

**Notice of a public meeting of
Decision Session - Executive Member for Transport and Planning**

To: Councillor Gillies (Executive Member)

Date: Thursday, 19 October 2017

Time: 2.00 pm

Venue: The Thornton Room - Ground Floor, West Offices (G039)

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by **4:00 pm** on **23 October 2017**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management and Policy Scrutiny Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by 5.00pm on Wednesday 18 October 2017.

1. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Minutes

(Pages 1 - 10)

To approve and sign the minutes of the meeting held on 14 September 2017.

3. Public Participation

At this point in the meeting, members of the public who have registered to speak can do so. The deadline for registering is **5.00pm** on **Wednesday 18 October 2017**. Members of the public can speak on agenda items or matters within the Executive Member's remit.

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

Filming, Recording or Webcasting Meetings

Please note that, subject to available resources, this meeting will be filmed and webcast, or recorded, including any registered public speakers who have given their permission. The broadcast can be viewed at <http://www.york.gov.uk/webcasts> or, if recorded, this will be uploaded onto the Council's website following the meeting.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at

https://www.york.gov.uk/downloads/file/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809

4. Proposed Micklegate Neighbourhood Plan Area and Forum (Pages 11 - 32)

To consider for approval applications to designate a Micklegate Neighbourhood Plan Area and Forum.

5. 3 Residents' Parking Petitions: St John's Place & Chestnut Court, Broadway West & Westmorland Drive, and Pasture Farm Close (Pages 33 - 50)

This report informs the Executive Member of the receipt of the above petitions and seeks a decision on the action to be taken in response to each one.

6. BT Public Payphone Removal Consultation (Pages 51 - 58)

This report informs the Executive Member of a formal consultation by BT on a proposal to remove a public payphone from a site adjacent to no. 90 Clifton, to the south east of Clifton Green, and seeks a decision on whether or not to object to this proposal.

7. Options for Changes to Parking Availability in the Southern City Area for the Christmas Period (Pages 59 - 62)

To consider options for extending the opening hours of Piccadilly Car Park during the St Nicholas Fayre between 16 November and Christmas 2017.

8. Transport Programme Update - 2017/18 Monitor 1 Report (Pages 63 - 74)

To receive an update on progress made on schemes in the 2017/18 Economy and Place Transport Capital Programme, and to consider for approval the amendments to the Programme.

9. Urgent Business

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

Democracy Officer:

Name: Becky Holloway

Contact Details:

- Telephone (01904) 553978
- Email becky.holloway@york.gov.uk

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 جا سکتی ہیں۔ (Urdu)

 (01904) 551550

City of York Council

Committee Minutes

Meeting	Decision Session - Executive Member for Transport and Planning
Date	14 September 2017
Present	Councillor Gillies

24. Declarations of Interest

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

25. Minutes

Resolved: That the minutes of the Decision Session held on 17 August 2017 were approved as a correct record and then signed by the Executive Member.

26. Public Participation

The Executive Member reported that in view of the significant number of registrations to speak received at this meeting, he proposed to hear the following specifically at this point in the meeting, due to time pressures faced by the Councillors concerned, and then to hear the remainder under the specific item each public speaker was concerned with:

In relation to agenda item 9 (Minute No. 32 below) on proposals to advertise amendments to Traffic Regulation Orders further to an annual review:

Councillor Reid addressed the Executive Member on proposals relating to her ward (Dringhouses & Woodthorpe) and specifically wished to support an extension to double yellow lines outside the dentists on Moorcroft Road (E9), as well as a small stretch of double yellow lines on North Lane to help protect a private driveway (E10);

Councillor Cuthbertson addressed the Executive Member on proposals relating to his ward (Haxby & Wigginton) and expressed his broad support for the recommendations within his ward but drew attention to a specific problem identified at Kennedy Drive which would be referred to by a local resident, Mr Reynolds, when he spoke.

Councillor Waller addressed the Executive Member on proposals relating to his ward (Westfield) and again, broadly expressed support for the recommendations proposed with the exception of Morrell Court/Walker Drive, where he felt some action would be appropriate for safety reasons, and with the exception of Askham Lane/Vesper Drive, where again, in the interests of safety at junctions, he considered the provision of double yellow lines to be beneficial.

Councillor Jackson addressed the Executive Member on proposals relating to her ward (also Westfield) and specifically requested the provision of a street sign off Foxwood Lane junction and the provision of double yellow lines on Cranfield Place from the Community Centre to No. 2.

27. Consideration of objections received to an advertised proposal to make changes to the R14 Residents' Priority Parking zone on Claremont Terrace

The Executive Member considered a report from the Corporate Director of Economy and Place setting out details of objections received to proposals for changes to the R14 Residents' Priority Parking Zone on Claremont Terrace.

Barrie Stephenson, a local resident, spoke on this issue as Chair of the local Residents Association, commenting that no extra parking space should be provided.

The report detailed those objections received at paragraph 8 and the Executive Member was advised that the objection from the Hazelwood Guest House had now been withdrawn.

Resolved: (i) That **Option 1**: To implement as advertised the changes to the R14: Residents' Priority Parking zone as it

referred to Claremont Terrace under the regulations published in 2012 which allowed enforcement by entry signage only, thereby bringing the back lanes into the zone, be approved.

(ii) That the objections for the additional parking space be upheld and no further action on this matter be taken.

(iii) To note that the objection from Hazelwood Guest House had been withdrawn

Reason: To remove the long-term obstructive parking in the back lanes.

28. Consideration of objections received to an advertised proposal to change a R33GM Residents' Priority Parking Bay on Bootham Terrace to a Community Residents' Priority Parking Bay

The Executive Member considered a report of the Corporate Director of Economy & Place setting out details of objections received to proposals to change a R33GM Residents' Priority Parking Bay on Bootham Terrace into a Community Residents' Priority Parking Bay.

Darren Shaw, a local resident, spoke in objection to the proposed change, on the basis that it was merely a short term fix and would not contribute to solving the parking issues long term, whilst Alex Mayfield, also a local resident, spoke in favour of the change.

Councillor Danny Myers, also spoke, as a Ward Councillor, expressing concerns about the saturation of parking in the area and across the city. He expressed a preference for option 2 providing a shorter length of community parking and proposed a 4:2 split on available spaces in favour of residents.

The Executive Member considered the options in light of objections and representations received, including the comments of public speakers and

Resolved: To approve **Option 2** to implement a shorter length of community parking, based on a 4:2 split in favour of residents

Reason: To provide an equitable balance of parking amenity for all R33 Permit Holders.

29. Bus Lane and Bus Gate Enforcement in York

The Executive Member considered a report setting out a proposed policy for enforcing bus stops/stands, as well as bus lanes and bus gates in York. It aimed to address ongoing issues on the bus network and provide a fair and reasonable level of enforcement.

Dave Merrett spoke under the Public Participation Scheme and largely welcomed the report on behalf of York Bus Forum, whilst raising concerns in relation to:

- the implementation of enforcement;
- problems around Stonebow Lane;
- the possibility of introducing west bound enforcement;
- there being no reference to yellow box enforcement;
- and requesting that the York Bus Forum be involved in any stakeholder future consultation

Councillor Kramm also spoke on the issues at the Executive Member's discretion, raising safety concerns and commenting that camera enforcement alone at Low Poppleton Lane might be insufficient.

The Corporate Director of Economy & Place responded to the issues, explaining that the report was focussed around the requirements under current legislation and outlining what measures were undertaken to address problems. Yellow boxes had now been removed and a new experimental Order planned for Low Poppleton Lane.

The Executive Member reviewed the proposed policy taking into account the issues raised. He welcomed the progress made in addressing ongoing issues and the proposals to improvement enforcement, whilst, additionally, indicating that he would like

problems around Stonebow Lane to be monitored and reviewed and potentially a second bus gate in Piccadilly to be considered.

Resolved:

That the following be approved:

- (i) continuing development of the approach set out in the report.
- (ii) development of Bus Lane Enforcement schemes at Foss Islands Road Retail Park and Shipton Road by Rawcliffe Bar park and ride with delivery subject to further approval where necessary.
- (iii) delivery of measures to enhance the visibility of the restricted bus only area at the station.
- (iv) investigation of the operation of the remaining Bus Lanes in the city.

Reason:

This will allow bus lane enforcement policy in York to be developed to best benefit bus services, in a measured and accountable way, and mitigates any risks from the failure of individual schemes

30. Junction Alterations – Lendal Arch Gyratory

The Executive Member considered a report on proposed junction alterations in relation to Lendal Arch Gyratory, to allow for replacement life-expired signalling assets at Station Road/Rougier Street and Station Rise/Station Road.

Dave Merrett spoke on behalf of the York Cycle Forum, commenting that the Forum appeared not to have been consulted and sought deferral on specific aspects of the scheme to allow for that consultation, referring to the potential risks and impact on cyclists arising from the removal of any cycle lane.

Paul Hepworth spoke on behalf of Cycling UK, asking to see the response from Cycling UK and commenting that, from a cycling perspective, he did not support the removal of a central cycle lane.

Details of external consultation responses received were tabled for the benefit of the Executive Member to assist his decision making.

Whilst he did not wish to delay the proposed alterations unnecessarily, in light of potential funding for the Scarborough Bridge scheme, the Executive Member requested Officers to consider options for removing a filter lane in relation to the left turn into Station Rise (Leeman Road).

Resolved:

(i) That **Option 1**, the recommended design for the Station Road / Rougier Street junction, be approved.

(ii) That **Option 1**, the recommended design for the Station Rise / Station Road, be approved;

(iii) That, notwithstanding the above approvals and consequent upon appropriate consultations taking place regarding the provision of cycle lanes, authority be delegated to the Assistant Director (Transport, Highways and Environment) to consider removing a filter lane in relation to the left turn into Station Rise (Leeman Road)

Reason:

(i) The recommended design offers the best solution to allow replacement of the asset in line with current design standards, whilst minimising the impact on pedestrians and vehicular traffic.

(ii) The recommended design offers the best solution to allow replacement of the asset in line with current design standards, whilst minimising the impact

on pedestrians and vehicular traffic. It also takes advantage of the available opportunity to implement a new pedestrian crossing for the benefit of blind and partially sighted users.

31. Public Rights of Way: The Council of the City of York, Public Bridleway, No. 18 (Part), Public Path Diversion Order 2017 - Consideration of Outstanding Objection

The Executive Member considered a report setting out details of an objection received to the making of the above Order and seeking authority to refer determination of the Order to the Secretary of State, in light of that objection.

Kathryn Jukes spoke as the Director of Directions Planning Consultancy Ltd and the agent working on behalf of Joseph Rowntree Housing Trust, commenting that the diversion of the bridleway was necessary for the approval of their development.

Mr Walton, a local resident, spoke in support of referring the Order to the Secretary of State, outlining specific personal circumstances for wishing the Order to be determined.

Councillor Warters then spoke as the Ward Member and objector and outlined his reasons for objecting, which were set out in detail in the report. He urged the Executive Member to abandon the Order.

Having considered the objection received, together with other public contributions, the Executive Member

Resolved: To refer the Order to the Secretary of State for determination and a decision to be authorised.

Reason: To enable the Order to be determined, which, if confirmed, would allow that part of the development for which planning permission had been granted to take place.

32. Annual Review of Traffic Regulation Order Requests

The Executive Member considered an annual report, reviewing Traffic Regulation Orders (TROs) and seeking his authority to implement various amendments to those TROs, taking into account any objections or representations made.

In addition to the Councillors who spoke in relation to amendments in their respective wards at Minute No. 26 above, the following also addressed the Executive Member on issues of concern to them:

Lynne Riviere, a local resident, spoke in relation to Annex N4 (St Chad's Wharf, off Bishopthorpe Road, Micklegate), requesting a further extension of yellow lines from the central line, to allow for an improved braking distance.

Councillor D'Agorne, spoke, as Ward Councillor, in relation to amendments for the Fishergate Ward, but, in particular, in support of yellow lines opposite the mouth of the junction at Danesmead/Broadway West (Annex F6).

Jackie Tuvey-Smith also spoke in relation to Annex F6, as a resident of Danesmead Estate, expressing safety concerns, particularly regarding parking on the corner of the entrance to the estate.

Mike Reynolds, a local resident, spoke in relation to Annex I1 Kennedy Drive (Haxby & Wigginton) on parking and access issues, expressing concerns about safety and referring to blocked pavements on the drive.

Councillor Kramm, spoke, as Ward Councillor, in relation to the amendments under Annex N for Micklegate and referred to his written representations tabled for the Executive Member to consider.

The Executive Member was advised that further written representations had also been made by Councillor D'Agorne (in relation to Annex F6), Ian Bainbridge, from Danesmead Residents Association (again in relation to Annex F6), Councillor Hayes on Annex N affecting Micklegate Ward, and by Ward Councillors for Dringhouses & Woodthorpe, regarding proposed amendments in their area. A full list of written

representations received was tabled for the Executive Member's information.

