken by Executive to extend the arrangements which excluded blue badge access until September 2021 and also to initiate the process of making these changes permanent. This allowed the Hostile Vehicle Mitigation Measures project to be brought forward in a single stage/phase see map at Annexe B. The Executive commissioned a Strategic Review of City Centre Access and Council Car Parking.

<https://democracy.york.gov.uk/documents/g12407/Public%20reports%20pack%20Thursday%2026-Nov-2020%2017.30%20Executive.pdf?T=10>

- vii. In June 2021, the Executive Member for Transport approved a number of further changes to add additional blue badge parking bays to the city centre outside the footstreets zone, following engagement with disabled people and disabled people's organisations. They also approved the formal advertising of the proposed Traffic Regulation Order, to remove the exemptions on vehicles with a Blue Disabled User Badge from permitted access to Blake Street, Castlegate, Church Street, Colliergate, Goodramgate (between Deangate and King's Square), King's Square, St Helen's Square, Lendal.

<https://democracy.york.gov.uk/documents/g12726/Public%20reports%20pack%20Tuesday%2022-Jun-2021%2010.00%20Decision%20Session%20-%20Executive%20Member%20for%20Transport.pdf?T=10>

30. The Executive considered a number of linked reports in November 2021; My City Centre Strategic Vision - Adoption of Vision and Next Steps, Strategic Reviews of City Centre Access and Council Car Parking and finally the report on Consideration of Changes to the City Centre Traffic Regulation Order.

31. These documents and annexes can be found in full here:  
<https://democracy.york.gov.uk/documents/g12797/Public%20reports%20pack%20Thursday%202018-Nov-2021%2017.30%20Executive.pdf?T=10>

Rather than repeat all the information, here the key points are summarised below:

### **My City Centre Strategic Vision – Adoption of Vision and Next Steps.**

Executive adopted the My City Centre Strategic Vision as a guide to investment in the city centre, to inform policy decision and as a material consideration in planning. The report outlined how the My City Centre project has been shaped through extensive public and stakeholder consultation. Eight individual themes emerged.

- i. Family Friendly City Centre - putting families at the heart of a reimagined city centre.
- ii. Events Experiences & Investment in Public Spaces - focus new investment on improving existing city spaces and improving the market offers in the city.
- iii. An Attractive City Offer at All Times – creating an early evening economy and encourage new home workers to visit the city after work and build on the popularity of outdoor café culture that has developed during the pandemic and post restrictions.
- iv. Making Tourism Work for York - Acknowledging the huge benefits that tourism brings in supporting our economy and sustaining our city centre, harness the positive benefits for our residents and communities and reduce, offset and mitigate any negative impacts.
- v. Embracing Our Riversides – making the rivers part of everyday life in the city, opening up new access routes and riverside environments and exploring their use as transport corridors, whilst also focusing on river safety.
- vi. City Centre Community which is Welcoming for All - create new city living and ensure the facilities and services that our city centre communities need to thrive exist.
- vii. Thriving Businesses and No Empty Buildings - support businesses in the centre, allow them to grow and adapt,

whilst also promoting more temporary uses and making better use of vacant buildings.

- viii. Celebrating Heritage and Making Modern History - balancing the heritage environment with the needs of a successful 21st century city that supports the modern lifestyles of our communities.

### **Strategic Review of City Centre Access.**

Executive approved several separate documents and action plans.

- i. Approved the Strategic Review of City Centre Access and an Action Plan to improve access, including the creation of an Access Officer post, improving toilet facilities, further blue badge parking, investment in dial a ride and shopmobility. This has since been reviewed and updates on progress provided to several scrutiny committees.
- ii. Approved the Strategic Review of Council Car Parking which established the criteria by which Car Parks should be evaluated and scored and produced an associated Action Plan which covered a range of issues such as improving the management information available about usage, working with disabled people and disabled people's organisations to identify what makes a good car park and diversifying the park and ride sites. Most of which is either delivered or in progress.

### **Consideration of Changes to the City Centre Traffic Regulation Order.**

In the context of the My City Centre Vision previously approved on the agenda and the approved action plans as part of the Strategic Review of City Centre Access to further improve access to the city centre, Executive:

- i. Considered the responses to the statutory consultation on the removal of blue badge exemptions permitting access to footstreets during pedestrianised hours.
- ii. Considered the impact of the proposals on blue badge holders and the disabled community, as identified through the statutory consultation and the wider engagement work the council has undertaken. Some of this community made clear that removal of the exemption will remove their ability

to access the footstreets which was set out and duly considered within the Equalities Impact Assessment

- iii. Executive made the decision to remove the exemption which allowed vehicles displaying a blue badge to access Blake Street, Church Street, Colliergate, Goodramgate between Deangate and Church Street, King's Square, Lendal, St Andrewgate between its junction with King's Square and a point 50 metres northeast and St Helen's Square during the pedestrian hours.
  - iv. Executive made the decision to not proceed with a permanent change to remove blue badge access to Castlegate at this stage.
  - v. Executive also approved the implementation of the additional blue badge parking that formed part of the statutory consultation, with the exception of the two bays on St Andrewgate nearest to its junction with Bartle Garth (recognising the consultation relating to St Andrewgate).
  - vi. Executive also decided to commence a statutory consultation on a permanent change to footstreet hours to be 10:30 am to 7:00pm. To give effect to the My City Centre Vision which has an aspiration for long term footstreet hours that run until 7pm.
32. Based upon those decisions the bollards that will secure the city centre from a hostile vehicle attack have now begun to be installed. The Council have ordered the bespoke equipment and is in contract with an installer. Where these have been installed it will remove the requirement for most temporary measures this Christmas.
33. In July 2022 Executive decided that they would postpone any decision to undertake the statutory traffic regulation order consultation on a permanent change in footstreet hours to 7:00 pm until new pavement café guidance could be developed.  
<https://democracy.york.gov.uk/documents/g13288/Public%20reports%20pack%20Thursday%2028-Jul-2022%2017.30%20Executive.pdf?T=10>

