

Notice of a public meeting of the

Decision Session - Cabinet Member for Transport, Planning & Sustainability

To: Councillor Merrett (Cabinet Member)

Date: Thursday, 27 September 2012

Time: 4.30 pm

Venue: The Guildhall, York

AGENDA

Notice to Members – 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:

4.00pm on Monday 1 October 2012 if an item is called in after a decision has been taken.

Items called in will be considered by the Corporate and Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00pm on Tuesday 25 September 2012**.

1. **Declarations of Interest**

At this point in the meeting the Cabinet Member is asked to declare any personal, prejudicial or disclosable pecuniary interests that he might have in the business on this agenda.

- 2. Minutes** (Pages 3 - 10)
To approve and sign the minutes of the Cabinet Member for Transport, Planning & Sustainability Decision Session meeting held on 2 August 2012.

3. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5:00pm on Wednesday 26 September 2012.**

Members of the public may speak on:

- An item on the agenda,
- an issue within the Cabinet Member's remit,
- an item that has been published on the Information Log for the current session. Information reports are listed at the end of the agenda.

Please note that no items have been published on the Information Log since the last Decision Session.

- 4. Open Space Land at Mayfield Grove York** (Pages 11 - 38)
To consider a report which confirms progress made and actions taken to secure the effective long-term management arrangements for land at Mayfield Grove York as per a Section 106 agreement dated 2 June 1997.

The report also contains an assessment of bids, submitted in accordance with the process agreed at the Decision Session held on 8 March 2012, and sets out the management options available to the Cabinet Member for consideration.

5. Urgent Business

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

a) **A59 Phase 2 and Phase 3 Bus Priorities - (Pages 39 - 72)
Highway Proposals Consultation and A59
Phase 1 and 3 Traffic Regulation Order
Consultation**

The Cabinet Member for Transport, Planning and Sustainability is requested to consider the designs and approve the proposals for immediate construction of the bus priority works. Urgency is required to integrate the roads surfacing elements to fit into the wider programme of road re-surfacing in the City and to ensure that the road surfacing activities are carried out before the temperature drops significantly and before the Christmas moratorium on highway works.

Democracy Officer:

Name: Laura Bootland

Contact Details:

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- Email – laura.bootland@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
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Contact details are set out above

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The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business following a Cabinet meeting or publication of a Cabinet Member decision. A specially convened Corporate and Scrutiny Management Committee (CSMC) will then make its recommendations to the next scheduled Cabinet meeting, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

MEETING	DECISION SESSION - CABINET MEMBER FOR TRANSPORT, PLANNING & SUSTAINABILITY
DATE	2 AUGUST 2012
PRESENT	COUNCILLOR MERRETT (CABINET MEMBER)
IN ATTENDANCE	COUNCILLOR D'AGORNE

1. **DECLARATIONS OF INTEREST**

At this point in the meeting, the Cabinet Member was asked to declare any personal or prejudicial interests he may have in the business on the agenda, or disclose any pecuniary interests.

The Cabinet Member declared a personal non-prejudicial interest as an honorary member of the Cyclists' Touring Club and as a member of the York Cycle Campaign.

2. **MINUTES**

RESOLVED: That the minutes of the Decision Session held on 21 May 2012 be approved and signed by the Cabinet Member as a correct record.

3. **PUBLIC PARTICIPATION - DECISION SESSION**

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

There had been registrations to speak for some agenda items, details of which are included under the relevant minute item.

4. **PETITION CONCERNING A BENCH, PREVIOUSLY LOCATED AT THE STOCKTON LANE/HEMPLAND LANE JUNCTION.**

The Cabinet Member considered a report which detailed a response to a petition from residents requesting that a bench be returned to its original location.

Paul Waites spoke in objection and advised that placing the bench next to a busy junction and a zebra crossing is irresponsible. He stated that in recent years there had been an increase in street furniture and that motorists have enough to look out for without the addition of the bench on the corner. He pointed out that the junction was a dangerous one with a history of accidents and that although residents had concerns about an increase in anti social behaviour, safety was their primary concern.

Lynne Terry spoke on behalf of residents to advise that contrary to reports in the local newspaper, there had been no arguments and that residents only wanted to find a solution to the matter. She understood that residents of Field House had now withdrawn their names from the petition and were happy to support the recommendation in the officers report to find a suitable alternative site for the bench.