Having taken into account all written and speaker representations made, the Executive Member

Resolved: (i) To approve the recommended approach for each request, as identified in Annexes A to S, with the exception of:

- F6 (Danesmead/Broadway West), where, in addition, authority be given to the Assistant Director (Transport, Highways & Environment) to provide a suitable additional length of yellow lines in relation to the corner of the estate entrance;
- I1 (Kennedy Drive), to provide double yellow lines up to the end of driveways Nos 1 and 2;
- J5 (Dodsworth Avenue), approved subject to it being kept under review;
- N4(St Chad's Wharf, Off Bishopthorpe Road), to extend the provision of double yellow lines by a further 16m;
- N5 (Knavesmire Road), deferred for a further report back on appropriate options around February 2018 when wider Knavesmire/racecourse issues could be addressed;
- S3 (Foxwood Lane/Bellhouse Way Junction), approved subject to moving the street sign;
- S5 (Askham Lane/Vesper Drive), recommendation to take no action agreed but, in addition, the Assistant Director (Transport, Highways & Environment) to write to the police constable in relation to action against obstruction caused by vehicles on grass

verges and regarding devolution of powers;

- S6 (Cranfield Place), recommendation to take no action agreed, subject to white bar markings outside the first four properties.

(ii) To consider at a subsequent Decision Session any objections to the legal advertisement of any changes to the Traffic Regulation Order;

(iii) To approve the implementation of any amendments to the Traffic Regulation Orders as set out in (i) above, provided there are no further objections raised in respect of the advertised changes.

Reason:

To ensure that appropriate changes are made to traffic restrictions to address concerns raised by residents.

Cllr I Gillies, Chair

[The meeting started at 2.00 pm and finished at 3.40 pm].



**Decision Session – Executive Member for
Transport and Planning****19 October 2017**

Report of the Corporate Director of Economy &
Place

Proposed Micklegate Neighbourhood Plan Area and Forum**Summary**

1. This report follows on from the recent consultation on the applications submitted by the proposed Micklegate Neighbourhood Forum for designation of a Neighbourhood Plan Area and Forum. The report recommends that City of York Council approve both applications and designate the Micklegate Neighbourhood Forum and Plan Area as per the applications received.

Background

2. As part of the Localism Act 2011, local communities are encouraged to come together to get more involved in planning for their areas by producing Neighbourhood plans for their area. Neighbourhood plans are centred specifically round creating plans and policies to guide new development.
3. Neighbourhood planning is about letting the people who know about an area plan for it. It is led by the residential and business community, not the Council, and is about building neighbourhoods – not stopping growth.
4. If adopted by the Council, Neighbourhood Plans and orders will have weight becoming part of the statutory plan making framework for that area. Designation of a Neighbourhood Area and a Neighbourhood Forum are the first stages in the preparation of a Neighbourhood Plan.
5. In line with National Planning Practice Guidance (NPPG) paragraph 24¹:

'an application to produce a Neighbourhood Plan must be made by a parish or town council or a prospective neighbourhood forum to the local planning authority for a Neighbourhood Area to be designated (Regulation 5 of the Neighbourhood Plan (General) Regulations 2012 (As amended). This must include a statement explaining why the proposed neighbourhood area is an appropriate area.'

¹ ID 41-024-20140306

6. The regulations state that where a relevant body, in this case the prospective Micklegate Neighbourhood Forum, submits an area application it must include:
 - A map which identified the area to which the area applications relates;
 - A statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
 - A statement that the organisation or body making the application is a relevant body for the purposes of Section 61G of the 1990 Town and Country Planning Act as applied to Neighbourhood Plans by Section 38a of the Planning and Compulsory Purchase Act (2004).
7. The prospective Micklegate Neighbourhood Forum has submitted the Neighbourhood Area application and Neighbourhood Forum application simultaneously. This allows people who live, work and do business in the Micklegate Ward to see the proposals in context. It will also remove the need to consult twice, saving time and reducing the chances of 'consultation fatigue' amongst residents. The applications, including a map showing the extent of the proposed neighbourhood area, are included in Annex 1 of this report.
8. The prospective forum highlighted that although; the applications are submitted together, they are submitted as two separate applications in order to demonstrate compliance with Regulations 5 and 8 of the Neighbourhood Planning (General) Regulations 2012.

Reasons for the Proposed Neighbourhood Area Boundary

9. The area application states that the proposed Neighbourhood Area boundary follows the same boundary as the Micklegate Ward boundary (as at the date that the latest boundary was agreed). The prospective forum considers this to be appropriate to be designated as a neighbourhood area for the following reasons:
 - i. It follows the recognised/established Ward boundary
 - ii. Formal and informal networks of community based groups already operate within this boundary
 - iii. Distinct catchment areas for schools and local facilities fall within the boundary proposed
 - iv. Consultation to date shows that there is a desire for a neighbourhood plan to cover the full ward area
 - v. The river Ouse forms a natural boundary along one side of our proposed boundary

Suitability of Proposed Forum

10. The forum application highlights that the prospective Micklegate Neighbourhood Forum has been established for the express purpose of promoting or improving the social, economic and environmental wellbeing of the Micklegate Ward. It states that membership is open to:
 - i. individuals who live in the proposed Neighbourhood Area,
 - ii. individuals who work there (whether for businesses carried on there or otherwise), and
 - iii. individuals who are elected

Their current membership includes more than 25 individuals, each of whom falls within one or more of the above categories.

Consultation

14. In line with the Regulations (2012, as amended) when an area application is received, the City of York Council must publish the following details of the Plan:
 - a) *a copy of the application*
 - b) *details of how to make representations*
 - c) *the date by which those representations must be received, being-*
 - (i) in the case of an application to which paragraph (2)(b) of regulation 6A applies, not less than four weeks from the date on which the area application is first published;*
 - (ii) in all other cases, not less than six weeks from the date on which the area application is first published.*

16. In line with the Regulations (2012, as amended) when a neighbourhood forum application is received, the City of York Council must publish the following details of the Plan:
 - (a) a copy of the application;
 - (b) a statement that if a designation is made no other organisation or body may be designated for that neighbourhood area until that designation expires or is withdrawn;
 - (c) details of how to make representations; and
 - (d) the date by which those representations must be received, being not less than 6 weeks from the date on which the application is first publicised.

17. On 10th July 2017, City of York Council published the Forum and Area applications for a 6 week period in the following ways which meet the statutory requirements and accord with the Council's adopted Statement of Community Involvement:
 - A notice and a copy of the applications were put up at several prominent locations around Micklagate ward;
 - A notification letter was sent to businesses and landowners/agents in Micklegate;
 - A notification letter was sent to all neighbouring parish councils, these are:
 - Bishopthorpe
 - Fulford
 - A webpage has been created at www.york.gov.uk/neighbourhoodplanning where the Micklegate applications are available to view as well as additional information on the Neighbourhood Planning process.
 - A specific email address neighbourhoodplanning@york.gov.uk has been set up for representations as has a freepost address.

18. Once the consultation period ended, the Local Planning Authority has a period of time (defined by the Neighbourhood Planning (General) (Amendment) Regulations 2015) to decide whether or not to designate the boundary applied for. The power to designate a neighbourhood area is exercisable under section 61G of the Town and Country Planning Act 1990. At this stage, it is only the principle of becoming a neighbourhood area and the extent of the proposed boundary which is to be considered. The determination of the application should not pre-judge the content or approach of the proposed draft Neighbourhood Plan. When designating a neighbourhood area, a local planning authority should not make assumptions about the neighbourhood plan that will emerge from developing, testing and consulting on the draft neighbourhood plan when designating a neighbourhood area.
19. Under section 61H of the 1990 Act whenever a local planning authority exercises powers under 61G to designate an area as a neighbourhood area, consideration must be given to whether the authority should designate the area concerned as a business area. The designation of the specified area can only occur if the authority considers that the area is wholly or predominantly business in nature (Section 61H (3)). The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a business area.

Responses to Consultation

20. The Council did not receive any responses to the consultation..

Options

21. The following options are available for the Executive Member to consider:

Option 1 – approve both the applications to designate the neighbourhood area and forum for a Micklegate Neighbourhood Plan, as per the applications (attached at Annex 1) without modification;

Option 2 – approve the neighbourhood area application and refuse the forum application

Option 3 – approve the neighbourhood forum application and refuse the area application

Option 4 – refuse both the area and forum applications.

Analysis

22. Officers are satisfied that both the application for a Neighbourhood Plan area application and the Neighbourhood Forum application meet the statutory requirements. Given that no responses have been received from the duly publicised applications, as further stages of the Neighbourhood planning process are undertaken the Council will have a role in ensuring that the Forum is engaging with the community.

23. Officers therefore recommend that Option 1 is agreed to allow the prospective Micklegate Neighbourhood Forum to progress with the production of a Neighbourhood Plan for Micklegate. The alternative options 2 to 4 not to support designation of the neighbourhood area and/or forum are not recommended.

Next Steps

24. If Option 1 is approved, Micklegate Neighbourhood Forum can begin preparing the Neighbourhood Plan with appropriate advice and assistance from the Council.
25. Once a draft Plan has been produced, the Neighbourhood Forum is then required to undertake pre submission consultation by publicising the proposals and inviting representations for a period of not less than 6 weeks.
26. The Neighbourhood Forum can then submit the Neighbourhood Plan to the Council along with a consultation statement containing details of those consulted, how they were consulted, summarising the main issues and concerns raised and how these have been considered, and where relevant addressed in the proposed Neighbourhood Plan.
27. On receipt of the draft Neighbourhood Plan, the Council needs to publicise the Plan and invite representations for a period of not less than 6 weeks. Once the Council is satisfied that the Plan meets the requirements of the Town and Country Planning Act 1990 the Council then appoints an independent inspector for public examination of the Plan..The Plan must then be voted on in a local referendum before it can be 'made' by Council resolution.

Council Plan

29. The proposed Micklegate Neighbourhood Plan will be a positive contribution to the Council Plan priority of '*A council that listens to residents - to ensure it delivers the services they want and works in partnership with local communities*'.

Implications

30. **Financial/Programme** – If a neighbourhood plan for Micklegate progresses to independent examination, the council will be required to pay for the examination and the subsequent referendum. The costs of these statutory processes will be met in part by central government funding sources from the Department for Communities and Local Government. Any shortfall will need to be accommodated within existing resource.
31. **Human Resources** – None.
32. **Equalities** – None.
33. **Legal** – The designation of Neighbourhood Plan Areas is to be made in accordance with the Neighbourhood Planning (General) Regulations 2012, the Neighbourhood Planning (General) (Amendment) Regulations 2015, the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 and the provisions of the Localism Act 2011.

- 34. **Crime and Disorder** – None.
- 35. **Information Technology** – None.
- 36. **Property** – None.

Risk Management

- 37. No significant risks are associated with the recommendation in this report have been identified.

Recommendations

- 38. The Executive Member is recommended to:
 - (i) Approve the Neighbourhood Forum application and Neighbourhood Plan Area application as per Option 1.

Reason: to allow the Micklegate Neighbourhood Forum to progress a Neighbourhood Plan for the Micklegate area.

Contact Details:

Authors

Rebecca Harrison
Development Officer
Tel No: (01904) 551667

Chief Officer Responsible for the report

Michael Slater
Assistant Director Planning and Sustainable Development

Report Approved Date 5/10/17

Specialist Implications Officer(s)

Patrick Looker
Finance Manager
Tel No: (01904) 55 1633

Sandra Branigan
Senior Solicitor
Tel No: (01904) 55 1040

Wards Affected:

Micklegate Ward

All

For further information please contact the authors of the report.

Annexes:

Annex 1 – Micklegate Neighbourhood Area and Forum applications

Annex 1

**Micklegate Neighbourhood Plan
Area and Forum Applications**

██████████,
Development Officer City of York Council

Dear ██████████,

Application for designation of Neighbourhood Area and Neighbourhood Forum for Micklegate

We have taken a parallel approach by submitting the Neighbourhood Area application and Neighbourhood Forum application together. This will allow people who live, work and do business in the Micklegate Ward to see the proposals in context. It will also remove the need to consult twice, saving time and reducing the chances of 'consultation fatigue' amongst residents.

Although, these applications are submitted together, they are presented as two separate applications in order to demonstrate the compliance with Regulations 5 and 8 of the Neighbourhood Planning (General) Regulations 2012.

We look forward to working closely with the City of York Council.

Yours sincerely

John Young - Secretary

Pp Hussein Syed - Chair

Item	Name	Description
1	Application A	Neighbourhood Area Designation Application. Regulation 5
2	Application B	Neighbourhood Forum Designation Application. Regulation 8
3	Annex A	Map of the Proposed Neighbourhood Area (Micklegate Ward)
4	Annex B	Extract from Section 61F(5) of the 1990 Act
5	Annex C	Micklegate Neighbourhood Forum Written Constitution

Application A

Regulation 5: Application for the Designation of a Neighbourhood Area

- a) A map is attached at **Annex A** showing the full extent of the area proposed to be designated as a Neighbourhood Area. This follows the same boundary as the Micklegate Ward boundary (as at the date that the latest boundary was agreed).
- b) This area is considered to be appropriate to be designated as a neighbourhood area for the following reasons: -
 - i. It follows the recognised/established Ward boundary
 - ii. Formal and informal networks of community based groups already operate within this boundary
 - iii. Distinct catchment areas for schools and local facilities fall within the boundary proposed
 - iv. Consultation to date shows that there is a desire for a neighbourhood plan to cover the full ward area
 - v. The river Ouse forms a natural boundary along one side of our proposed boundary
- c) We are making this application as an organisation or body which is capable of being designated as a neighbourhood forum. An application has been submitted alongside this application for the designation of a Micklegate Forum.
- d) We consider that the proposed Micklegate Neighbourhood Forum (see attached **Application B**) is the appropriate body to lead neighbourhood planning in this area. We believe that we have demonstrated in the attached application that the group is capable of meeting the conditions for designation contained in section 61F(5) of the Town and Country Planning Act 1990.