34. In November 2022, Executive considered a report on the deregulated approach to Pavement Café Licences <https://democracy.york.gov.uk/documents/g13292/Public%20reports%20pack%20Tuesday%202022-Nov-2022%2017.30%20Executive.pdf?T=10>
35. Pavement cafes were initially a response to COVID-19 under emergency government legislation as part of immediate economic support and the “Eat out to help out” scheme. Government has since announced that a deregulated approach would become permanent change. As the City had returned to more normal post COVID-19, the impact that emergency pavement cafes had on specific access issues became more apparent. The report recognised that pavement cafes are here to stay in some form in the future but are no longer part of an emergency response. Therefore, new guidance and conditions around when and where cafes are acceptable was developed with an external access consultant with the input of disabled residents.
36. Recognising the impact that current temporary arrangements have had on residents and visitors, particularly on people with health conditions or impairments, Executive decided that café licences issued under the fast-track approach would only be allowed on footways if 1.5m width remains for people to get past (with the exception of pedestrianised streets with level access between the footway and the carriageway).
37. This had a significant impact in the city centre where many of the pedestrianised streets do not have room for a pavement café, emergency access and a clear footway of 1.5 metres so the number of pavement cafes reduced. The government continue to have deregulated approach to pavement cafes with no requirement for planning.
38. Should the blue badge holders be permitted access, there will be a further impact on pavement cafes. It is estimated that 19 businesses who currently have pavement café licences would need to have their café licence withdrawn as the space will be needed to accommodate blue badge parking as well as pedestrian and vehicular access in these areas. In some locations it may be possible to keep some licences but only where blue badge parking isn't possible as the objective is to allow blue badge parking in the pedestrian area.

## Consultation Analysis

39. To inform this decision Executive requested an initial consultation on the principles of permitting blue badge access within the Hostile Vehicle Mitigation measures. The principles are as follows:
- i. **Return to previous access** – This principle aims, subject to full consultation, to revert to the blue badge accessibility measures that were in place before the emergency COVID-19 measures and the Council’s decision of November 2021 to make them permanent.
  - ii. **City centre events** – Some events, as prior to the November 2021 decision, may require blue badge access to be suspended at times (for example during the Christmas Markets).
  - iii. **Recognising Security Risks** – In light of any security risk intelligence, the Police will have the power to lock down all access to the City Centre under an Anti-Terrorism Traffic Regulation Order, a counter-terrorism measure under the Civil Contingencies Act 2004.
  - iv. **Finding solutions** – the Council Executive agrees to restore blue badge access through the new hostile vehicle barriers, then the council will work with blue badge holders on the detailed ways to achieve this
  - v. **Longer term improvements** – The Council is committed to considering and implementing longer-term improvements to accessibility in the city, taking into consideration the needs and opinions of the community on an ongoing basis, including in the development of its Transport Strategy
40. The consultation closed after this report was written. But at the time of writing 3032 people had engaged with the questionnaire with 2787 completed questionnaires of which 500 were paper.
41. The executive report will need to consider not just the levels of support but the individual 1180 comments.
42. There is support for all the principles although the support is weakest for the city centre events principle.

43. Once Executive make a decision there will need to be further engagement with blue badge holders to understand the impact of the decision and how that decision can best be implemented and if blue badge access is reinstated whether there are changes needed to those pedestrianised streets to facilitate access.

### **Risks and Mitigations**

44. When Executive made the decision in November 2021, they weighed up the security advice with the impact on blue badge holders. It was, and remains, a difficult decision.
45. The Executive are being briefed in private by Counter Terrorism Policing in advance of any decision.
46. By allowing the blue badge holders into the secure area the risk of harm both accidental and intentional is heightened by allowing access to vehicles into the area (e.g., Nottingham circumstances not terrorist related but still caused fatalities) and increases the risk of tailgating into a secure zone. This is not because blue badge holders are terrorists but they themselves and their vehicles become vulnerable to being exploited in a terrorist attack; hijack etc.
47. However, the risk is something that the security services can only advise on, the judgement call is for the Council to determine where its appetite for risk lies against the impacts of such restrictions.
48. The previous Executive favoured fulfilling the full security advice. By excluding all blue badges Executive were made aware that the impact on some disabled people would be so extreme that they would have difficulty in accessing or could not access the footstreets.
49. Should blue badge holders be permitted access, there will be a further impact on pavement cafes. It is estimated that 19 businesses who currently have pavement café licences would need to have their café licence withdrawn as the space will be needed to accommodate blue badge parking as well as pedestrian and vehicular access in these areas.



50. When considering the circumstances as they exist today Executive need to accept that in order to permit blue badge access it may not be possible to find a way to deliver the full Counter Terrorism Policing Advice.
51. When considering the options, Executive are required by law to consider if the options to restore blue badge access are reasonable and proportionate, having fully considered the Equalities Impact Assessment.
52. Executive therefore need to weigh up a number of issues: -
  - i. Consider the advice from counter terrorism policing and the right to life and duty to protect life.
  - ii. Consider the equalities and human rights benefits to blue badge holders of restoring access.
  - iii. Consider any extra equalities and human rights benefits by heeding the counter terrorism policing advice.
  - iv. Consider the proposed mitigation of blue badge access being restricted during the busies events and the introducing an Anti-Terrorism Traffic Regulation Order for the events and circumstances of highest risk.
  - v. Consider the above in the context of the new Council Plan
  - vi. Consider changes to the uses of pedestrianised streets since the previous decision to exclude blue badge holders was made (based upon subsequent Executive Decisions regarding Pavement Cafes and Footstreet hours) and therefore reconsider the risk profile.
  - vii. Consider the impact on businesses who will be impacted and may have their pavement café licence removed or reduced.

## Contact Details

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**Director of Environment, Transport and Planning, Place**

**01904 552547**

**Report Approved**



**Date** 18/09/23

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

## Background papers

Executive - February 2018 - City Transport Access Measures  
<https://democracy.york.gov.uk/documents/g10196/Public%20reports%20pack%20Thursday%2008-Feb-2018%2017.30%20Executive.pdf?T=10>

Executive - September 2018 – City Centre Access and Priority 1 Proposals  
[\(Public Pack\)Agenda Document for Executive, 27/09/2018 17:30 \(york.gov.uk\)](#)

Executive - August 2019 - My City Centre Project  
<https://democracy.york.gov.uk/documents/g11108/Public%20reports%20pack%20Thursday%2029-Aug-2019%2017.30%20Executive.pdf?T=10>

Executive - August 2019 - City Centre Access Experimental Traffic Order Conclusion and Phase 1 Proposals  
<https://democracy.york.gov.uk/documents/g11108/Public%20reports%20pack%20Thursday%2029-Aug-2019%2017.30%20Executive.pdf?T=10>

Executive - February 2020 - City Centre Access – Phase 1 Proposals (Update)