The Cabinet Member acknowledged the safety concerns of the residents but also that of older residents who relied on the bench as a place to rest whilst out walking. He approved Option 2 to explore other potential locations and noted Councillor Ayres' request to give consideration to location 'C' as identified at Annex A.

RESOLVED: That the Cabinet Member requested that Officers relocate the bench to another location, subject to feasibility work and local consultation, in particular consultation with the residents of Field Court.

REASON: For the benefit of the local community.

5. PETITION FOR THE INSTALLATION OF GATES ON THE ALLEYWAY BETWEEN BISHOPTHORPE ROAD AND NUNMILL STREET.

The Cabinet Member considered a report which presented a petition submitted by residents of Bishopthorpe Road, requesting the installation of gates on the alleyway between Bishopthorpe Road and Nunmill Street.

Catherine Worden, a local resident who had organised the petition spoke to advise that a number of properties had been burgled in the area and there had been issues with graffiti and anti social behaviour in the lane. A number of residents including business owners in the area were in support of the petition.

The Cabinet Member advised that he understood why residents had petitioned for the alley gate as the crime statistics show there is a problem in the area. Unfortunately the funding received for previous alley gates in York had now been cut so he could not authorise the request to gate the lane at this moment in time. He stated that the area would be given high consideration if funding does become available in the future.

RESOLVED: That the request to gate the alleyway at this time would not be progressed.

REASON: On current information, the proposed Gating Order does not appear to meet the legal expediency test, given the likely effect on adjacent businesses. Funding has also been cut for alley gates.

6. UNIVERSITY RELATED PARKING IN RESIDENTIAL AREAS - FOLLOW UP REPORT.

The Cabinet Member considered a report which provided an update on the trial parking arrangements in the Badger Hill area. These were introduced at the start of the year to alleviate parking problems associated with ongoing development at the University of York's Heslington East Campus. The report also addressed concerns raised by residents as highlighted in two petitions recently received.

The Cabinet Member noted the report, in particular the outcome of the recent trial and consultation and approved the officers recommendations.

RESOLVED:

That the Cabinet Member agreed the following proposals to enhance the current trial:

- i. Additional junction protection markings at Field Lane's junction with Sussex Road (no waiting at anytime restrictions).
- ii. Extend the areas covered by the Residents Parking Scheme to include the cul-de-sacs of Hesketh Bank, Foxthorn Paddock, Pinewood Hill and Badger Wood Walk.
- iii. Amend the through route of Deramore Drive, currently covered by a controlled zone, to be included within the zonal respark scheme.
- iv. Extend the areas covered by the Residents Parking Zone to include the two through-routes; 140 metres of Deramore Drive and 100 metres of Yarburgh Way.
- v. Confirm the operational times of the Residents Parking Scheme and Controlled Parking Zone trials as 8.00am until 6.00pm for the continuation of the trial.
- vi. Authorise Officers to enter into detailed discussions with the University of York aimed at developing a wider parking strategy that can be applied across the areas previously identified as part of the Planning Inspectors considerations.

REASON: To address parking issues that will arise from the planned development of the East Heslington Campus.

7. PETITION CONCERNING PROPOSED UNIVERSITY ROAD/FIELD LANE HIGHWAY IMPROVEMENT SCHEME.

The Cabinet Member considered a report which detailed a response to a petition from residents requesting the scrapping of the proposed highway improvements to Field Lane and University Road, Heslington.

Officers outlined the report and advised that they had received written representations concerning the location of the cycle path at Church Field.

The Cabinet Member commented that he was conscious that the University is in the early stages of its planned development and that traffic levels currently are relatively low in terms of the forecasts for the East Campus. In light of that he agreed to approve the recommendations in the officers report, including putting the proposals for the cycle track at Annex D out for consultation. In response to residents concerns, other options for the cycle track would also be considered alongside Annex D.

- RESOLVED:
- i. That the Cabinet Member noted the contents of the petition, but agreed that the University Road/Field Lane scheme is progressed.
 - ii. That further exploration of the location of a cycle track at Church Field be undertaken as part of further consultation, but the current proposals for the track (Annex D), should not be precluded at this stage.
 - iii. That Officers write to the lead petitioner after the meeting.