Application B

Regulation 8: Application for the Designation of a Neighbourhood Forum

- a) The name of the proposed Neighbourhood Forum is 'Micklegate Neighbourhood Forum'
- b) A copy of the written constitution of the Micklegate Neighbourhood Forum is attached as Annex C.
- c) The proposed name for the Neighbourhood Area is 'Micklegate Neighbourhood Area'. The map attached at Annex A shows the proposed area.
- d) The Chair of the proposed Neighbourhood Forum is:

Name	Hussein Syed
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]

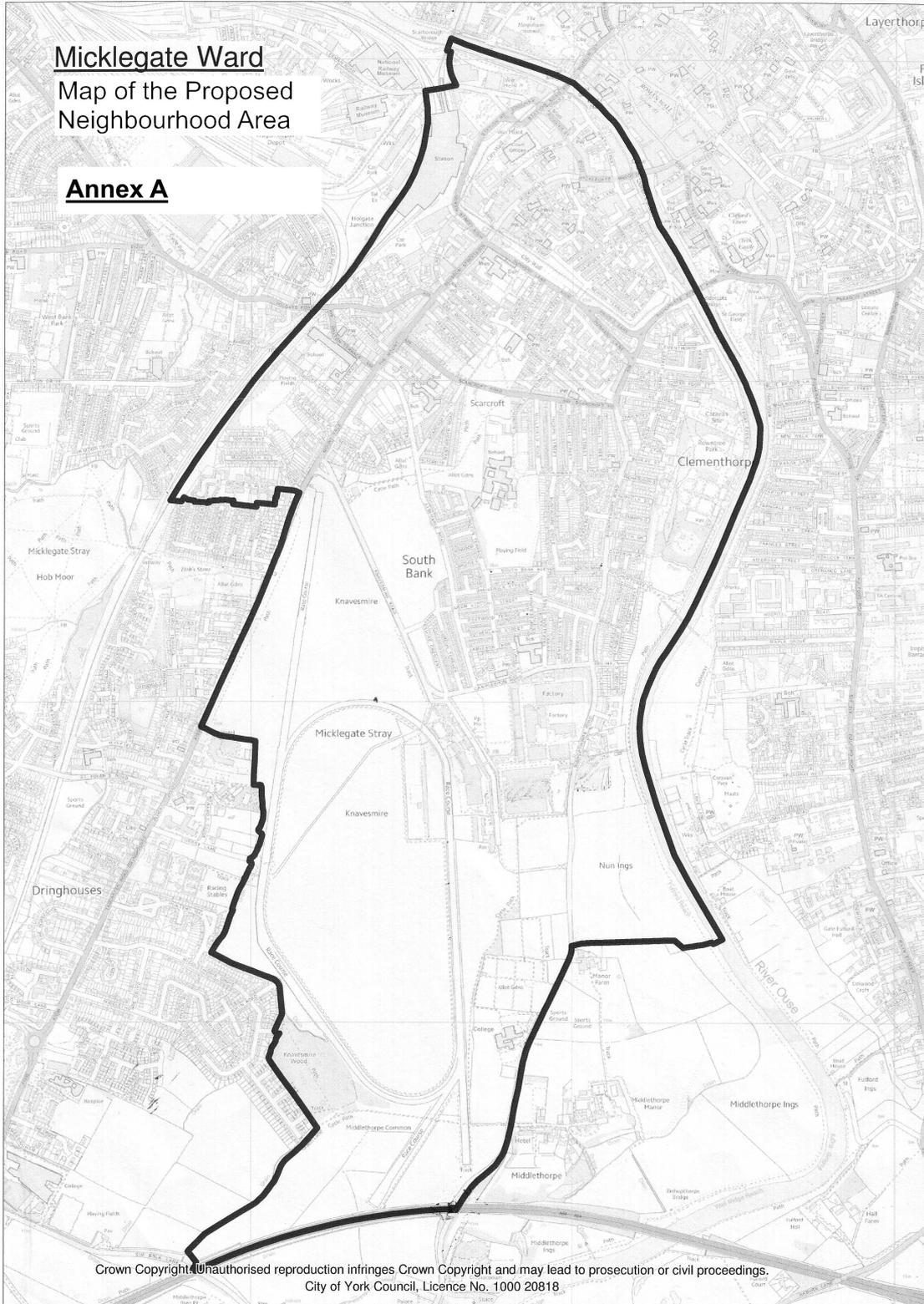
- e) The statement below explains how the proposed neighbourhood forum meets the conditions in section 61F(5) of the 1990 Act. An extract from the Act is included at Annex B.

As the written Constitution makes clear, the Micklegate Neighbourhood Forum has been established for the express purpose of promoting or improving the social, economic and environmental well-being the Micklegate Ward.

- f) Our membership is open to:
 - i. individuals who live in the proposed Neighbourhood Area,
 - ii. individuals who work there (whether for businesses carried on there or otherwise), and
 - iii. individuals who are elected

Our current membership includes more than 25 individuals, each of whom falls within one or more of the above categories.

Annex A



Annex B

Extract Section 61F(5) of the 1990 Act

61F Authorisation to act in relation to neighbourhood areas

(5) A local planning authority may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions

(a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),

(b) its membership is open to

(i) individuals who live in the neighbourhood area concerned,

(ii) individuals who work there (whether for businesses carried on there or otherwise), and

(iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(c) its membership includes a minimum of 21 individuals each of whom

(i) lives in the neighbourhood area concerned,

(ii) works there (whether for a business carried on there or otherwise), or

(iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(d) it has a written constitution, and

(e) such other conditions as may be prescribed.

Annex C

Written Constitution for Micklegate Neighbourhood Forum

The written constitution is attached to this document as

20170113 MickGt Annex C.PDF

The Forum Secretary is the custodian of the Constitution and also the current list of Forum Members.

Name: John Young

Address:

[REDACTED]

Phone:

[REDACTED]

Email:

[REDACTED]

Micklegate Neighbourhood Forum Constitution

1. Name and Area

- 1.1. The name of the Forum will be the Micklegate Neighbourhood Forum, referred to in the rest of this Constitution as the Forum.
- 1.2. The Forum will pursue its objectives in the area delineated by the Micklegate Ward boundaries (see attached Micklegate Ward Map). This may be adjusted by the Forum or City of York Council under its statutory powers.
- 1.3. This is the area designated by the Forum for the purpose of the preparation of a Neighbourhood Plan under the Neighbourhood Planning (general) Regulations 2012.

2. Forum Objectives

- 2.1. The objectives of the Forum shall be to:
 - 2.1.1. Have the express purpose of promoting or improving the social, economic and environmental well-being of the Micklegate Neighbourhood Area.
 - 2.1.2. Prepare a Neighbourhood Plan for Micklegate from start to completion and adoption.
 - 2.1.3. Identify and exploit means by which the whole community can be involved in the formulation and preparation of the Plan. Special attention will be made to youth and elderly groups.
 - 2.1.4. Encourage the participation of residents and businesses in all aspects of life in Micklegate.
 - 2.1.5. Work in partnership with York City Council in the preparation of the Neighbourhood Plan; and Neighbouring Forums, Wards and Parishes in joint endeavours.
 - 2.1.6. Work with other supporting organisations, including the voluntary sector to ensure they play a key role in the preparation of the plan.
 - 2.1.7. Be responsible for planning, budgeting and monitoring expenditure on the production of the Neighbourhood Plan and associated projects, including identifying sources of funding.
 - 2.1.8. Ensure the Micklegate Neighbourhood Plan conforms with local and national planning policies.
 - 2.1.9. Ensure the Forum shall not be affiliated to any political party.
 - 2.1.10. Further develop excellent community relations and pride already existing in the area.
 - 2.1.11. Identify special needs for training and self-development.
 - 2.1.12. Seek assistance, support and advice, when needed, from service providers and organisations and individuals.

- 2.1.13. Proactively seek out best practices, lessons learned and advice from other Forums and bodies, both locally and nationally. Avoid re-inventing wheels wherever possible.
 - 2.1.14. The Forum and Steering Group will aim to follow the Nolan Principles of public life; encompassing Selflessness, Integrity, Objectivity, Accountability, Openness and Honesty.
- 2.2. The MNF is to make the plan in the first place and therefore, at least until the plan is made, shall not express any views on any particular planning application (other than those it makes itself) prior to the completion of the Neighbourhood Plan. Individual members are free to comment on any planning applications but not in the name of the Forum.
 - 2.3. All members shall act in meetings of the Forum and Steering Group in the best interests of the Forum and residents of the area and shall follow Good Governance Guidelines as set out in the attached link (<http://www.goodgovernancecode.org.uk>)

3. Powers

In furtherance of the Objectives, but not otherwise, the Steering Group of the Forum may exercise power to:

- 3.1. Invite and receive contributions and raise funds where appropriate, to finance the work of the Forum, and to open a bank account to manage such funds.
- 3.2. Publicise and promote the work of the Forum and organise meetings, training courses, events or seminars etc
- 3.3. Work with groups of a similar nature and exchange information, advice and knowledge with them, including cooperation with other voluntary bodies, charities, statutory and non-statutory organisations
- 3.4. Employ staff and volunteers (who shall not be members of the (Steering Group) as are necessary to conduct activities to meet the objectives
- 3.5. Buy or rent premises/equipment/employ services as required
- 3.6. Conduct research
- 3.7. Produce and disseminate information among Micklegate residents and workers. Attention will paid as to how residents can easily feedback on this information.
- 3.8. Take any form of action that is lawful, which is necessary to achieve the objectives of the Forum, including taking out any contracts which it may see fit.

4. Membership

- 4.1. Applicants for membership will apply to the Steering Group which shall have the power to accept members.
- 4.2. All members of the Forum have a duty to declare at application stage any financial interests or associations through party political or other organisations, employment or land ownership that could have an impact on the Forum's work.

- 4.3. Any member who wishes to resign must provide the Secretary with written notice, stating either a) With Immediate Effect -or- b) A time-frame acceptable to the Steering Group.
- 4.4. The Steering Group may refuse membership, or may suspend or terminate membership of any member by resolution passed at a Steering Group Meeting where it is considered membership would be detrimental to the objectives and activities of the Forum.
- 4.5. Membership is open to all who reside or work in the area of benefit of the Forum.
- 4.6. Membership is open to all business operators in the area of benefit to the Forum.
- 4.7. Membership is open to all constituted voluntary and community groups operating in the area of benefit of the Forum
- 4.8. Membership is open to elected Councillors in the Ward Area of benefit of the Forum.
- 4.9. Membership will be drawn from the area of benefit to achieve inclusiveness and a fair representation of all social and age groupings.

5. Meetings

5.1. General Forum Meetings

- 5.1.1. All Forum members will be invited to at least four general meetings every year.
- 5.1.2. For General meeting business to be conducted, a quorum of fifty percent (50%) of members must be present at the meeting.
- 5.1.3. All members shall be given at least fourteen (14) days notice of when a meeting is due to take place.

5.2. Annual General Meetings/Special Meetings

- 5.2.1. One of the General Meetings of the Forum shall be the Annual General Meeting (AGM) where the Steering Group Officers will be elected, reports of activities made by the Chair and a financial report by the Treasurer.
- 5.2.2. For AGM business to be conducted a quorum of 50% of the membership must be present.
- 5.2.3. All members are entitled to vote at the AGM. Voting shall be by a show of hands on a majority basis. The Chair has a casting vote in the event of a tie.
- 5.2.4. All members shall be given twenty eight (28) days notice of when a meeting is due to take place via email or text.
- 5.2.5. Special Meetings may be called from time to time by the Steering Group solely to consider amendments to the Constitution or dissolution of the Forum. These shall be subject to the same rules as the conduct of the AGM.

6. MNF Steering Group

- 6.1.1. The MNF shall be administered by a Steering Group of no less than five (5) and no more than fifteen (15) members who must be at least 16 years of age drawn from the wider MNF Membership.
- 6.1.2. The role of the SG is to deliver the objectives of the Forum in line with this Constitution and manage the day-to-day running of the Forum.
- 6.1.3. Officers of the Steering Group will be elected by the Forum for the period between Annual General Meetings and can be nominated and stand for re-election at the Forum's AGM.
- 6.1.4. Members of the Forum (other than Officers) can join the the Steering Group via more than one route
 - 6.1.4.1. Volunteering - where the member simply offers their services and is accepted by the SG.
 - 6.1.4.2. Election - where there is competition for a place on the Steering Group, then the Steering Group will vote for candidates, and those getting the most votes will join the Steering Group.
 - 6.1.4.3. Adoption - where a Forum Member, through their knowledge and expertise, could assist The Forum in achieving its objectives. The Steering Group would invite the Member to join the Steering Group in this case.
- 6.1.5. The SG may delegate powers on specific matters to such persons and groups as agreed in meetings and minutes.
- 6.1.6. The SG may authorise individual members to make minor decisions considered of benefit to the membership but inexpedient to await the next scheduled SG meeting.
- 6.1.7. The SG will meet at least 6 times per calendar year. Each Forum year begins on the 1st of April.
- 6.1.8. One half (50%) of the Steering Group members must be present in order for a meeting to take place.
- 6.1.9. All members of the SG shall be given at least two weeks (14 days) notice of when a meeting is due by email, text or whatever means agreed.
- 6.1.10. If an elected member does not attend three successive Steering Group Meetings without good reason, their membership of the Steering Group will cease. The Chair or Secretary will confirm this dismissal in writing.
- 6.1.11. No member of the Steering Group shall use their position for financial or personal gain.