<https://democracy.york.gov.uk/documents/g11116/Public%20reports%20pack%20Thursday%2013-Feb-2020%2017.30%20Executive.pdf?T=10>

Executive – June 2020 - City of York Council Recovery and Renewal Strategy

<https://democracy.york.gov.uk/documents/g12293/Public%20reports%20pack%20Thursday%2025-Jun-2020%2017.30%20Executive.pdf?T=10>

Executive - November 2020 - City of York Council Recovery and Renewal Strategy - November Update

<https://democracy.york.gov.uk/documents/g12407/Public%20reports%20pack%20Thursday%2026-Nov-2020%2017.30%20Executive.pdf?T=10>

Executive - November 2020 - The Future of the Extended City Centre Footstreets

<https://democracy.york.gov.uk/documents/g12407/Public%20reports%20pack%20Thursday%2026-Nov-2020%2017.30%20Executive.pdf?T=10>

Executive Member for Transport – June 2022 - Footstreets Traffic Regulation Order Proposals

<https://democracy.york.gov.uk/documents/g12726/Public%20reports%20pack%20Tuesday%2022-Jun-2021%2010.00%20Decision%20Session%20-%20Executive%20Member%20for%20Transport.pdf?T=10>

Executive - November 2021 - My City Centre Strategic Vision - Adoption of Vision and Next Steps

<https://democracy.york.gov.uk/documents/g12797/Public%20reports%20pack%20Thursday%2018-Nov-2021%2017.30%20Executive.pdf?T=10>

Executive - November 2021 - Strategic Reviews of City Centre Access and Council Car Parking

<https://democracy.york.gov.uk/documents/g12797/Public%20reports%20pack%20Thursday%2018-Nov-2021%2017.30%20Executive.pdf?T=10>

Executive - November 2021 - Consideration of Changes to the City Centre Traffic Regulation Order.

<https://democracy.york.gov.uk/documents/g12797/Public%20reports%20pack%20Thursday%2018-Nov-2021%2017.30%20Executive.pdf?T=10>

Executive - July 2022 - City Centre Access Action Plan Update

<https://democracy.york.gov.uk/documents/g13288/Public%20reports%20pack%20Thursday%2028-Jul-2022%2017.30%20Executive.pdf?T=10>

Executive - November 2022 - Pavement Café Licence Update

<https://democracy.york.gov.uk/documents/g13292/Public%20reports%20pack%20Tuesday%2022-Nov-2022%2017.30%20Executive.pdf?T=10>

Terrorism (Protection of Premises) – Draft Bill

<https://www.gov.uk/government/publications/terrorism-protection-of-premises-draft-bill-overarching-documents>

## **Annexes**

Annexe A: Draft Equalities Impact Assessment (EIA)

Annexe B: Map showing the original priority 1 area and the expanded protected area as a single phase.

**City of York Council**  
**Equalities Impact Assessment**

<b>Directorate:</b>	Place		
<b>Service Area:</b>	Transport		
<b>Name of the proposal :</b>	Consideration of changes to the City Centre Traffic regulation order Review of decision to remove blue badge exemption for city centre access during the pedestrian hours		
<b>Lead officer:</b>	James Gilchrist/Helene Vergereau		
<b>Date assessment completed:</b>	05/09/2023		
<b>Names of those who contributed to the assessment :</b>			
<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
Helene Vergereau	Traffic and Highway Development Manager	CYC	Transport
Darren Hobson	Traffic Management Team Leader	CYC	Transport
James Gilchrist	Director of Transport, Environment and Planning	CYC	Transport
David Smith	Access Officer	CYC	Access

## Step 1 – Aims and intended outcomes

1.1	<p><b>What is the purpose of the proposal?</b> Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p>In November 2021, the Executive took the decision to permanently remove the exemption which had previously allowed blue badge holders vehicular access to some of the pedestrianised streets, namely Blake Street, Lendal, S. Helen's Square. Goodram Gate (between Deangate and King's Square), Church Street, King Square and Colliergate.</p> <p>A new administration wishes to review that decision and has requested options to reinstate blue badge access.</p> <p>The current permanent TRO prohibits vehicles from accessing the footstreets between 10.30am and 5pm every day, historically there was an exemption for vehicles with a Blue Badge on the streets listed above. Other exemptions apply for emergency vehicles and where access has been permitted by the Highway Authority (waivers).</p> <p>The decision to remove access in November 2021 was based on over 18 months of public engagement with residents, businesses and interest groups including disability groups.</p> <p>In response to the new administrations wishes additional consultation has been undertaken on the principles of reinstating blue badge access on the same principles as previously and that has also informed the EIA.</p> <p>In making the decision to remove blue badge access a number of improvements were made to access including additional blue badge bays. These are not under review as part of the review of the exemption, although some projects which have not been delivered may be reviewed in the future, but will subject to a separate EIA.</p> <p>There are three options outlined in the report.</p> <p>Option 1 – revert to two separate phases of Hostile Vehicle Mitigation. This would allow the highest risk area focusing on parliament street to be emergency/blue light vehicle access only. Blue badge access could then be permitted to the outer area as it existed immediately prior to the COVID19 Pandemic as the area is a lower risk area, as defined by the original risk assessment.</p> <p>Option 2 – This option is to make no change to the way blue badge access into the pedestrianised area operates.</p>

Option 3 – is to allow blue badge access into the secure zone and reinstate the access exemption for vehicles with a Blue Badge for the streets listed below.

- Blake Street
- Church Street
- Colliergate
- Goodramgate (between Deangate and King's Square)
- King's Square
- Lendal
- St Helen's Square

This is contrary to the previous advice of the Counter Terrorism Policing Teams as it increases risk of terrorist attack. This risk could be reduced with the introduction of an Anti-Terrorism Traffic Regulation Order to give the police powers to remove any access for events or specific risks. Blue badge access was historically removed for the Christmas Market.