- REASON:
- i. To satisfy the requirements of the planning approval given to the University of York in respect to the East Campus Development, to provide essential cycle and pedestrian links between campuses, to provide improvements to traffic flows in sensitive areas adjacent to the school and church on Field Lane, and to achieve the desired environmental enhancement in the vicinity of Heslington Hall and Heslington Church to be undertaken.
 - ii. In response to written representations from the Ward Member and local residents.

- iii. To inform petitioners of the Cabinet Members decision.

8. A59 PHASE 1 BUS PRIORITIES CONSULTATION.

The Cabinet Member considered a report which provided details of a consultation exercise carried out for the highway works forming Phase 1 of the A59 bus corridor scheme (from Plantation Drive to Carr Lane).

The Cabinet Member referred to written comments made by Councillor D'Agorne in respect of the cycle lane width and advised that he shared the same concerns and that it was correct to achieve a width of 1.5m. He noted the loss of a cherry tree but hoped that this could be replaced in due course.

RESOLVED:

The Cabinet Member agreed to:

- i. Note the comments raised by the public, Councillors and interested organisations.
- ii. Note the Officer's response to the comments and any proposed amendments to the design.
- iii. Approve the further design development of the scheme in line with the recommended improvements to the original consultation layout drawing (Annex 3) as set out in the drawing Annex 4 – to enable the project to be constructed during the present 2012/13 financial year.
- iv. That the cycle lane width be 1.5m as discussed at the meeting.
- v. Authorise the advertisement of Traffic Regulation Orders for the new bus lane.

REASON: To update the Cabinet Member on the changes that have been made to address issues identified during consultation and outline design period.

CLLR D MERRETT, Cabinet Member
[The meeting started at 4.30 pm and finished at 5.00 pm].

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Cabinet Member for Transport, Planning and Sustainability

27 September 2012

Report of the Assistant Director for City Development and Sustainability

Open Space Land at Mayfield Grove York

Summary

1. The purpose of this report is to :
2. Confirm the progress made and the actions taken following the decision at the 8 March 2012 Cabinet Member Decision Session where this matter was considered previously.
3. Report on the assessment of bids, submitted in accordance with the process agreed at the 8 March 2012 Decision Session, and set out the management options available.

Background

4. The land at Mayfield Grove is the subject of a section 106 agreement dated June 1997.
5. The background was comprehensively summarised in the report considered at the Cabinet Member Decision Session on 8 March 2012 – Annex 1.

8 March 2012 Decision

6. The Cabinet Member decision on 8 March 2012 approved option 2 of the report:
To agree the process as set out with appropriate modifications based on comments/ representations made [during the decision session] - the amendments recorded in the minutes of that meeting are attached - Annex 2.
7. In summary: to secure the long term management of the land at Mayfield Grove, the council committed to seek expressions of interest from suitably constituted community groups who would need to demonstrate that they have the appropriate capacity / capability / expertise / resources available to

manage the land over the long term, in accordance with an agreed management plan.

8. The council prepared a management framework, which described the site and set out the minimum requirements necessary for successful management of the area, also articulating some of the aspiration believed to be necessary for achieving wider benefit.
9. The management framework offered a format for structuring a developed management plan which was to be the primary submission requirement. The full submission requirements, which included the assessment criteria to be used, are attached – Annex 3.

Actions and progress since 8 March 2012

10. The following timetable has been followed:

The opportunity for community groups to submit expressions of interest will be formally advertised by public notice in York Press	2 May 2012
Expressions of interest should be registered by no later than Details of the submission requirements and the council's assessment methodology would be sent out to interested parties by return	16 May 2012
Deadline for formal submissions demonstrating compliance above with criteria and including developed management plans manage the land for public benefit in accordance with a developed management plan, broadly based on the management framework	6 July 2012 (inc post rec'd Mon 9 July 2012)
Assessment of bids by officers against the criteria set out in the assessment checklist	July 2012
Preparation of report for cabinet member decision session in September	August 2012
Decision on future management arrangements	September 2012
Future Management Arrangements in place	tbc October 2012