6.2. Executive roles and responsibilities on the Steering Group shall be:

6.3. Chair

- 6.3.1. To call and manage regular meetings of the SG (for which a quorum will be one half of its members) and to ensure all meetings are held in accordance with the MNF Constitution.
- 6.3.2. In the event of a tied vote, to have a casting vote.

- 6.3.3. Act on behalf of the MNF and represent it externally
- 6.3.4. Have power to take action on urgent matters between meetings of the Steering Group.
- 6.3.5. Interpret the Constitution. The Chair's interpretation of the Constitution may be overturned by two-thirds of those present at the Steering Group.
- 6.3.6. Represent and liaise with the York Central Planning Committee insofar as the MNF Plan overlaps, intersects or otherwise affects the 'Teardrop' Brownfield Development site.
- 6.3.7. Act as a joint signatory on the MNF Account. Two joint signatures will be required for all transactions.

6.4. Vice-Chair

- 6.4.1. To stand-in for the Chair whenever they cannot fulfil their role, for whatever reason.
- 6.4.2. To also represent MNF on the York Central Planning Committee.

6.5. Secretary

- 6.5.1. Will maintain a list and contact details of all MNF Members, Steering Group Members and Steering Group Office holders. These details will be made available to other Members at their request.
- 6.5.2. Shall be responsible for organising meetings, maintaining the minutes and Constitution of the MNF. Also making them available to Members.
- 6.5.3. Take the Chair if Chair & Vice-Chair are Absent.
- 6.5.4. Act as a joint signatory on the MNF Account.

6.6. Treasurer

- 6.6.1. Shall be responsible for maintaining the accounts of the MNF.
- 6.6.2. Will present an annual budget for the following year after the AGM.
- 6.6.3. Submit detailed accounts to the Steering Group at every Steering Group meeting.
- 6.6.4. Act as joint signatory on the MNF Account.
- 6.6.5. Take the Chair if the Secretary is absent.
- 6.6.6. Take the Minutes if the Secretary is absent or in the chair.

6.7. Publicity Officer

- 6.7.1. To promote the objectives of the MNF via media channels, both social and formal.
- 6.7.2. To maintain the MNF website hosted by the CYC.
- 6.7.3. To report on progress achieved by the MNF on achieving its objectives.

6.8. Additional roles

- 6.8.1. As and when required to fulfill MNF's Objectives.
- 6.8.2. Appointed by the Steering Group by a simple majority

7. Working Groups

- 7.1. Forum Members may from time to time be asked to form small groups to address particular issues. These groups shall be known as Working Groups, and shall have specific Terms of Reference as set out by the Steering Group.
- 7.2. These Groups will be able to investigate, discuss and make recommendations, but, unless specifically authorised by the Steering Group, will not have the power to make decisions on behalf of the Forum.
- 7.3. Meeting location, recording and frequency will be the responsibility of the Working Groups. If a record of a meeting is sought, the Working Group can pass the details to the Secretary for wider publication.

8. Complaints

- 8.1. Any complaints about the Steering Group, General Forum or Working Groups, in relation to the work undertaken; shall be made in confidence, in writing to the Secretary - unless the complaint is about the Secretary in which case it shall be made to the Chair.
- 8.2. The Elected Officers of the Steering Group will investigate the complaint and decide on action as appropriate. If the complaint concerns the officers themselves, other members of the Forum will be appointed in their place.
- 8.3. Appeals will be held by three members of the Steering Group who have not been involved in investigating the complaint or determining action.

9. Constitutional Amendments

- 9.1. Proposed amendments to this Constitution or dissolution of the Forum must be conveyed to the Secretary formally in writing.
- 9.2. The Secretary and other members of the Steering Group shall then decide whether to put the proposed amendments to a General Forum Meeting.
- 9.3. The Constitution can only be changed at an AGM or SGM; on receiving a simple majority vote in favour of the amendment.

10. Dissolution and Winding Up

- 10.1. The Forum is designated for a period of 5 Years. However, the Forum can apply to have the designation renewed.
- 10.2. The Forum may be dissolved if deemed necessary by the members in a two thirds majority vote at a special meeting. This must be a duly advertised meeting for this specific purpose and to which all Forum Members are invited to attend.
- 10.3. In the event of the forum being dissolved, the assets (after payments of debts due) will be returned to their providers or be transferred to local charities or similar groups at the discretion of the Steering Group. This will be decided by a simple majority vote of the Steering Group.

Arrangements until the first Annual General Meeting of the Micklegate Neighbourhood Development Plan Forum

Until the first Annual General Meeting takes place, this constitution shall take effect as the Micklegate Neighbourhood Forum terms of reference.

Signed Chair

Signed..... Secretary

Signed..... Steering Group Member

Adoption of Constitution of Micklegate Neighbourhood Forum

This Constitution was adopted as the Constitution of the Micklegate Neighbourhood Forum

..... At the first Annual General Meeting

Of..... Held on the

Where the following persons were elected as Trustees and Steering Group Members for

.....

Signed Chairperson

Signed Vice-Chairperson

Signed Secretary

Signed Treasurer

Signed

Signed

Signed

Signed

Signed

..... DATE



**Decision Session – Executive Member for
Transport and Planning**

19 October 2017

Report of the Corporate Director of Economy & Place

**3 Residents Parking Petitions; St. John's Place & Chestnut Court,
Broadway West & Westmorland Drive and Pasture Farm Close**

Summary

1. To report the receipt of 3 petitions and determine what action is appropriate in each case.

Recommendations -

St. John's Place & Chestnut Court

2. It is recommended that:
 - Option 1 - That the request is refused.

Reason: Because this is a new development which was removed from the residents parking zone during the planning process because of the impact it would have on the existing residents.

Broadway West & Westmorland Drive

3. It is recommended that:
 - Option 4 - That the area is added to the Residents parking waiting list, Danesmead Close item, and an investigation carried out when the item reaches the top of the list.

Reason: Because this will respond to residents concerns in the order they are raised and can be progressed depending on funding available each year.

Pasture Farm Close

4. It is recommended that:

- Option 6 - That the street is added to the Residents parking waiting list and an investigation carried out when it reaches the top of the list.

Reason: Because this will respond to residents concerns in the order they are raised and can be progressed depending on funding available each year.

- Option 7 - That the double yellow line request be progressed along with other similar issues when the situation has been assessed.

Reason: Because this will respond to residents concerns.

Background - St. John's Place & Chestnut Court

5. The petition is in the form of a letter signed by 10 residents, the details of which are in Annex A1.
6. St. John's Place and Chestnut Court are both new developments within an existing residents parking zone (see Annex B1) where on street parking is at a high premium. It is common practise during the Planning approval process for new development areas within an existing residents parking zone to be removed from the residents parking zone when the new development does not contribute additional on street parking provision that could be used by all residents within the zone. This approach is taken to help protect the limited parking opportunity of the existing residents and the new residents are aware at the time of deciding to buy their property of what parking there is available for them. It should also be noted that there is a third area, Grove Place, within the excluded area that is not represented in this petition.
7. When this area was developed it included garages and private parking areas available to residents of these developments (see photos in Annex B1a). The Monk Bar public car park is 150 to 200m away from the development.
8. The process for not allowing new developments into existing residents parking zones has been challenged in the past and considered by the Local Government Ombudsman. The outcome was determined in the city council's favour.

Background - Broadway West & Westmorland Drive

9. A petition consisting of 20 standard letters has been collected by Councillor D'Agorne – see Annex A2. A recent petition from residents of the adjacent Danesmead estate (see Annex B2) was recently approved

for adding to the residents parking waiting list. Hence it seems appropriate to add these two streets to that item for investigation in due course once it reaches the top of the waiting list

Background – Pasture Farm Close

10. The petition has been signed by representatives of all the properties in Pasture Farm Close and the Fulford Main Street properties immediately adjacent to the Close – a total of 13 signatures. A copy of the petition covering letter is shown in Annex A3 and a plan of the area Annex B3.
11. The request for double yellow lines would normally be added to the annual review of waiting restriction requests. However as the approval stage for this process has recently been completed it is suggested that officers be given delegated authority to determine an appropriate length of restriction to include in the next Traffic Regulation Order advertisement in order to respond more quickly to the concerns that have been raised.

Background – General information

12. There has been a flurry of interest in becoming part of a residents parking zone in the last 18 months or so and we are currently progressing 5 schemes. This increase in demand has resulted in a waiting list (see Annex C) for investigating new requests. Each request will be investigated in the order the request was made and will be dependant on funding availability.
13. The process and likely timescales for investigating and implementing a scheme is also outlined on the waiting list in Annex C. In the event of additional petitions being received from adjacent streets then they would be grouped together in the investigation and consultation in order to better represent the views of the wider community.

Options for Consideration

St. John's Place & Chestnut Court

14. Option 1 – Note the petition but take no action. This is the recommended action because it is in line with the existing practise for dealing with new developments in existing residents parking zones.
15. Option 2 – Approve for inclusion on the residents parking waiting list to consult on advertising a proposal to include St. John's Place & Chestnut Court in the existing residents parking zone. This is not the recommended action because it goes against the established practise and would likely

lead to other developments currently excluded from residents parking zones to expect similar treatment.

Broadway West & Westmorland Drive

16. Option 3 – Note the petition but take no action. This is not the recommended action.
17. Option 4 – Approve for inclusion these two streets on to the existing Danesmead Estate item currently on the residents parking waiting list because this responds to residents concerns and deals with a wider area of the local community at the same time.

Pasture Farm Close

18. Option 5 – Note the petition but take no action. This is not the recommended action.
19. Option 6 - Approve for inclusion on the residents parking waiting list because this responds to residents concerns.
20. Option 7 – Approve for advertising along with other similar items a length of double yellow lines to be determined by officers in due course. Because this responds to residents concerns in a cost effective manner rather than considering it as an individual item.

Consultation

21. At this stage there is no consultation but when the area reaches the top of the waiting list there will be a 2 stage consultation process. Firstly, information on how a scheme operates is sent out to all properties together with a questionnaire, the results of which are reported back to an Executive Member meeting for a decision on how to proceed.
22. If approval to proceed is granted then the formal legal Traffic Regulation Order consultation is carried out.

Council Plan

23. The above proposal contributes to the City Council's draft Council Plan of:
 - A prosperous city for all,
 - A council that listens to residents

Implications

24. This report has the following implications:

Financial – None.

Human Resources – None

Equalities – None.

Legal – before a residents parking scheme can be implemented the correct legal procedure has to be gone through.

Crime and Disorder – None

Information Technology - None

Land – None

Other – None

Risk Management

25. . None.

Contact Details

Authors:

Alistair Briggs
Traffic Team Leader
Dept. Transport
Tel: (01904) 551368

Chief Officer Responsible for the report:

Neil Ferris
Corporate Director, Economy & Place

Date:

6/10/2017

Specialist Implications Officer(s)

None.

Wards Affected: Guildhall, Fishergate and Fulford

All

For further information please contact the author of the report.

Background Papers: None.

Annexes:

Annex A1 to 3 Petition letters

Annex B1 to 3 Location plans

Annex B1a Photos of Private Parking Areas

Annex C Residents parking waiting list

Annex A1

St. John's Place & Chestnut Court Petition Letter

St John's Place
Penley's Grove Street
York YO31 7RF

Chestnut Court
Penley's Grove Street
York YO31 7RH

RECEIVED 16 AUG 2017

Parking Department
Council Offices
York

7 August 2017

Dear Sirs

We, the undersigned residents of the properties at St. John's Place, are all owner occupiers of the five family houses. The adjacent new development called Chestnut Court also comprises five properties, three of which are large family houses. According to the map (see attached) that shows which properties are entitled to apply for residents parking permits, our properties are virtually the only ones in this area not to have this entitlement. Our properties all have either a garage or parking space for our own use so that we can park one car within our curtilage, but none of the ten properties have any provisions at all for our visitors to park.

Everywhere else in The Groves and surrounding areas residents at the same address are able to purchase permits for up to three cars to park as well as visitor permits. It seems reasonable to assume that we pay similar levels of council tax to other properties, including the houses opposite to us in Penley's Grove Street, and could therefore expect our ten properties to be treated equally along with all others in the area. Instead we feel that we are being unfairly penalised by not being allowed to purchase permits that would allow our families and friends to park on the same terms as neighbouring properties.

We request, therefore, that the Council reconsider this arrangement and allow this small group of houses the right to purchase, at the very least, permits so that our visitors may park in this zone.

Yours faithfully,

Annex A2

Broadway West and Westmorland Drive Petition Letter

Dear Resident,

The residents of the Danesmead estate have recently petitioned their local councillor to put forward their area for resident's parking – the Respark scheme. In addition, this scheme is likely to include Fulford Cross. Meanwhile, the residents in the vicinity of Butchers Terrace (on the other side of the Millennium bridge) have had a Respark scheme approved, and this will be implemented in due course.

Whilst the parking on Broadway West and Westfield Drive is not currently a regular problem, the combined effect of these two proposed schemes is likely to have significant knock-on effect onto these roads.