This EIA consider the options and supports decision makers in weighing up the conflicting issues

- The November 2021 report identified the significant impact that some blue badge holders would be excluded from the vehicular access to the pedestrianised streets as a result of the decision and others would find access harder. This is now the lived experience and a significant campaign to "Overturn the Ban" has taken place. To reinstate blue badge access would therefore reinstate and improve access for those blue badge who have been impacted.
- In striking a balance decision makers need to consider public safety and avoiding danger to persons in areas of high footfall, recognising the Council's duty to protect the public from terrorism. By permitting access it changes the risk of a vehicle as a weapon attack, however this risk could be mitigated to an extent by establishing a Anti Terrorism Traffic Regulation Order which would allow the Police to impose restrictions to be put in place to all vehicles in response to specific risks.
- The number of vehicles accessing the streets listed above changes the risk of conflict between vehicles and pedestrians, particularly in busy periods;
- It would reduce the use of some areas of the carriageway or footways as pavement café areas during footstreet hours, with impact on the amenities of the footstreet area;

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<b>1.2</b>	<b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)
	<p>Relevant legislation includes:</p> <ul style="list-style-type: none"> <li>• Equality Act 2010, which aims to protect people from discrimination in the workplace and in wider society. The Act includes a Public Sector Equality Duty, which requires public bodies to consider how their decisions and policies affect people with protected characteristics. The public body also should have evidence to show how it has done this It also requires that public bodies have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The Equality Act 2010 covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</li> <li>• Human Rights Act –sets out the fundamental rights and freedoms that everyone is entitled to. In making a decision the council must consider carefully the balance to be struck between individual rights and the wider public interest and whilst it is acknowledged that there could be interference with a Convention right, the decision must be reasonably justified as it is a proportionate means of achieving a legitimate aim.</li> <li>• Inclusive Mobility Guidance (Department for Transport 2005)</li> <li>• Protect Duty consultation documents (<a href="http://www.gov.uk/government/consultations/protect-duty">www.gov.uk/government/consultations/protect-duty</a>)</li> <li>• Hostile Vehicle Mitigation guidance (<a href="http://www.gov.uk/government/publications/crowded-places-guidance/hostile-vehicle-mitigation-hvm#vehicle-as-a-weapon-vaw">www.gov.uk/government/publications/crowded-places-guidance/hostile-vehicle-mitigation-hvm#vehicle-as-a-weapon-vaw</a>)</li> <li>• The Blue Badge scheme: rights and responsibilities in England (<a href="http://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england">www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england</a>)</li> <li>• Road Traffic Regulation Act 1984 and associated regulations relating to TROs, under which local traffic authorities in England and Wales (outside London) may make permanent orders for the following purposes: <ul style="list-style-type: none"> <li>○ To avoid danger to persons or other traffic using the road or any other road or to prevent the likelihood of any such danger arising;</li> <li>○ To prevent damage to the road or to any building on or near the road;</li> <li>○ To facilitate the passage on the road or any other road of any class of traffic (including pedestrians);</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ To prevent the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property;</li> <li>○ To preserve the character of the road in a case where it is specially suitable for use by persons (...) on foot;</li> <li>○ To preserve or improve the amenities of the area through which the road runs; or</li> <li>○ To preserve or improve local air quality.</li> </ul> <ul style="list-style-type: none"> <li>● The Business and Planning Act which creates a de regulated approach to pavement cafes.</li> </ul>
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<p><b>1.3</b></p>	<p><b>Who are the stakeholders and what are their interests?</b></p>
	<p>Key stakeholders for this proposal are Blue Badge holders who were able to access and park in the streets listed above during footstreet hours before the temporary changes were made to the access exemptions, which were then made permanent in the November 2021 report.</p> <p>It is wrong to assume that all Blue Badge holders' feel the same way about what has happened or what should happen, but this is now based on significant and lived experience in a post pandemic world. There have also been changes in Council policy most notably by changing the conditions under which pavement cafes will be permitted.</p> <p>Other stakeholders include:</p> <ul style="list-style-type: none"> <li>● Other groups visiting the pedestrian area and accessing its shops and services; and</li> <li>● City centre businesses and service providers (e.g. deliveries, trades, etc).</li> </ul> <p>Their interests are wide ranging and include suitable access by a range of transport modes (private car, taxi/private hire, deliveries, cycling, walking), safety, and services and amenities available in the footstreet area.</p>

<b>1.4</b>	<b>What results/outcomes do we want to achieve and for whom?</b> This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2023- 2027) and other corporate strategies and plans.
	<p>The new Council Plan contains four key commitments one of which is Equalities and Human Rights - Equality of opportunity and states</p> <p>“We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities”</p> <p>The decision seeks to balance the</p> <ul style="list-style-type: none"> <li>• the significant impact on blue badge holders by the decision to exclude access to some of the pedestrianised streets and the exclusion this has had on some groups.</li> <li>• public safety and avoid danger to persons in areas of high footfall to reduce the risk of a vehicle as a weapon attack and the level of conflict between vehicles and pedestrians more generally, particularly in busy periods;</li> <li>• the use of some areas of the carriageway or footways as pavement café areas during footstreet hours, improving the amenities of the footstreet area;</li> </ul>

## Step 2 – Gathering the information and feedback

2.1	<p><b>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</b> Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.</p>
<p><b>Source of data/ supporting evidence</b></p>	<p><b>Reason for using</b></p>
Public consultation	<p><b>Consultation on Principles of reinstating blue badge access – tbc once analysed</b></p> <p><b>Postcard analysis – Do we include this</b></p> <p><b>My City centre engagement</b> – this was an engagement with residents, businesses and special interest groups. This was an open discussion around what the city centre could look like in the future and was the foundation for the November 2020 Executive report.</p> <p><b>City Centre Access Project</b> - The extent of the footstreet area has been subject to ongoing discussions for a number of years as part of the City Centre Access project in response to the threat of terrorism as outlined in the report, and particularly the use of hostile vehicles as a potential mode of attack. This had led to the approval of a first phase of hostile vehicle mitigation measures for the existing permanent footstreet area, but with potential future phases to expand the area of protection.</p> <p><b>Temporary Covid measures</b> – When the temporary Covid measures were introduced, the Council engaged with approx. 450 individuals as well as advocacy groups representing thousands of people with disabilities and/or reduced mobility across the city. An open community brief detailed the main themes and challenges which these changes sought to address, and the summary of conversations with the city’s businesses and representative groups. The principles of the footstreets extension was broadly supported by a majority of respondents to the citywide survey, which was also reflected in the support from residents identifying themselves as disabled. There</p>

are tangible benefits for many, in particular blind and partially sighted people, children, and older people. However, the desire from many for footstreets and spaces to be vehicle free is in contrast to Blue Badge holders' request for vehicular access to the pedestrianised area. These objections were articulated in a petition signed by 1,093 people, including 501 York residents, calling for the reversal of the changes.