11. Amendments in accordance with annex 2 were made to the management framework and the process of seeking bids has been followed through in accordance with the summary above.
12. The opportunity for community groups to submit expressions of interest was formally advertised by public notice in York Press on 2 May 2012. The council also contacted potentially suitable groups. The information pack setting out the submission requirements was sent out on 18 May 2012.
13. The deadline for submission of bids was 6 July 2012.
14. The 8 March decision session report also confirmed that the council would continue to pursue all necessary legal processes to recover the land area behind Hob Moor Terrace wrongly sold by Taylor Wimpey to Woodhead Investments in Dec 2010.
15. This process has now secured the transfer of the title to that land to CYC. Agreement has also been reached with Taylor Wimpey in relation to the purchase price and the councils associated costs.
16. Agreement has also been reached with Taylor Wimpey in relation to the majority of the s106 land and the legal process to transfer the title to the council is at an advanced stage.
17. The interim management of the land has also been reviewed through discussion between the council and Taylor Wimpey as current land owner. Limited essential works have been carried out specifically including :
 - The erection of life belts around the pond
 - Repairs to access gate

Other maintenance work has been carried out including:

- Works agreed by TW / CYC where CRA was keen to see cutting back of shrubs partially obstructing the access from Nelsons Lane to the northern part of the site.

Further maintenance work is scheduled in the next few weeks / months including:

- The cutting of the meadow and the removal of arisings - at the end of the summer and in accordance with the management framework.
- Felling of dead elm tree to the rear of 26 Hob Moor Terrace.

Assessment of the bids submitted

18. 2 bids were received by the 6 July deadline – one from York Natural Environment Trust YNET and one from Chase Residents Association CRA.
19. Legal advice was sought on 20 July to ensure that the proposed assessment process was sound in accordance with council procedures. It was agreed that no external oversight was required. However, it was recommended that the council's procurement team should have oversight of the process and agree in discussion with those officers involved the exact scoring methodology to be used in accordance with the published criteria and weighting.
20. The bids have been independently assessed by 4 senior officers within the Council with specific expertise in Ecology and Countryside Management, Landscape, Parks and Open Spaces. The assessment process has also included input from the Neighbourhood Management Unit and the financial information has been reviewed by a City and Environmental Services Accountant.
21. A moderation meeting was held on 10 Sept to confirm, with procurement oversight, that all officers had the same understanding of the assessment criteria and the scoring mechanism, and that scoring was in accordance with the councils agreed scoring protocol. A further officer meeting was held on 14 Sept to ensure that the scoring judgements were consistent with the assessment criteria.
22. It was specifically confirmed in these meetings that the overall aims and objectives placed an emphasis on the site being managed for nature conservation with access for people. The scoring scheme necessarily reflects this.

Assessment Outcome

23. The final moderated scores indicate that the bids submitted by both organisations are sound bids and demonstrate that either organisation could take on the long term management of the land in accordance with the minimum requirements set out in the management framework.
24. The assessment of bids followed the published criteria. The breakdown of the point scores within the 4 sections, organisational factors, organisational capacity, developed management plan and community involvement was agreed with procurement to reflect the high level management aims and objectives.

25. In relation to the organisational factors and capacity both bids indicate a clear understanding of the management structures needed both formally / legally, and more informally, including the need for communication at a local level. The advantage YNET are able to evidence is that of an established trust with a track record. However CRA have clearly demonstrated that they have the necessary arrangements in place to form a trust and in every respect would match or exceed the constitutional / membership / insurance requirements that would be appropriate / necessary.
26. The essential difference between the bids could be seen as a reflection of the backgrounds of the respective organisations.
27. The CRA bid is stronger on community involvement aspects and sets out a number of aspirations for the site which go beyond the management framework requirements. This aspiration is evidence of the enthusiasm and commitment needed for successful management of the site.
28. However, management proposals must be appropriate for the site and where the primary consideration is nature conservation, public access and enjoyment must respect this. CRA's developed management plan is certainly acceptable, but it does not follow through with the details of what is required to deliver against the clear assertion in the plan that the site requires a 10 year 'restoration' period. CRA's bid also included significant supporting information in the form of questionnaire responses completed by members of the local community. It is not clear that these have directly informed the developed management plan, particularly the proposed interventions.
29. YNET submitted a more comprehensive developed management plan, clearly setting out how the land would be managed based on its existing form. There is perhaps less aspiration for change and or development, but there is clarity in relation to how what is there now would be managed and enhanced for nature conservation benefit and how access would be improved.
30. However the YNET arrangements for local community involvement and engagement are not as clearly defined as they could be. And where this was clearly highlighted as an important consideration this is a weakness.
31. Although this has been a formal process, it is not a tender exercise based on a cost / quality assessment of providing the service. The process was designed to secure the best possible future management arrangements for the land at Mayfield Grove York in accordance with the s106 agreement.