I am writing to suggest that we, as residents of Broadway West and Westfield Drive, should petition our local councillor (Andy D'Agome, who lives on Broadway West) to be included in the consultation about Danesmead. This will enable us to have a voice in the consultation and potentially avoid being pushed to the back of queue if the knock-on effects of the proposed local Respark schemes lead to unwanted impact on our roads.

Please fill in the slip below and return to Andy D'Agome (10 Broadway West) if you'd like to see Broadway West and Westfield Drive included in the Respark consultation.

Dear Cllr. D'Agome.

I understand that a Respark scheme for the Danesmead estate is about to enter the consultation phase. I would like Broadway West and Westmorland Drive to be included in this consultation, as any such scheme would likely have significant impacts on these roads.

Yours,

Annex A3

Pasture Farm Close Petition Letter

Parking in Pasture Farm Close YO10 4PZ

I am writing to you on behalf of the residents of Pasture Farm Close, Fulford, York YO10 4PZ and the residents of 124 and 126 Main Street Fulford who also need to use this Close.

The residents request that York City Council provide double yellow lines for the eastern end of the Close where it joins Main Street and also residents only parking status for the remainder of the Close. Details and reasons are given below.

First please note that the residents mentioned above are unanimous in this request as shown by the signatures on the petition enclosed which is marked PFC#1.

The plan marked PFC#2 indicates in yellow highlighter where the residents would like the double yellow lines to be – the remainder of the Close to be residents only parking.

The reasons the residents believe that these parking restrictions should be implemented are:

1. Safety for pedestrians

Presently many cars park half on the footpath and half on the road. This obstructs people with wheelchairs or prams/pushchairs forcing them to go on to the road.

2. Safety for other road users

Parking on the north side of the road near the junction with Main Street forces drivers exiting the Close on to the wrong side of the road thereby blocking access from Main Street. Because the A19 is so busy at this point anyone turning right may have to wait 2-3 minutes before they can exit the Close.

Parking on the south side of the road forces incoming vehicles into the path of those exiting at a point where the road has an almost 90 degree bend.

3. General safety of the residents

Parking anywhere in the run up to the junction with Main Street prevents access by emergency service vehicles and forces all larger vehicles such as waste disposal and delivery lorries to mount the pavement causing a risk to pedestrians.

4. Health

Parking in the run up to the junction also causes larger and heavy vehicles to cut the corner potentially damaging the main drain beneath the road at that point.

The photograph marked PFC#3 shows a not untypical situation and illustrates the problems outlined in points 1-3 above and the photograph marked PFC#4 illustrates point 4 above.

For information an aerial photograph of the whole Close is appended and marked PFC#5.

Accordingly for the reasons outlined above, the residents would ask that the City Council accede to the above request and implement the parking restrictions as soon as is practicable.

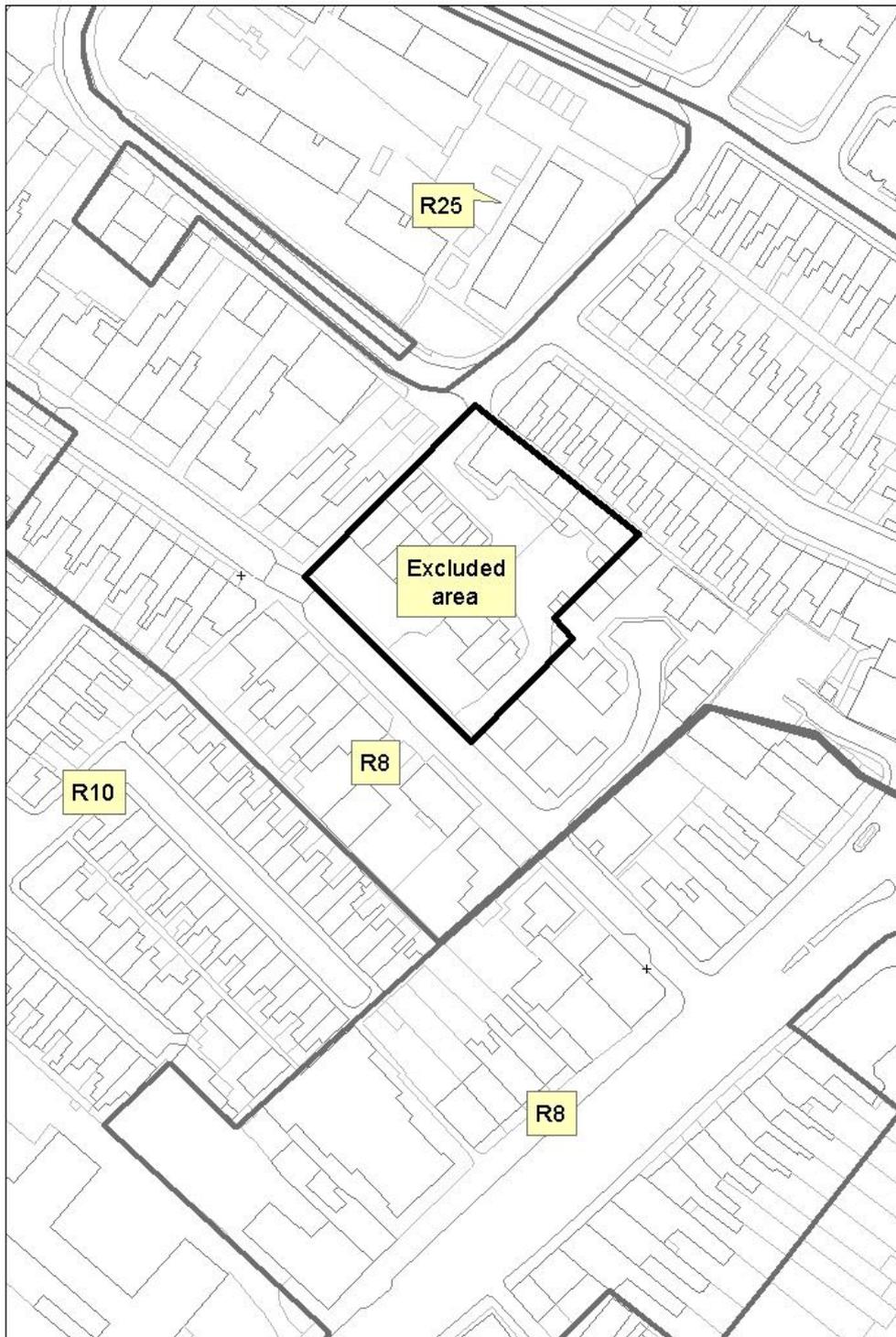
Should you require any further information or clarification please do not hesitate to contact me.

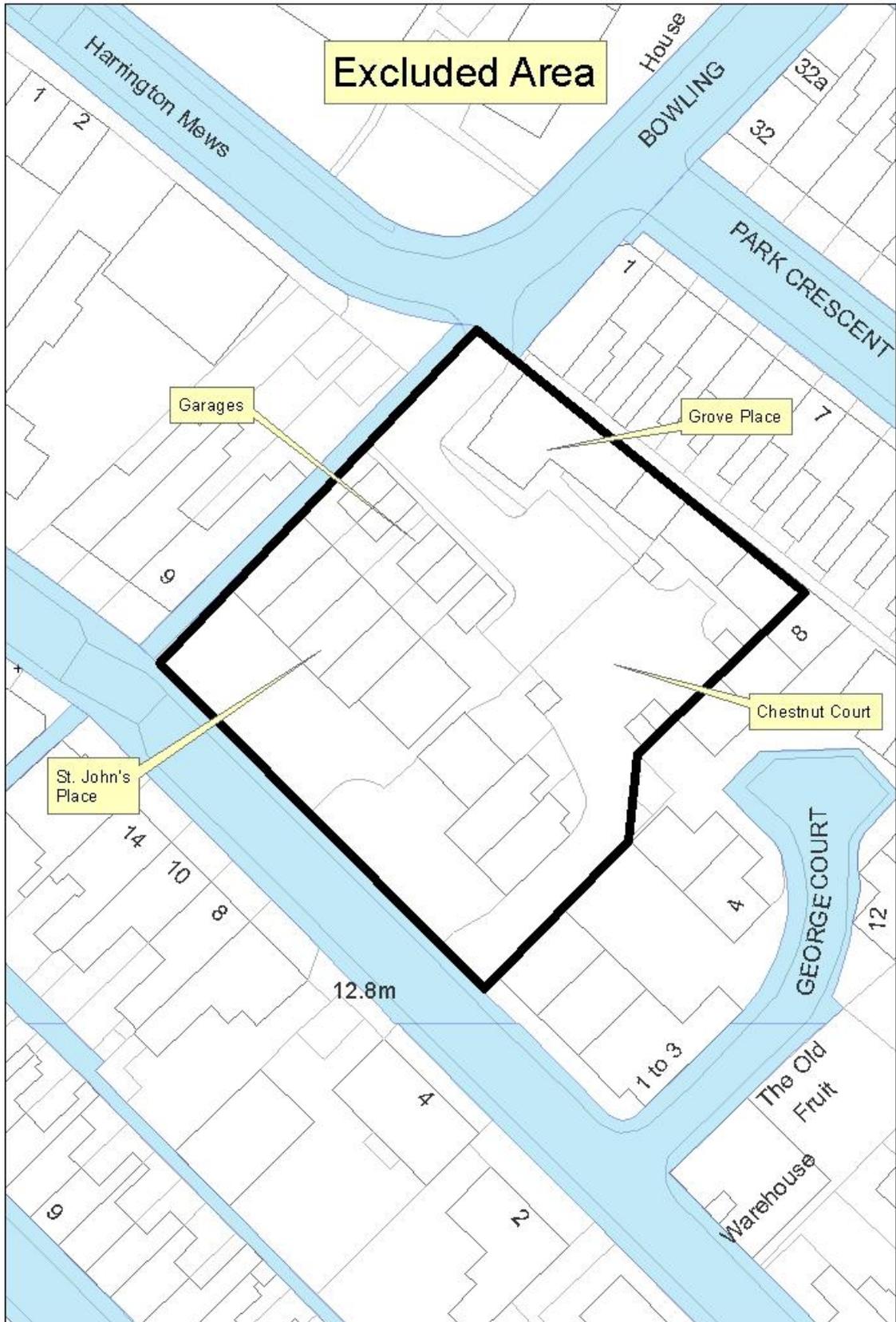
Yours sincerely

Annex B1

Location Plans

St. John's Place / Chestnut Court Area Plan





Annex B1a

Photos of Private Parking Areas



Chestnut Court parking area.

8 bays marked out.



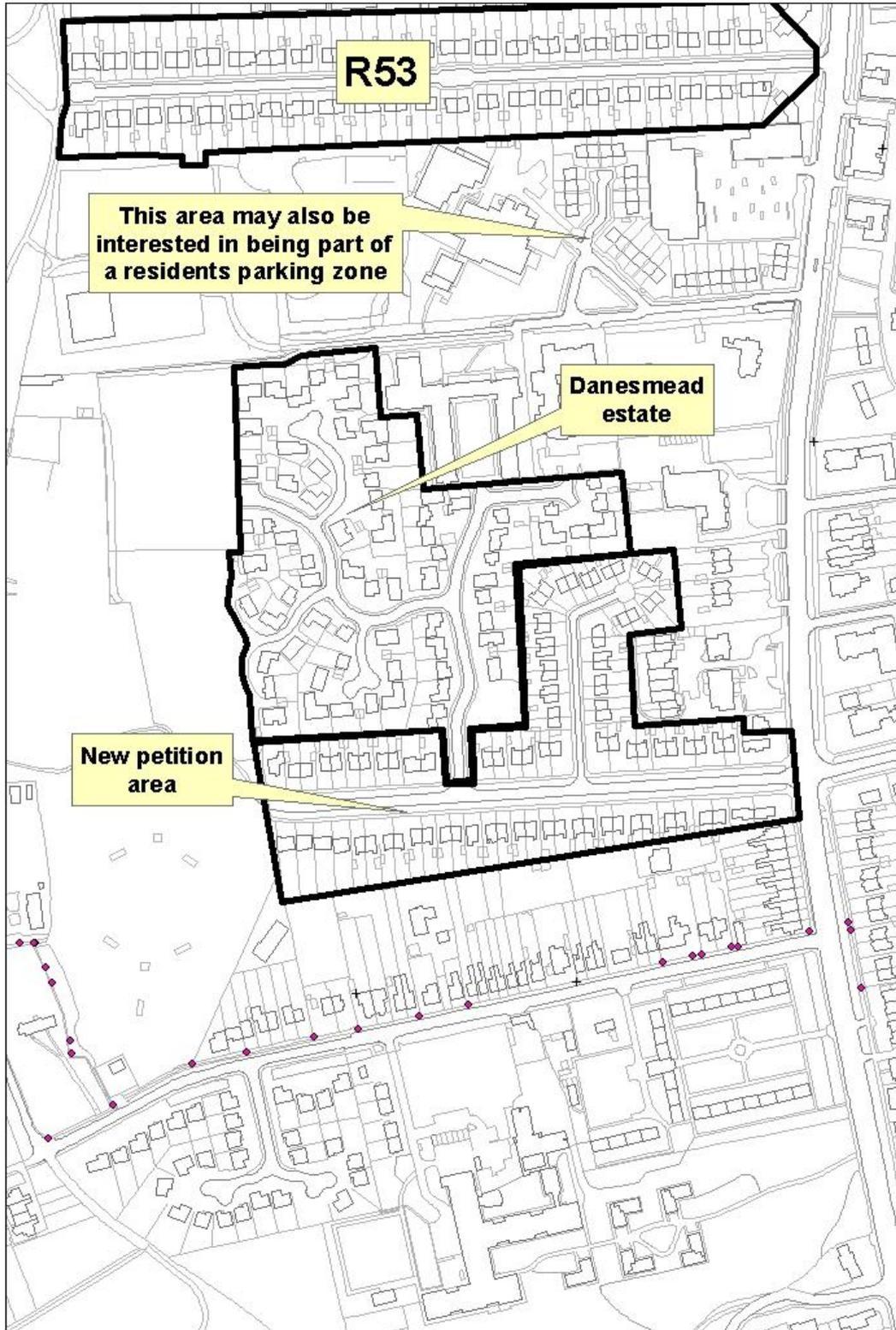
Private parking area to the rear of **St. John's Place** and Grove Place

7 bays marked out - beyond the 5 garages behind St. John's Place.