**Additional consultation undertaken for the November 2021 Decision to permanently remove blue badge access** – A consultation took place to review available Blue Badge Parking on the outskirts of the city centre in April 2021. This took the form of an online questionnaire and two online workshops on 22 April 2021, one during the working day and one in the evening, to allow those working in disability organisations and professional advocates to attend, while also offering an out of office hours opportunity for those who may want to take part but are at work or unavailable during the day. This consultation was promoted through the media, on social media (tagging disability organisations), and to the following organisations: Alan Bott Charity, York Disability Rights Forum, York Human Rights City, York Programme for UN International Day of People with Disabilities, Jorvik Deaf Connections, Lollipop, York People First, MS Society, Older Citizens Advocacy York, Wilberforce Trust, Healthwatch York, My Sight York, York Carers Centre, York Carers Forum, York Parent Carer Forum, Age UK York, Converge (York St John), Mind, York Advocacy (Mind), Learning Disability Self Advocates Forum, York Self Advocacy Forum, York Inspirational Kids, York Access and Mobility Club Facebook Group, York Older People's Assembly, York Dementia Action Alliance, CVS, York Wheels, Dial and Ride, Shopmobility, Inclusive Engagement, Individuals from CCA Exercise, Labour Women's Officer, York Cycle Campaign, Get Cycling, Sight Loss Council, York Accessibility Action, Action on Hearing Loss, British Deaf Association, York Disability Week, York ME Community, Blueberry Academy, and York Alzheimers.

The engagement followed an open conversation approach, both online and offline, including direct conversations with individuals and advocacy groups. This allowed detailed discussions to take place with those who wished to engage in depth, and captured general views through an online survey, which was distributed to nearby residents, city centre businesses, and paper based questionnaires distributed across the city as requested. In total there were 540 survey responses completed, of the completed surveys 270 were completed by residents who are Blue Badge holders, 65 by residents who are not Blue Badge holders, 69 by carers of a Blue Badge holder, 7 from businesses (including taxi drivers) and 129 skipped the question.

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	<p><b>Statutory consultation for this November 2021 Decision</b> - The statutory consultation for the amendment of the TROs was advertised on 9th July 2021, with an original end date of 6th August 2021, which was extended until 13th August 2021. 206 representations were received on the proposal to remove Blue Badge access exemptions, 5 in support and 201 against the proposal.</p>
<p><b>Research report</b></p>	<p>For the August 2019 Executive report, approving the permanent changes to the Traffic Regulation Order to deliver the Phase 1 Hostile Vehicle Mitigation proposals in the city centre, an independent review of Blue Badge Parking Access was also commissioned from Parking Perspectives a consultancy specialising in parking. In addition, Disabled Motoring UK, a charity and advocacy group for disabled people, were commissioned to produce an independent review of York’s disabled access offer. Martin Higgitt Associates also produced an independent report. The November 2020 Executive also commissioned a Strategic Review of City Centre Access in order to identify potential improvements to city centre access</p>
<p><b>Surveys</b></p>	<p><b>City Centre Access project</b> - As part of this work, parking surveys were undertaken in the streets listed above in May 2019. This shows 86 parking events/day in the Goodramgate corridor, of which 80 vehicles displayed a Blue Badge. 86 parking events/day were also recorded on the Blake Street corridor, of which 49 vehicles displayed a Blue Badge.</p> <p><b>Traffic surveys undertaken in 2018 and 2021</b> – Traffic surveys in the listed streets were undertaken as part of the City Centre Access project in 2018 and repeated in 2021. This shows the following number of vehicles accessing the streets listed below between 10.30am and 5pm (pedestrianised hours):</p> <ul style="list-style-type: none"> <li>• Blake Street             <ul style="list-style-type: none"> <li>○ Weekday: 139 motorised vehicles in 2018, 12 in 2021</li> <li>○ Saturday: 100 motorised vehicles in 2018, 4 in 2021</li> </ul> </li> <li>• Lendal             <ul style="list-style-type: none"> <li>○ Weekday: 161 motorised vehicles in 2018, 30 in 2021</li> <li>○ Saturday: 106 motorised vehicles in 2018, 23 in 2021</li> </ul> </li> <li>• Colliergate             <ul style="list-style-type: none"> <li>○ Weekday: 80 motorised vehicles in 2018, 39 in 2021</li> <li>○ Saturday: 106 motorised vehicles in 2018, 27 in 2021</li> </ul> </li> <li>• Goodramgate</li> </ul>

	<ul style="list-style-type: none"><li>○ Weekday: 2018 data unavailable, 11 in 2021</li><li>○ Saturday: 106 motorised vehicles in 2018, 4 in 2021</li></ul>
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### Step 3 – Gaps in data and knowledge

3.1	<b>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</b>	
<b>Gaps in data or knowledge</b>	<b>Action to deal with this</b>	
Medium and long term policy context	<p>The Council has always committed to keep the operation of hostile vehicle mitigation measures under review, this is because the terror threat will change and potentially require adjustment, either allowing restrictions to be relaxed or potentially tightened bases upon threats.</p> <p>The medium term impact has already seen a change in council policy for instance the change to keeping 1.5 metres of footway clear. The ongoing lived experience is better understood but the ongoing exclusion has the potential to have greater impacts not just on those excluded but on the way the city centre business and uses respond to the restrictions.</p> <p>Therefore keeping any decisions under review is essential and the options outlined in the report seek to permit this to happen in agile way such as the Ant Terrorism Traffic Regulation Order. If blue badge access is permitted keeping under review new and emerging technology solutions could potentially different access solutions in the future.</p>	



## Step 4 – Analysing the impacts or effects.

4.1	<p><b>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?</b> Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>
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Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p>Older people are more likely to hold a blue badge and to have used the streets listed above for access and to park in the city centre. Reinstating their ability to drive and park in the pedestrianised streets will reverse the exclusion some people have experienced and reduce the distance those with reduced mobility have to travel on foot or using a wheelchair or mobility scooter, making shops and services in the footstreet area more accessible during footstreet hours. This is also applicable to families with young children where a family member is a blue badge holder. Reinstating blue badge access would have a high positive impact for these groups.</p> <p>However, some older people supported the removal of blue badge holder access and would benefit from the reduction in the number of vehicles accessing the footstreet area, as it creates a safer, mainly car free, environment. Younger people, especially young children and families would also benefit from a reduced number of motorised vehicles in the streets listed above.</p>	<p>Mixed: Positive and Negative</p>	<p>Positive – High</p> <p>Negative – Medium</p>