32. Officer comments accompanying the assessment articulate the conundrum :

CRA seem to have greater links to the local community as well with the support being very local whilst YNET's is wider. Both have their problems though. A wildlife centred approach can lead to local people feeling sidelined whilst a local community led approach can lead to wildlife being compromised.

I have no doubt that both could probably manage the site.

33. However, the final moderated scoring awards the YNET bid a few percentage points more than the CRA bid with the essential differences between the bids as highlighted above.

Options

34. The following options could be considered :

35. Option 1 - to confirm that the long term management of the land at Mayfield Grove York should be undertaken by YNET in accordance with the developed management plan and supporting information as submitted. City of York Council will work with them to agree the necessary lease / licence agreement for the land when the titles are secured by CYC and to confirm the arrangements for local engagement.
36. Option 2 - to confirm that the long term management of the land at Mayfield Grove York should be undertaken by CRA on the basis of the developed management plan and supporting information as submitted. City of York Council will work with them to agree an appropriate lease / licence for the land when titles are secured by CYC and CRA have enacted the trust arrangements necessary for this purpose.
37. Option 3 – to agree that City of York Council would take on the long term management of the land

Analysis

38. Option 1 - follows the process agreed in March through to its conclusion, and confirms that the long term management of the land would be carried out by an appropriately constituted / experienced / resourced organisation. YNET are an established environmental trust with an appropriate constitution and established membership. Their bid proposed the stronger management proposals, but the arrangements for local engagement would benefit from clarification. There is a level of certainty that the land will be

adequately managed. The risk factor is that local engagement is not as comprehensive as it could be.

39. Option 2 - although CRA's bid did not score as highly, it certainly exceeds the minimum requirements set out in the submission requirements. The local community involvement is a strength. However, the council must consider some degree of risk attached to the organisation's ability to manage the land for the long term, and there is some concern that the management plan proposals, especially where they suggest change, don't entirely reflect the community comments presented in support of the bid. The developed management plan also lacks the 10 year time frame stated as being necessary for the 'restoration' of the land. However, arrangements have been made to establish a trust, and subject to confirmation and any additional input from the council being clarified this is still a potential way forward.
40. Option 3 - If CYC were to take on the management this would require resource to be identified at a time when the council faces significant budget pressures. This option was previously discounted in March. However, it was always a clear intention from the very outset of the discussions around this land during the planning process in the mid 1990's that the land would be managed by a community based organisation.

Council Plan

41. Securing appropriate future management arrangements for the land at Mayfield Grove York will contribute to the Council Plan objective of protecting the environment.

Implications

- **Financial** the financial contributions for future management of the land were paid to the council by the developer in 2003. The financial component of both bids has been scored by council finance.
- **Human Resources (HR)** There are no HR implications
- **Equalities** the maintenance of public access to the land is a key objective here satisfactory equalities statements have been submitted by both groups
- **Legal** the council is committed to an ongoing legal process in relation to securing title to the land in accordance with the section 106 agreement dated 2 June 1997 – which is nearing conclusion as detailed in the report.

- **Crime and Disorder** there are no direct implications, and no reported problems on the land.
- **Information Technology (IT)** there are no IT implications
- **Property** it is confirmed that in the first instance the land covered by the s106 agreement and (currently owned by Taylor Wimpey and Woodhead investments) is to be transferred to council ownership. Lease / licence agreements will be negotiated as appropriate following this process.

Risk Management

42. The existing situation with respect to uncertainty in land ownership arising from the council's failure to secure complete discharge of a section 106 agreement dated June 1997 is unsatisfactory. Resolution is required to re-assure the local community and discharge the council's responsibility as local planning authority. The future management arrangements must also be capable of delivering on the agreed aims and objectives with the least risk.

Recommendation: The Cabinet Member is recommended to approve Option 1 as set out at paragraph 35 of the report.

Reason: As through the assessment process the YNET bid achieved the higher overall score.