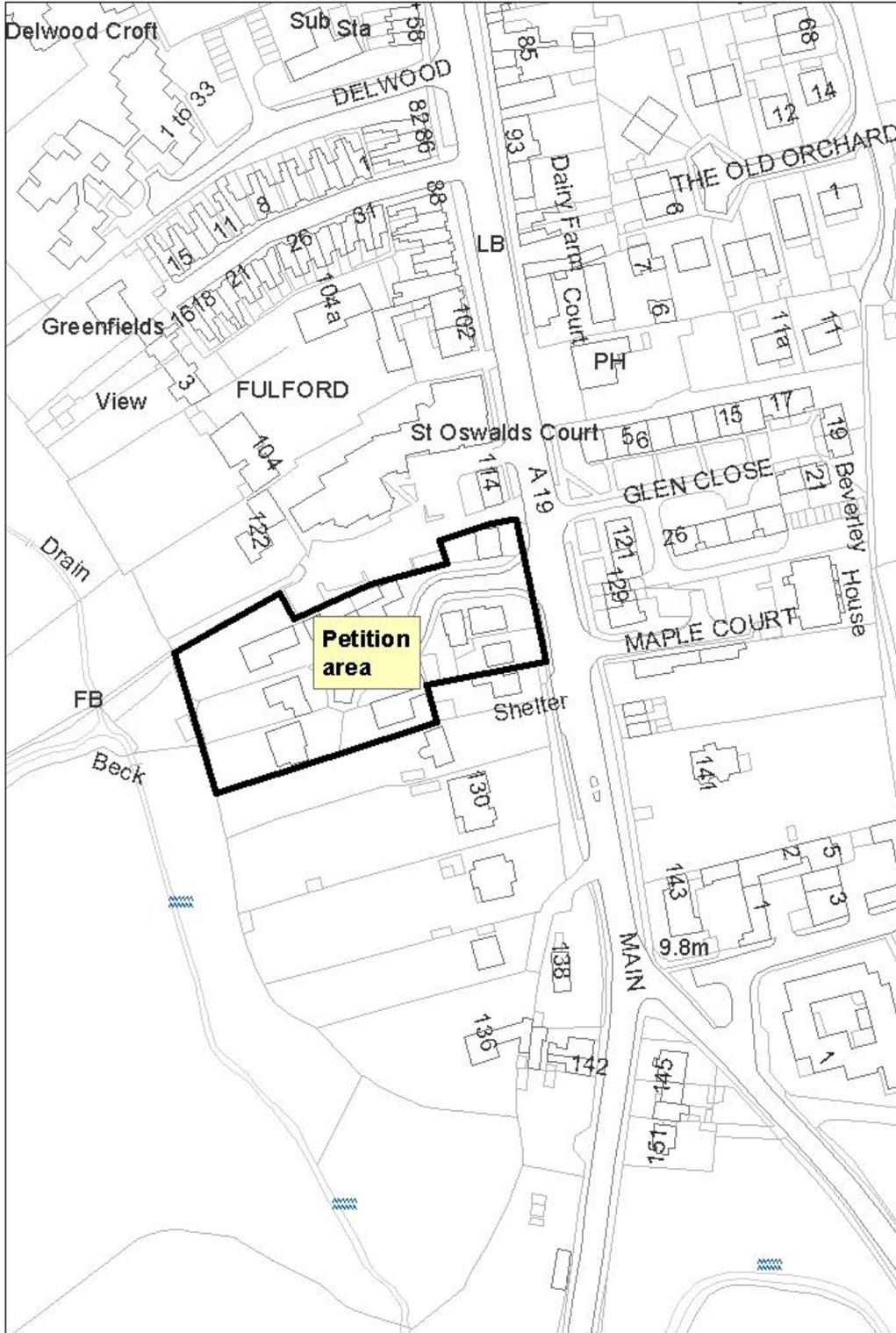
Annex B2

Broadway West / Westmorland Drive Area Plan



Annex B3

Pasture Farm Close Area Plan



Annex C

Residents Parking Waiting List

Residents parking schemes are dealt with in order of when they are received.

Typically 2 schemes might be introduced per year but this depends on funding and other workload priorities.

Process	Approximate timescale
<p>Stage 1 – initiation</p> <p>The request (normally by petition) indicating significant support in an area or street is reported for either approval to take forward or refuse.</p>	8 weeks

When the potential scheme reaches the top of the list work begins.

The time between stage 1 and 2 varies significantly depending on the length of the waiting list.

<p>Stage 2 – start of project</p> <p>A draft scheme and questionnaire will be sent out to all properties within the proposed area. A proposal will normally be taken forward if there is at least a 50% response rate and the majority of returns are in favour. Depending on circumstances, there is potential for individual streets to go forward from an area if the streets return is very positive whilst the areas is either low or opposed.</p> <p>The consultation is then reported along with a proposed scheme for approval to advertise a Traffic Regulation Order.</p> <p>TRO preparation and advertising</p> <p>Any objections to the proposed TRO are then reported for consideration.</p> <p>If the objections are overturned the scheme will then be implemented.</p>	<p>6 – 8 weeks</p> <p>8 weeks</p> <p>4 - 6 weeks</p> <p>8 weeks</p> <p>12 - 15 weeks</p>
---	--

Once work on a scheme begins it will normally take 9 months to complete.

Waiting List

Area	Date received	Progress (NOTE: not all will get through to implementation)	
South Bank Avenue Petition	Summer 2016	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes Yes Yes Yes In progress
Butcher Terrace area Petition	Summer 2016	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes Yes Yes Yes In progress
Phoenix Boulevard Petition	Summer 2016	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes Yes Yes Yes In progress
Railway Terrace / St Paul's area Petition	Summer 2016	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes Yes Yes Yes In progress
St. Alban's Place	February 2017	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes Yes Yes Yes In progress
Rosedale Street Petition	April 2017	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes

Danesmead estate Petition	April 2017	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes
Sussex Road petition	May 2017	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes
Clifton Dale	June 2017	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	Yes
St. John's Place and Chestnut Court	August 2017	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	
Broadway / Westmorland Drive	Sept. 2017	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	
Pasture Farm Close	Sept. 2017	Reported Consultation carried out Consultation report TRO advertised Objections report Implemented/dropped	

This page is intentionally left blank



**Decision Session - Executive Member for
Transport and Planning**

19th October 2017

Report of the Corporate Director of Economy and Place

BT Public Payphone Removal Consultation

Summary

1. This report is to inform the Executive Member for Transport and Planning of a formal consultation by British Telecom (BT) to the Council and the wider local community on its intentions to remove 1no public payphone, including the box at a site adjacent to no.90 Clifton, to the south east of Clifton Green.
2. The purpose of this report is to seek a resolution on the removal of this payphone with the further option to delegate the final decision to the Assistant Director of Economy and Place to consider any objections received as part of the 2nd notification process which informs the local community of the draft decision, and as detailed in point iii in paragraph 3 below. This forms part of the time restrictive Office of Communications (Ofcom) process for the removal of payphones.

Recommendations

3. It is recommended that the Executive Member for Transport and Planning approve a resolution in accordance with point i below as a notification to BT in relation to the Council's position on the removal of this payphone and, if necessary, that delegated authority be given to the Assistant Director of Economy and Place in accordance with point ii.
 - i) To object or not object to the removal of this payphone.
 - ii) If new objections are received during the 2nd stage of the notification/consultation process to the removal of this PCB (Public Call Box) if the resolution was originally for there to be No objections, the Assistant Director of Economy and Place be delegated to formally object to B.T in order to comply with the agreed timescale of the formal consultation

process. These new objections then be considered by the Executive Member for Transport and Planning at the next available Executive Member decision session.

Reason: To comply with Ofcom procedural and timescale guidelines on such applications.

Background

4. The Council have been notified by BT of their intention to remove this PCB (Public Call Box) and payphone. This has come about following a request to BT by City of York Council as the kiosk is positioned in the way of proposed development works to be undertaken at the nearby pedestrian crossing. BT have subsequently completed an assessment of the area, and the need for a payphone at this location. They have taken into account that the payphone in question has received low use during the last twelve months and as a result they are proposing to remove the kiosk from its current location and they do not intend to replace it. Records provided by BT show that 25 calls have been made from this kiosk in the last 12 months preceding the submission of this application. The nearest alternative kiosk is on Bootham near Grosvenor Terrace which is 570 metres away.
5. In accordance with BT timeframes and Ofcom guidelines, the Council is required to provide a final decision on the removal of the payphone. These should then be notified to BT.
6. According to BT correspondence received with a previous application for the removal of payphones throughout the city, the overall use of payphones has declined by 90% in the last decade and the need to provide payphones for use in emergency situations is diminishing all the time. If a payphone or PCB is only being used for a low number of calls, this may support the case to remove it. As long as there is network coverage, it is now possible to call the emergency services, even where there is no credit on that phone or no coverage in that area from your own mobile phone provider.
7. Set out below are some of the important factors which might be assessed when considering a proposal for the complete removal of a public payphone as identified in the document titled 'Guidance on procedures for the removal of public call boxes' which supports the 2005 Ofcom review. Points which may be relevant to the decision include:

Housing type in the area – Consideration should be given to whether the area within the same postcode as the payphone to be removed is predominantly owner-occupied, privately rented or Council housing. The more owner occupied housing in the area the more likely it is that people living in the area would have access to mobile and fixed telephones. If there is predominantly private rented or council housing in the area, this may suggest people on a lower income without access to mobile and fixed telephones and support the view that a payphone should be retained.

Number of households in the area - There may be concerns about alternative access to telephone services for low population densities. The Council may determine the number of households within the same postcode as a payphone. The number of households within 400 metres of a payphone could be seen as the catchment area for that payphone. The number of households in the area would not however include any passing traffic or reflect that a payphone might be situated on a main road or busy terminus.

Payphone revenue - This can help measure payphone usage and could be an indicator of its value to the community. The lower the annual revenue that a payphone generates could be grounds for its removal.

Emergency calls - Many people feel reassured that phone boxes are available if there's an emergency. This can range from 999 calls to being able to call for help if your car breaks down. The local organisation needs to think about whether a particular phone box is more likely to be used for emergency calls than another. If, for example, the call box is near a known accident blackspot, it may strengthen the argument for it to be kept.

Mobile phone coverage - While a large proportion of adults now personally use a mobile phone, people often cite poor, sporadic or the lack of mobile network coverage at a location as being an important factor for retaining a payphone.

8. The guidance goes onto say that the 'Relevant Public Body (in this case, the Council) should consider the responses to the consultation, if any, received within the stipulated period, and including responses from members of the public received by them

within the 42 days period after the payphone notice was first displayed on the PCB. In deciding whether to consent or object to the proposal, the Relevant Public Body must be satisfied that its decision is:

- Objectively justifiable in relation to the networks, services, facilities, apparatus or directories to which it relates;
- Not such as to discriminate unduly against particular persons or against a particular description of persons;
- Proportionate to what it is intended to achieve; and
- In relation to what it is intended to achieve, transparent.

Consultation, Assessment and Recommendation.

9. Correspondence was initially received from BT on the 14th July which began a 90 day consultation process. It has been requested that the closing date for this consultation process be slightly extended to account for this decision session and the 2nd stage of the notification process which follows this initial draft decision notification stage, in accordance with Ofcom guidance.
10. BT placed a consultation site notice in the relevant payphone. This invited anybody who had any comments to contact the Local Planning Authority within 42 days.
11. BT also asked the Council to initiate a consultation exercise to seek the views of the local community. The Council have consulted the relevant local planning panel and invited them to comment accordingly. The options available to them are to either object or not object to the removal of the payphone, or potentially agree to the removal of the payphone inside, but adopt the box. The consultation process also provides the local community the opportunity to adopt a traditional red 'heritage' phone box and make them an asset that local people can enjoy although this kiosk is not a heritage box. It costs just £1. More details are available at <http://business.bt.com/phone-services/payphone-services/adopt-a-kiosk/>.

In this case, the Clifton Ward Planning Panel have not objected to the removal of the payphone, commenting as follows; 'It is sad to lose a community facility but difficult to argue for its replacement, given the little use made of the existing payphone'. No other comments/objections have been received.

The payphone in question is a modern style glass kiosk and is not a heritage style red phone box. Although the location of the kiosk is in a Conservation area, it is not considered that there are any heritage/historic streetscene issues associated with the removal of this payphone/kiosk and it does not contribute to the setting of the Conservation area.

Recommendation: No objections to the removal of this Payphone.