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Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
<p><b>Disability</b></p>	<p>As identified in the original report the exclusion of blue badge holders has a very significant impact on some blue badge holders, where as some people living with a disability/mobility impairment have previously identified benefits of an exemption.</p> <p><b>Positive impacts (high)</b> – Should blue badge access be reinstated people living with a disability/impairment are more likely to hold a blue badge and to have used the streets listed above for access to and to park in the city centre.</p> <p>Reinstating the ability to drive and park in these streets will decrease the distance disabled people have to travel on foot or using a wheelchair or mobility scooter, making shops and services in the footstreet area more accessible during footstreet hours.</p> <p>Many respondents to the consultations and workshops have stated that the removal of blue badge parking and vehicular access has precluded them entirely from accessing the city centre during footstreets hours. This means that they haven't be able to access the services available in the footstreets.</p> <p><b>Negative impacts (medium)</b> –Some people living with a disability have supported the removal of the access exemption for blue badge holders benefiting from the reduction in the number of vehicles accessing the footstreet area, making it a safer, mainly car free, environment for all users.</p> <p>This is particularly the case for those with visual impairments and others who identify as disabled or live with mobility issues, but do not rely on a car and blue badge parking. These users have previously generally noted the positive impact of the reduction in vehicles in the streets, reducing the risk of conflict and enabling them to use the carriageway to travel along the streets, often providing a more even, wider area, compared to using the narrow footways available in many parts of the city centre.</p>	<p><b>Mixed: Positive and Negative</b></p>	<p><b>Positive – High</b></p> <p><b>Negative – Medium</b></p>

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Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
<b>Gender</b>	No differential impact anticipated.	<b>Neutral</b>	
<b>Gender reassignment</b>	No differential impact anticipated.	<b>Neutral</b>	
<b>Marriage and civil partnership</b>	No differential impact anticipated.	<b>Neutral</b>	
<b>Pregnancy and maternity</b>	<p>The proposals have been identified as having a <b>mixed impact</b> on pregnancy and maternity when considering the potential impact on women who may experience pregnancy related mobility impairments, especially in later stages of pregnancy, as they may be eligible for a blue badge.</p> <p>By reinstating blue badge access, women living with pregnancy related mobility impairments who may hold a blue badge would again be able to park in the streets listed above to access the city centre. The removal of the access exemption has removed the ability to drive and park in these streets and increased the distance people living with disabilities/impairments have to travel on foot or using a wheelchair or mobility scooter, making shops and services in the footstreet area less accessible during footstreet hours.</p> <p>The change to allow blue badge holders' vehicles into the pedestrianised are would however have negative impacts for mothers, fathers and carers of young children as these groups tend to benefit from significant reductions in motorised traffic during pedestrianised hours, providing a safer environment for young children.</p>	<b>Mixed: Positive and Negative</b>	<b>Positive – high</b>  <b>Negative – Medium</b>

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Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Race and minority ethnic groups	No differential impact anticipated.	Neutral	
Religion and/or belief	<p>The proposals have been identified as having a <b>mixed impact</b> on access to places of worship in the footstreet area for people who live with reduced mobility or a disability and have a blue badge.</p> <p>The key considerations (both positive and negative) are as those described above for older people and people living with a disability and apply to access to the St Sampson's Centre (Church Street), The Holy Trinity Church (Goodramgate), St Helen's Church (Stonegate), and St Martin le Grand (Coney Street).</p>	Mixed: Positive and Negative	Medium
Sexual orientation		Neutral	
Other socio-economic groups including :	<b>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?</b>		
Carer	The impact on carers, considering carers who may care for an adult or child living with a disability or impairment and eligible for a Blue Badge, reflects the impacts (both positive and negative) on those living with disabilities, as described above.	Mixed: Positive and Negative	Positive high Negative Medium
Low income groups	No differential impact anticipated.	Neutral	

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Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
<b>Veterans, Armed Forces Community</b>	No differential impact anticipated.	<b>Neutral</b>	
<b>Other</b>	Not applicable	n/a	n/a
<b>Impact on human rights:</b>			
List any human rights impacted	<p>The Convention rights applicable are:</p> <ul style="list-style-type: none"> <li>Article 2 - protects the right to life. In this case, its applicability relates to the requirement placed on the Government to take appropriate measures to safeguard life by making laws to protect people. Public authorities should also consider the right to life when making decisions that might put people in danger or that affect their life expectancy. This risk is being mitigated with an Anti Terrorism Traffic Regulation Order if the police are aware of specific risks</li> <li>Article 8 - protects the right of the individual to respect for their private and family life, their home and their correspondence. The private life part of this right covers things like wellbeing, autonomy, forming relationships with others and taking part in our community.</li> <li>Article 14 - protects the right to be free from discrimination when enjoying other rights, such as Article 8.</li> </ul> <p>It is unlawful for a public authority to act in a way that is incompatible with a European Convention right (unless the authority could not have acted differently as a result of a</p>	<p><b>Mixed: Negative (Article 2)</b></p> <p><b>Positive (Article 8)</b></p> <p><b>Positive (Article 14)</b></p>	<p><b>High</b></p> <p><b>High</b></p> <p><b>High</b></p>

## ANNEXE A

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	<p>statutory provision). An interference with a qualified right (e.g. the right to respect for private and family life) is not unlawful if the authority acts in accordance with the law to achieve a legitimate aim and the interference is necessary in a democratic society in the wider public interest. In addition, the law applies a proportionality test, including whether a fair balance has been struck between the rights of the individual and the interests of the wider community.</p> <p>The removal of blue badge access and parking has had a negative impact on people's ability to live independently, attend appointments, see people who are important to them, and be part of their community.</p> <p>Should blue badge access be reinstated the risk profile does change and in order to protect the right to life of the people working in and visiting York's pedestrianised area an Anti-Terrorism Traffic Regulation Order is proposed. As laid out in the report this would exist but only be used by the Police where a specific risk is identified and requires the Chief Constable to implement access restrictions.</p> <p>In making a decision the council must consider carefully the balance to be struck between individual rights and the wider public interest and whilst it is acknowledged that there could be interference with a Convention right, the decision must be reasonably justified as it is a proportionate means of achieving a legitimate aim.</p>		

**Use the following guidance to inform your responses:**

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

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<p><b>High impact</b> (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p><b>Medium impact</b> (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p><b>Low impact</b> (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>



## Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	<p><b>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</b></p>
<p>By reinstating blue badge access it will increase the number of vehicles in the pedestrianised streets. This changes the risk profile in two aspects.</p> <ul style="list-style-type: none"> <li>• The intrinsic risk of vehicles in an area that there is a public expectation of no vehicles as it is otherwise pedestrianised, this does however mirror the risk prior to Covid, but does increases the risk of accidents between pedestrians and vehicles. This risk can be mitigated by ensuring that access is limited to those streets that blue badge holders previously had access to. This risk can also be further mitigated by removing the access for the busiest events. The Christmas markets removed blue badge access and this could continue removing the risk of an accident when the streets are at their busiest.</li> <li>• The presence of additional vehicles in the blue badge area means they can be used anywhere in the secure zone as a weapon, not necessarily by their owner nor have anything to do with a legitimate Blue Badge holder. This risk could be reduced with the introduction of a An Anti-Terrorism Traffic Regulation Order to give the police powers to remove blue badge access for events or specific risks. An Anti-Terrorism Traffic Regulation Order (ATTRO) is a counter terrorism measure pursuant to the provisions of the Civil Contingencies Act 2004.</li> </ul>	

## Step 6 – Recommendations and conclusions of the assessment

6.1	<p><b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</b></p>
<ul style="list-style-type: none"> <li>• <b>No major change to the proposal</b> – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</li> <li>• <b>Adjust the proposal</b> – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.</li> <li>• <b>Continue with the proposal</b> (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty.</li> <li>• <b>Stop and remove the proposal</b> – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.</li> </ul> <p><b>Important:</b> If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.</p>	
<b>Option selected</b>	<b>Conclusions/justification</b>
<b>Continue with the proposal</b>	<p>In making a decision the council must be able have considered that the decision is a proportionate means of achieving a legitimate aim.</p> <p>As presented above and in the main report, the decision has to balance:</p>

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	<ul style="list-style-type: none"><li>• Reinstating Blue Badge access to pedestrianised streets within the hostile vehicle mitigation measures making areas of the city centre accessible to those completely excluded and more accessible to others who were affected by the changes</li><li>• Public safety and avoid danger to persons in areas of high footfall, supporting the implementation of hostile vehicle mitigation measures to reduce the risk of a vehicle as a weapon attack;</li><li>• The level of conflict between vehicles and pedestrians in the footstreets, particularly in busy periods;</li></ul>
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## Step 7 – Summary of agreed actions resulting from the assessment

<b>7.1 What action, by whom, will be undertaken as a result of the impact assessment.</b>			
<b>Impact/issue</b>	<b>Action to be taken</b>	<b>Person responsible</b>	<b>Timescale</b>
How is blue badge access achieved	Workshops and engagement with blue badge holders on how access through the Hostile Vehicle Measures is achieved	David Smith/Helene Vergereau	Ongoing, this may evolve based on the lived experience
Accessibility information	Provision of updated information on disabled parking and accessibility in York city centre	Helene Vergereau	January 2023
Is City Centre Bus Shuttle proposed as mitigation to excluding blue badge holders is still needed if blue badge access is reinstated	Engagement with those affected	Michael Howard	Summer 2024

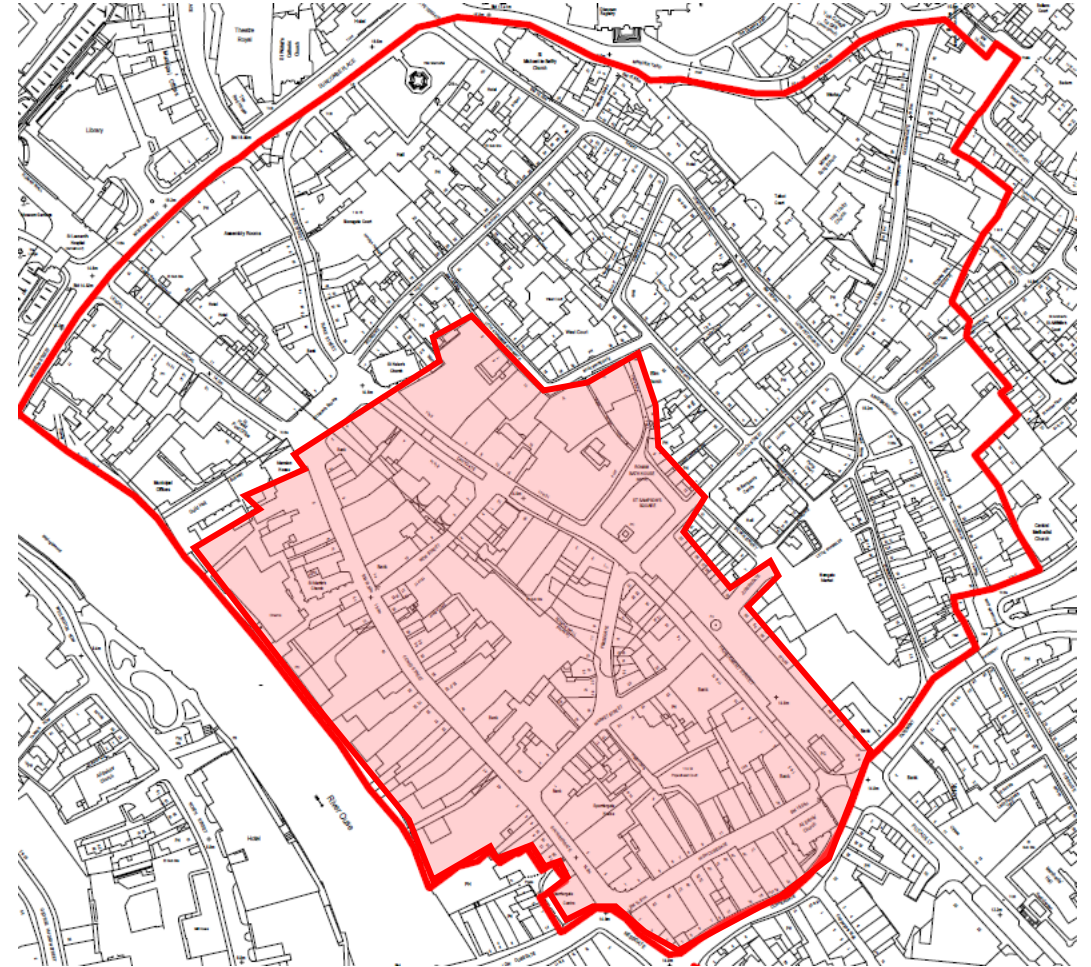
**Step 8 - Monitor, review and improve**