12. In accordance with BT's timeframe and Ofcom guidelines, the Council is required to publish a draft decision for the removal of a payphone/PCB. The recommendation is therefore submitted to the Executive Member to take a view on a draft decision for this

payphone. The Council must then allow a minimum of one month for further feedback from local communities before publishing a final decision on the removal, which must be notified to BT. If another formal Executive meeting had to be held to make a final decision, then this would delay the decision making timeframe outside of the Ofcom guidelines. Therefore, in the event of objections being received at this 2nd stage, it is recommended that the Council's final decision be made as suggested in paragraph 3 above.

13. If the local organisation (the Council) writes to BT within 90 days to object (or other agreed extended deadline as agreed with BT), setting out their reasons, BT cannot remove the call box. This is known as the 'local veto'. The case would then be considered by the Competition Appeals Tribunal.

Options

14. Options for the Executive member are to either agree or disagree with the officer recommendation on the removal of the payphone and kiosk, taking into account the consultation responses received and the main factors which can form the final notification as outlined in paragraphs 7 and 8 above.

Analysis

15. It is considered that providing the decision has considered the relevant factors identified, there is not thought to be any specific advantages or disadvantages to either option. If the Council object to the removal of a payphone within the stated timescale, then the payphone cannot be removed except following the appeal process referred to in paragraph 13 above. If the Council do not object to the removal of the payphone following the consultation process, it will be down to BT to decide if and when the payphone is then removed.

Council Plan

16. The consideration of the removal of payphone contributes to the following priorities and objectives;
 - Residents are protected from harm and vulnerable people feel safe.

- That we always consider the implications of our decisions, including in relation to health, communities and equalities.
- Use of evidenced based decision making.
- Engage with communities, listening to their views and taking them into account.
- Focus on the delivery of frontline services for residents and the protection of frontline services.

Implications.

17. **Financial** – There are no financial implications.
 - **Human Resources (HR)** – There are no Human Resource implications.
 - **Equalities** – As covered within Executive Report at Section 3.4 with particular regard to Housing type within particular areas.
 - **Legal** – There are no legal implications.
 - **Crime and Disorder** – The removal of PCB's may reduce incidents of disorder or anti-social behaviour within and around the boxes.
 - **Information Technology (IT)** – There are no Information Technology implications.
 - **Property** – There are no Property implications.
 - **Other** – None.

Risk Management

18. In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations in this report. The Council are part of a wider Community Consultation scheme.

Contact Details

Author's name:

Matthew Parkinson.
Principal
Development Management
Officer.

Chief Officer's name:

Michael Slater
Assistant Director Planning and Public
Protection.

Tel No.01904 551657

**Report
Approved**

Date

Neil Ferris
Corporate Director – Economy & Place

**Report
Approved**

06.10.17

Wards Affected: Clifton.

All

For further information please contact the author of the report

Background Papers:

'Guidance on procedures for the removal of public call boxes' – Ofcom.

'Removing Public Call Boxes – Plain English Summary – Ofcom'.

'Adopt a Kiosk' – <http://business.bt.com/phone-services/payphone-services/adopt-a-kiosk/>



**Decision Session – Executive Member for
Transport and Planning**

19 October, 2017

Report of the Corporate Director of Economy and Place

**Options for Changes to Parking Availability in the Southern City
Centre area for the Christmas Period****Summary**

1. The report is responding to a request from retailers to extending the opening of Piccadilly Car Park into the evening during the St Nicholas Fayre starting the 16th November, to encourage more people to stay longer in the city centre over this period. In addition any variation to the opening hours would provide better understanding of the impact of potential changes to the car park provision in this area of the city, as part of the Castle Gateway project.

Recommendations

2. That the Executive Member approves the extension of Piccadilly car park opening with the detailed arrangements for implementation to be delegated to the Corporate Director of Economy and Place.

Reason: To help increase the footfall during the late night opening of the St Nicholas Fayre and use the opportunity to test the use of Piccadilly for late night opening to help better inform the Castle Gateway project.

Background

3. With the increase in the duration of the St Nicholas Fayre running from the 16th November through until Christmas, retailers, through the York BID, believe that allowing changes to evening parking availability in the southern part of the city centre may increase footfall. The Christmas Market operates from 10:00 to 18:00 Sunday to Wednesday and 10:00 to 20:00 Thursday to Saturday.
4. The majority of the Council car parks in the area are available throughout the period but the closest car park to the city centre is

Piccadilly to the rear of the Coppergate Centre, which closes at 6pm, except for the occasional late night opening when it is requested by retailers.

Options

5. The Executive Member has two options to consider:
 - 1) Agree to an extension to the operation of the Piccadilly Car Park with the detailed arrangements delegated to Officers for implementation.
 - 2) Reject the request to extend the operation of the car park.

Analysis

6. Option 1 to agree to the request would encourage more visitors to extend their time in the city during the Christmas period leading to more activity in the city centre. It would compliment the increased Park & Ride provision during this period. This includes later operation on Thursdays from all sites and late evening services from the Designer Outlet and Monks Cross sites throughout the Christmas period. However while details for other travel options are provided on the iTravelYork website, this does impact on the Councils transport policy to encourage sustainable travel. In addition useful background data to inform the Castle Gateway project would be collected during the period.
7. Option 2 to reject the request would not utilise Council assets to maximise visitors to park in the city centre during the Christmas period; however this would be more inline with the Councils transport policy to encourage sustainable transport into the city centre and discourage non-essential car usage into the city centre.

Consultation

8. If approved Officers will work closely with retailers and the BID to ensure the successful implementation and undertake monitoring to assess the impact.

Corporate Strategy

9. The recommended option supports the Council's economic strategy as well as providing evidence to inform the Castle Gateway project.

Council Plan

10. This report is supportive of the following priorities in the Council plan in addition to the One Planet York principles the Council champions:
 - A focus on frontline services
 - A Council that listens to residents

Implications

11. The following are the only identified implications.
 - **Financial** – Officers will *ensure implementation arrangements and forecast budgets remain within existing approved budgets.*
 - **Human Resources (HR)** - There are no HR implications
 - **Equalities** - There are no equalities implications
 - **Legal** - Any decision to charge the standard evening rate would require a change in the Traffic Regulation Order (TRO) that would state the council's intention to charge. If no charge for car parking is agreed then the TRO would not need amending.
 - **Crime and Disorder** - There are no Crime and Disorder implications
 - **Information Technology (IT)** – depending on which option was selected the parking ticket machines would need to be reprogrammed to take payment for the evening period.
 - **Property** - There are no property implications

Risk Management

Contact

Details:

Author

Graham Titchener
Parking Services Manager
Tel No. (01904) 551495

Chief Officer Responsible for the Report

Neil Ferris
Corporate Director Economy and Place

**Report
Approved**

Date 06.10.17

Wards Affected: Guildhall

All



**Decision Session – Executive Member for
Transport and Planning****19 October 2017**

Report of the Corporate Director of Economy & Place

Transport Programme Update – 2017/18 Monitor 1 Report**Summary**

1. This report sets out progress to date on schemes in the 2017/18 Economy & Place Transport Capital Programme, including budget spend to the end of August 2017.
2. The report also proposes adjustments to scheme allocations to align with the latest cost estimates and delivery projections.

Recommendations

3. The Executive Member is asked to:
 - 1) Approve the amendments to the 2017/18 Economy & Place Transport Capital Programme.

Reason: To implement the council's transport strategy identified in York's third Local Transport Plan and the Council Priorities, and deliver schemes identified in the council's Transport Programme.

Background

4. The Economy & Place Transport Capital Programme for 2017/18 was confirmed as £8,038k at Full Council on 23 February 2017, and details of the programme were presented to the Executive Member at the March Decision Session meeting. The programme was finalised in July 2017 when the Executive Member was presented with the Consolidated Capital Programme, which included all schemes and funding that had carried over from 2016/17.

5. The current approved budget for the 2017/18 Transport Capital Programme is **£10,258k**, which includes funding from the Local Transport Plan (LTP) grant, the Better Bus Area grant, the Department for Transport's Local Pinch Point grant, the Department for Transport's Cycle City Ambition grant, developer contributions, and council resources.
6. The current spend and commitments to 31 August 2017 is £2,370k, which represents 23% of the current budget (the programme minus overprogramming). This is in line with the expected spend profile, as the majority of expenditure is programmed for the later part of 2017/18.

Transport Capital Programme

7. At this stage of the year, feasibility and outline design is being carried out for schemes in the capital programme. A review of the current programme has identified schemes where the allocations need to be amended to reflect scheme progress and updated cost estimates.
8. It is proposed to increase the allocation for the Public Transport Facilities Priority Works budget by £30k to fund a trial of the use of ANPR equipment to cover the existing traffic restriction on Low Poppleton Lane, following the failure of the rising bollard earlier in the year. The outcome of the trial will be reported to Decision Session later in the year to allow a decision to be made on a permanent enforcement solution.
9. No other changes are proposed to the schemes in the Public Transport block at this stage of the year. The Fourth Avenue lay-bys, Clarence Street Bus Priority, and Museum Street Bus Shelter schemes have been completed, and work on the Rougier Street Bus Shelter and the conversions of four buses to electric drive is ongoing. The council was successful in its bid to the Department for Transport's Low Emission Bus Scheme, and has been awarded £3.3m to support the delivery of new electric buses for the Park & Ride fleet and associated charging infrastructure.
10. It is proposed to reduce the allocation for the Fossgate Public Realm improvements scheme to £50k and transfer the remaining funding to 2018/19, as the scheme will not be implemented until the result of the experimental changes to traffic flow on Fossgate have

been in place for at least six months and the permanent restriction has been confirmed.

11. Four of the Traffic Signals Asset Renewal (TSAR) schemes have been completed, with a further two schemes currently on site, and implementation of the remaining two schemes planned for later in 2017/18. As progress on the TSAR programme has been faster than originally expected, the total cost of these schemes is likely to be higher than the available budget in 2017/18. If required, it is proposed to bring forward funding from the 2018/19 TSAR allocation to maintain the delivery programme and cover any additional costs in 2017/18.
12. Feasibility work on the proposed upgrades of belisha beacons has been carried out to identify all locations where existing beacons need to be upgraded to the new LED 'halo' beacons, and a prioritised list is being developed for implementation later in 2017/18.
13. The proposed improvements at the A19/ Crockey Hill junction were approved at the August Decision Session meeting. The delivery programme for this scheme is currently being reviewed to minimise disruption while the Germany Beck highway works are ongoing.
14. No other changes are proposed to the schemes in the Traffic Management block at this stage of the year. The council's contribution to the new link road between Layerthorpe and Heworth Green has been paid following the opening of the new road in June, and the city-wide lining programme was completed earlier in the year.
15. Following the approval of the progression of the Scarborough Bridge Footbridge scheme at 31 August Executive, it is proposed to reduce the allocation for the scheme to £650k in 2017/18. Subject to confirmation of funding and granting of planning consent, it is expected that construction will start in summer 2018 and will be completed in January 2019, and the spend for remaining budget will reflect this timescale.
16. No other changes are proposed to the schemes in the Pedestrian & Cycling Schemes block at this stage of the year. Improvements for cyclists on Holgate Road and at Tower Gardens were completed

earlier in the year, and feasibility and design work is continuing on the other schemes for implementation later in 2017/18.

17. No changes are proposed to schemes in the Safety Schemes block at this stage of the year. Feasibility and design is ongoing for the school safety schemes, and the installation of new School Crossing Patrol equipment was completed before the start of the new school year.
18. Work on the review of accident cluster sites to identify potential sites for engineering measures is ongoing, and several of the safety schemes carried over from the 2016/17 capital programme have now been completed.
19. The allocations for the new speed management schemes have been reviewed and two new sites have been added to the programme for investigation. Several of the schemes carried over from 2016/17 have been completed, and the remainder of the schemes are on track to be implemented in 2017/18.
20. It is proposed to increase the allocation for the Access York Phase 1 Retention to £150k, due to the increased cost of the remaining land claims. No other changes are proposed to the schemes in the Scheme Development block at this stage of the year. Several developer-funded bus stop improvement schemes are being progressed for implementation, and feasibility work is ongoing to develop schemes for implementation in future years.
21. As agreed at the 13 July Executive meeting, funding from the West Yorkshire Transport Fund has been awarded for the delivery of the Outer Ring Road improvements scheme and the York Central transport improvements. It is proposed to add £2,300k West Yorkshire Transport Fund grant to the capital programme for feasibility work on both these schemes in 2017/18, with delivery planned for future years.

Consultation

22. The capital programme is decided through a formal process using a Capital Resources Allocation Model (CRAM). CRAM is a tool used for allocating the council's capital resources to schemes that meet corporate priorities.

23. Funding for the capital programme was agreed by the council on 23 February 2017. While consultation is not undertaken on the capital programme as a whole, individual scheme proposals do follow a consultation process with local councillors and residents.

Options

24. The Executive Member has been presented with a proposed programme of schemes, which have been developed to implement the priorities of the Local Transport Plan (LTP3) and the Council Plan.

Analysis

25. The programme has been prepared to meet the objectives of LTP3 and the Council Plan as set out below; implement the remaining schemes in the Better Bus programme; implement the A19 Local Pinch Point improvements; implement the Scarborough Bridge footbridge improvements scheme; and implement the transport schemes approved by the Executive in the Highways Funding Overview report.