<b>8. 1</b>	<b>How will the impact of your proposal be monitored and improved upon going forward?</b> Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The impacts of the proposal will continue to be monitored through the following activities: <ul style="list-style-type: none"><li>• Ongoing liaison with blue badge holders;</li><li>• Ongoing consultation and liaison with communities of interest;</li><li>• Continuous review of the impact of highway measures, changes to government guidance, and compliance with equalities; guidance, and implement the mitigations set out in the report;</li></ul>

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# Annex B Extended Footstreets

- Shaded area original priority 1 area to be protected by a first phase of hostile vehicle mitigation measures
- Outer area is the extended footstreets boundary protected by a single phase of hostile vehicle mitigation measures



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## Economy, Place, Access, and Transport Scrutiny Committee Work Plan

**Possible Task and Finish Groups to run in parallel. *Detailed scope needs working out between interested Members prior to committee approval.***

- Grass verges, etc?

Interested Members: Cllrs Hook, Steward, and Taylor.

- Broadband installation issues?

Interested Members: Cllrs Hook and Nelson

### **Role of Executive Members:**

- Expected to attend items relevant to their portfolio area

- Committee Members to maintain sight of Executive business and flag up specific issues/reports to bring to committee for scrutiny, pending space on the workplan.

### **Other notes for info:**

- With exception to the meeting on 26/09/23 the scope of the reports, along with any external guests, for most of the year's planned meetings need clarifying. To give sufficient notice we should aim to confirm these no later than 2 calendar months prior to each meeting.

Theme	Item	Lead Officer	Scope
26 September 2023			
<b>Access</b>	Blue Badge Holder Access	James Gilchrist	<p>Scrutiny of work taking place on administration’s policy pledge to reverse the “blue badge ban”, covering:</p> <p>Timeline of events and changes which led us to the current position; including (shareable) information we have regarding risk.</p> <p>View of how other Local Authorities for comparable cities have handled this issue (Chester and Bath have been cited by concern residents and officers).</p> <p>Details of the upcoming consultation on Blue Badge Access, covering:</p> <ul style="list-style-type: none"> <li>- methodology</li> <li>- all of the means for concerned residents to take part in it; including efforts to proactively collect views from disabled residents and blue badge holders.</li> <li>- the proposals and/or principles being consulted on</li> <li>- the timescales for the consultation itself</li> <li>- the timescales and costs for implementing any potential outcomes.</li> </ul>
24 October 2023			
<b>Getting around our city</b>	Local Transport Plan	James Gilchrist	Opportunity to scrutinise, and input on, work taking place to assist Council in successful delivery for residents.

	Local Cycling and Walking Infrastructure Plan	James Gilchrist	Opportunity to scrutinise, and input on, work taking place to assist Council in successful delivery for residents.
	Air Quality Action Plan (AQAP)		Air Quality Action Plan (AQAP) looking back/looking ahead? Needs to consider the work of other cities/local authorities.
Finance & Performance Monitor	Finance & Performance Monitor	Debbie Mitchell	
28 November 2023			
<b>Economy (city centre and beyond)</b>	Economic Strategy	Tracey Carter	Update on implementation, work on inward investment, skills development.
	Devolution		Opportunity to scrutinise, and input into, work and spending decisions related to the committee's remit.
15 January 2024			
<b>Check-in on clients (MIY and GLL) plus update from York BID</b>	MIY performance update	Tracey Carter	Update on performance and plans, and pertinent issues discussed when they last presented in July 2022.  Opportunity to scrutinise, and input into, work to decide future Service Level Agreement.
	GLL	Tracey Carter	Update on performance and plans, plus any particular issues committee members want to focus on.
	York BID update	Tracey Carter	Update on performance and plans, and pertinent issues discussed when they last presented in July 2022.
<b>Finance &amp; Performance Monitor</b>	Finance & Performance Monitor	Debbie Mitchell	

27 February 2024			
<b>York's waterworks - a health check</b>	The health of our rivers and becks	James Gilchrist	Report on cleanliness of York's rivers/becks, sewage management, management/support of biodiversity around them.
	Drainage infrastructure	James Gilchrist	Report on the state of York's drainage infrastructure; covering capacity to meet demand in urban and rural areas, insight into recent and forthcoming investment into repairs/upgrades, scale of challenge faced.
25 March 2024			
<b>Our city's assets - using what we've got more effectively to benefit our residents</b>	Asset Management	Tracey Carter	Report on how the Council's Asset Management Strategy (2017-2022) worked and where it's left us now, thinking around the plan for the next five years, chance to have discussion on ideas to feed into this - covering value for money, acquisition, redevelopment, disposal.
<b>Finance &amp; Performance Monitor</b>	Finance & Performance Monitor	Debbie Mitchell	
25 April 2024			
<b>Parking - Digi ResPark, enforcement, plus on street EV charging.</b>	Digital ResPark	James Gilchrist	Follow up on previous scrutiny session held November 2022 covering any recommendations taken on board, problems dealt with since then, other outstanding issues/challenges/opportunities.
	Parking Enforcement	James Gilchrist	<ul style="list-style-type: none"> <li>- Brief summary of how this service works (for the benefit of the reading/watching public).</li> <li>- Appraisal of the Parking Hot Line (who runs it, are we happy with how it works, relationship between who runs this and CYC).</li> <li>- Performance against demand; <i>how many reports are physically followed up and how quickly, how many of them see</i></li> </ul>

			<p><i>enforcement take place, and any other useful KPIs.</i></p> <ul style="list-style-type: none"> <li>- Pressures faced by the service and its staff; personnel numbers versus workload, vacancies, peaks/troughs in demand, and any specific “problem” areas/themes.</li> <li>- Working relationship with Police who also help with parking offences, especially outside of our service hours.</li> <li>- Use/roll-out of technology to help with enforcement capacity; to what extent is this happening, how are we deploying current resource, is it working, do we need more.</li> <li>- Anything else which Officers would value Members/Public input on; addressing future demand, alternative methods of service delivery, that sort of thing.</li> </ul>
	On-street EV charging	James Gilchrist	Follow up on previous Scrutiny item on this subject

**Unallocated items:**

- Planning Enforcement; with particular focus on conditions relating to the Environment.

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