Council Plan

26. The Council Plan has three key priorities:
- **A Prosperous City For All.**
 - **A Focus On Frontline Services.**
 - **A Council That Listens To Residents**
27. The Transport Capital Programme supports the prosperity of the city by improving the effectiveness, safety and reliability of the transport network, which helps economic growth and the attractiveness for visitors and residents. The programme aims to reduce traffic congestion through a variety of measures to improve traffic flow, improve public transport, provide better facilities for walking and cycling, and address road safety issues.
28. Enhancements to the efficiency and safety of the transport network will directly benefit all road users by improving reliability and accessibility to other council services across the city.

29. The capital programme also addresses improvements to the transport network raised by residents such as requests for improved cycle routes, measures to address safety issues and speeding traffic, and improvements at bus stops such as real-time information display screens and new bus shelters.

Implications

30. The following implications have been considered.

- **Financial:** See below.
- **Human Resources (HR):** In light of the financial reductions in recent years, the Executive Member's attention is drawn to the fact that the majority of Highways and Transport staff are now funded either through the capital programme or external funding. This core of staff are also supplemented by external resources commissioned by the council to deliver capital projects, which provides flexible additional capacity and reflects the one-off nature of capital projects.
- **Equalities:** There are no Equalities implications.
- **Legal:** There are no Legal implications.
- **Crime and Disorder:** There are no Crime & Disorder implications.
- **Information Technology (IT):** There are no IT implications.
- **Property:** There are no Property implications.
- **Other:** There are no other implications.

Financial Implications

31. If the proposed changes in this report are accepted, the total value of the E&P Transport Capital Programme would be £10,318k including over programming. The over programming would increase to £569k, which is considered appropriate at this stage of the year and will be reviewed at the next monitoring report. The budget would be reduced to **£9,749k**, and would be funded as shown in the table below:

Proposed 2017/18 Budget

E&P Capital Programme	Current Budget	Proposed Alteration	Proposed Budget
	£1,000s	£1,000s	£1,000s
Local Transport Plan ¹	2,383		2,383
Section 106	643		643
Rapid Charger Hubs Grant	200		200
A19 Pinchpoint Grant	584		584
Better Bus Area Fund	433		433
Better Bus Area 2 Grant	325		325
Clean Bus Technology Grant	514		514
Built Environment Fund	635	-450	185
Scarborough Bridge (Cycle City Ambition Grant)	2,037	-1,637	400
CYC Resources (Scarborough Bridge)	972	-722	250
CYC Resources (City Walls)	393		393
CYC Resources (Other)	652		652
Other Funding (including NPIF)	487		487
West Yorkshire Transport Fund	-	+2,300	2,300
Total Budget	10,258	-509	9,749

1. Includes LTP Grant & CYC capital resources

Risk Management

32. For larger schemes in the programme, separate risk registers will be prepared and measures taken to reduce and manage risks as the schemes are progressed throughout 2017/18.

Contact Details

Author:

Tony Clarke

Head of Transport
Directorate of Economy &
Place
Tel No. 01904 551641

Chief Officer Responsible for the report:

Neil Ferris

Corporate Director – Economy & Place

**Report
Approved**

Date 06.10.17

**Report
Approved**

Date Insert Date

Specialist Implications Officer(s) List information for all

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

All

For further information please contact the author of the report

Background Papers:

E&P 2017/18 Capital Programme Budget Report – 9 March 2017

E&P 2017/18 Capital Programme Consolidated Report – 13 July 2017

Annexes

Annex 1: 2017/18 Current & Proposed Budgets

Scheme Ref	2017/18 Economy & Place Capital Programme	Total 17/18 Consol. Budget	Draft 17/18 M1 Budget	Total Spend to 31/08/17	Comments
		£1,000s	£1,000s	£1,000s	

Public Transport Schemes					
PT01/17	Park & Ride Site Upgrades	216	216	10	
BBA2 Schemes					
PT03/16	BBA2 - North York Bus Priorities	277	277	25	
PT03/15	BBA2 - Congestion Busting Schemes	41	41		
Public Transport - Carryover Schemes					
PR02/16	Park & Ride Ultra Low Emission Vehicle (ULEV) Infrastructure	200	200		
PT10/12b	Rougier Street Bus Shelter	218	218	118	
PT01/16	Public Transport Facilities Priority Works	43	73	11	Allocation Increased - Trial of ANPR cameras to enforce existing traffic restriction on Low Poppleton Lane
PT02/16	Fulford Road Punctuality Improvement Partnership	55	55		
PT06/16	Water Lane Bus Stop Improvements	53	53	38	
PT07/16	Monks Cross Shopping Centre Bus Facilities	37	37	33	
PT02/15	Bus Network Pinchpoint Improvements - Fourth Avenue Lay-Bys	55	55	17	Scheme Complete
PT04/15	BBA2 - Tadcaster Road Improvements	21	21	3	
PT05/12	BBAF - Clarence Street Bus Priority Scheme	214	214	238	Scheme Complete
PT09/12b	BBAF - Museum Street Bus Stop	62	62	34	Scheme Complete
PT02/14	Electric Tour Bus Conversions (Clean Bus Technology Fund)	206	206	206	
PT05/15	Regional RT Information System	39	39		

Total Public Transport	1,737	1,767	734
-------------------------------	--------------	--------------	------------

Traffic Management					
TM01/17	Traffic Signals Asset Renewals	740	740	444	
	TSAR Huntington Road School Crossing				Scheme Complete
	TSAR Coppergate Pedestrian Crossing				Scheme Complete
	TSAR Hull Road Black Bull Pedestrian Crossing				
	TSAR Scarcroft Road Pedestrian Crossing				Scheme Complete
	TSAR York Road / Carr Lane Junction				
	TSAR Heworth Road / Melrosegate Junction				Scheme Complete
	TSAR Rougier Street / Tanner Row Junction				
	TSAR Lendal Arch Gyratory				
TSAR Thanet Road Pedestrian Crossing					
Reserve TSAR Schemes					
TM02/17	Signal Detection Equipment Programme	100	100	31	
TM06/15	Variable Message Signs (VMS) Upgrade	112	112		
TM03/17	Signing & Lining	20	20	5	
TM04/17	Air Quality Monitoring	20	20	7	
TM05/17	Urban Traffic Management & Control (UTMC)	50	50	74	
TM06/17	Footstreets Review (Fossgate)	50	50	0	
TM07/17	Belisha Beacon Upgrades	65	65	3	
TM08/17	City-Wide Lining Works	70	70	60	Scheme Complete
TM09/17	Fossgate Public Realm Improvements	500	50	3	Allocation Reduced - To be progressed after scheme to reverse traffic flow has been in place for six months
TM10/17	Improved City Centre Signage BID Match Funding	50	50		
TM11/17	Maintenance of Private Streets	125	125		
TM12/17	Parking Management System	50	50		
Traffic Management - Carryover Schemes					
TM06/16	James Street Link Road Phase 2	290	290	264	Scheme Complete
TM07/16	Rapid Charger Hubs (Go Ultra Low York)	200	200		
TM03/13	A19 Pinchpoint Scheme (Phase 2)	1,084	1,084	137	
TM08/15	School Bus Exhaust Refits	308	308		
AQ02/13	Electric Vehicle Rapid Charging Points - Businesses	7	7	8	

Total Traffic Management	3,841	3,391	1,035
---------------------------------	--------------	--------------	--------------

Scheme Ref	2017/18 Economy & Place Capital Programme	Total 17/18 Consol. Budget	Draft 17/18 M1 Budget	Total Spend to 31/08/17	Comments
		£1,000s	£1,000s	£1,000s	

Pedestrian & Cycling Schemes					
CY01/17	High Petergate Cycle Route	10	10		
	Bishopthorpe Road (Terry's to Focus School) Cycle Route	120	120	0	
	Sim Balk Lane (changing rooms to Church Lane, Bishopthorpe) Cycle Route	20	20		
PE02/17	Pedestrian Minor Schemes	50	50	11	
CY03/17	Minor Cycle Schemes	25	25	1	
PE01/17	Pedestrian Crossings - Review of Requests	70	70	13	
CY02/17	Business Cycle Parking Match Funding (Park That Bike)	25	25	11	
Pedestrian & Cycling - Carryover Schemes					
CY04/15	Scarborough Bridge Footbridge Improvements	3,009	650	126	Allocation Reduced - Funding slipped to 2018/19 as construction will not commence until summer 2018
PE03/16	Stonebow/ Peasholme Green Public Realm	175	175		
CY02/15	Monkgate Roundabout Cycle Route	25	25	8	
CY03/15	Holgate Road Cycle Route	20	20	14	Scheme Complete
CY01/16	Acomb Road/ York Road/ Front Street Cycle Route	39	39	0	
	Great North Way/ A1237 Cycle Scheme (Crossing Improvement)			6	
	Station to Bootham/ Minster (inc Museum Street/ Lendal Bridge/ Station Road/ Station Avenue) Cycle Route				
	Tower Gardens Gate - Cycle Access Improvements			0	Scheme Complete

Total Pedestrian & Cycling Schemes	3,588	1,229	191
---	--------------	--------------	------------

Safety Schemes					
SR01/17	Safety Zone Refresh - St Lawrence's Primary	11	11	0	
SR02/17	Safety Zone Refresh - Fishergate Primary/ St George's Primary (A19)	12	12	0	
SR03/17	Safety Zone Refresh - Dringhouses Primary	11	11	0	
SR04/17	Safety Zone Refresh - Westfield Primary	12	12		
SR05/17	Safety Zone Refresh - New Earswick Primary	11	11	0	
SR06/17	St Aelred's Primary SRS	5	5	1	
SR07/17	Rufforth Primary SRS - Footway Scheme	10	10	1	
SR08/17	Clifton Green Primary SRS	2	2	3	
SR09/17	Refresh School Markings	3	3	2	
SR10/17	Safety Audit Works	5	5		
SR11/17	SRS Programme Development	1	1	1	
SR01/15	School Crossing Patrol Improvements	90	90	82	Scheme Complete
Safety Schemes					
Var.	Local Safety Schemes	143	67	1	
LS01/16b	Thanet Rd outside Lidl LSS		30	25	
LS01/17	Clifton Moor Roundabout LSS		5	4	Scheme Complete
LS02/17	Grantham Drive/ Poppleton Road LSS		3	1	Scheme Complete
LS03/17	North Moor Road/ New Lane Huntington LSS		3	1	Scheme Complete
LS04/17	Hull Road/ Owston Avenue LSS		18	5	
LS05/17	York Road/ Beech Grove Acomb LSS		15	13	Scheme Complete
LS06/17	Mill Mount/ The Mount LSS		2	1	Scheme Complete
DR01/17	Danger Reduction	70	70	11	
DR01/14	Heslington Lane Danger Reduction	10	10	4	
Speed Management Schemes					
SM01/17	Speed Management	42	42	21	
SM02/17	Moorgate Speed Mgt				
SM03/17	Arlington Road Speed Mgt				
SM04/17	Hempland Avenue Speed Mgt				
New	Stockton Lane (o/s church)				
New	Thoresby Road				
SM05/17	Speed Mgt Scheme Development for 18/19				
SM06/17	VAS Replacement	16	16	1	
SM01/16	Carryover Speed Management Schemes	48	48	41	Improvements to speed cushions on Eason View and construction of new crossing points on York Road Strensall complete; plus minor works completed at Fishergate, Heslington Road, Moor Lane Woodthorpe, Main Street Wheldrake, Naburn Lane Fulford, Manor Heath Copmanthorpe, and Wetherby Road

Total Safety Schemes	499	499	220
-----------------------------	------------	------------	------------

Scheme Ref	2017/18 Economy & Place Capital Programme	Total 17/18 Consol. Budget	Draft 17/18 M1 Budget	Total Spend to 31/08/17	Comments
		£1,000s	£1,000s	£1,000s	

Scheme Development					
Var.	Development-Linked Schemes	275	275	10	
Var.	Future Years Scheme Development	50	50		
-	Previous Years Costs	50	50	26	
-	Staff Costs	200	200		
AY01/09	Access York Phase 1 - Retention	124	150	110	Allocation Increased - Additional land claims costs
CY05/15	Hungate Pedestrian & Cycle Improvements (Phase 1A)	14	14		

Total Scheme Development	713	739	147
---------------------------------	------------	------------	------------

Total Integrated Transport Programme	10,378	7,625	2,327
---	---------------	--------------	--------------

Major Projects

Major Projects					
	Outer Ring Road Upgrades		1,100		New Scheme - Development of programme of upgrades to Outer Ring Road roundabouts
	York Central Access		1,200		New Scheme - Development of access options for York Central development and associated improvements to station frontage
	Station Frontage				

Total Major Projects	0	2,300	0
-----------------------------	----------	--------------	----------

Total Major Projects	0	2,300	0
-----------------------------	----------	--------------	----------

Maintenance Schemes

City Walls					
CW01/17	City Walls Restoration	393	393	220	
City Walls	Monkbar Steps				
City Walls	Micklegate Bar Roof				

Total City Walls	393	393	220
-------------------------	------------	------------	------------

Total Maintenance Schemes	393	393	220
----------------------------------	------------	------------	------------

Total E&P Capital Programme	10,771	10,318	2,547
--	---------------	---------------	--------------

Total Overprogramming	513	569	
------------------------------	------------	------------	--

Total Capital Budget	10,258	9,749	
-----------------------------	---------------	--------------	--

This page is intentionally left blank