Contact Details

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Chief Officer Responsible for the report:

Michael Slater - Assistant Director City
Development and Sustainability

Report
Approved



Date 21Sept 2012

Report
Approved



Date 21Sept 2012

Wards Affected: List wards or tick box to indicate all

Dringhouses and Woodthorpe

For further information please contact the author of the report

Background Papers:

As 8 March 2012 decision session

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=738&MId=6745&Ver=4>

Annexes

Annex 1 - Cabinet Member Decision Session report 8 March 2012

Annex 2 – Minutes of 8 March Decision Session

Annex 3 – Bid submission criteria as sent out 18 May2012

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**Decision Session
(Cabinet Member for City Strategy)**

8 March 2012

Report of the Director of City Strategy

Open Space land at Mayfield Grove York

Summary

1. The purpose of this report is to summarise the background and history relating to this site and to set out for agreement the actions required, and the process to be followed to secure long-term management of this land for public benefit as per the section 106 agreement signed and dated 2 June 1997.
2. The City Strategy cabinet member is asked to note the history and background and agree the following :
3. The actions required and the process to be followed, as set out in this report, to secure appropriate management arrangements for the land designated as open space at Mayfield Grove York to ensure public benefit is realised for the long-term.

Background

4. The subject area of land comprises part of the former railway sidings off Nelson Lane York. A planning application was made in July 1996 by Hassall Homes for residential development on part of the site with the remainder given over as open space.
5. The development of 123 houses was formally approved by committee (Planning and Transport) on 21 Nov 1996. The resolution required the signing of a Section 106 agreement.
6. The land formally referred to as land at Mayfield Grove York (Mayfields) was designated as open space in a Section 106 agreement dated 2 June 1997 attached to the planning approval for the adjacent residential development.

7. The open space is in 2 parts with the southern section including the pond to the north of Mayfield Grove and to the south of Nelsons Lane, bounded by Ainsty Avenue to the east and Aintree Court / Lingfield Crescent to the west. The northern section lies to the north of Nelsons Lane with Hob Moor Terrace to the east and Goodwood Grove to the west and linking to Hobs Stone at the northern end.
8. A map of the area designated as open space is attached at annex 1.
9. A copy of the Section 106 agreement is attached at annex 2.
10. The area of open space is part of a wider green corridor linking with Hob Moor and there is considerable interest in the future management of this area. The land includes a former clay pit (which was part of the Hob Moor brickworks in the late C19th) and which had become a popular fishing pond managed by Rail sport angling club at the time of the planning application in 1996.
11. The land has significant interest and value for nature conservation with a number of different character areas across the site including meadow, scrub, woodland, rides and the pond, as described in the management framework (see annex 4).
12. When the planning application was being considered York Natural Environment Trust (YNET) expressed an interest in taking on the long term management of the land (following the model at Danesmead, Fulford where they had recently reached a similar agreement).
13. The value of the site today for nature conservation needs to be recognised where this is its most important characteristic, one which is especially important within York's built up area. Green public open space is available elsewhere in the locality at Hobmoor and the Knavesmire.
14. The committee report of 21 Nov 1996 on the Mayfield Grove development acknowledged this approach and it was intended that YNET would become the owner of the land designated as open space and that they would manage the land in perpetuity.

15. As the development progressed YNET discussed revisions to the proposed landscape treatment (clay capping) offering an alternative solution which achieved improved outcomes (reduced costs and better prospects for biodiversity) and which was agreed by committee 11 Sept 1997.
16. The development proceeded and the houses at the Chases were completed. Correspondence on the planning file indicates that the completion of the play area and the open space together with some necessary remedial work was effectively managed by the planning officer through 2001/02/03 and a letter dated 23 July 2003 confirms the formal completion of the scheme. This triggered the payment of the commuted sums set out in the s106 agreement regarding the play area and open space.
17. The payments were made to the council and the sum for the open space was paid to YNET in March 2004. By this time the land had passed to Taylor Wimpey.
18. Limited interim management of the land was undertaken by YNET pending transfer of title by developer. YNET also took on as agreed the collection of fishing fees and the management of the pond. However, YNET's ability to invest through fundraising / attracting grant was hampered because they did not have a formal lease arrangement and the land title has still not transferred 8 years later.
19. Between 2004 and 2010 both the council and YNET tried to resolve the matter. The lack of resolution is unacceptable, but is partly explained by staff changes (including the planning officer) at the council. Formal requests were, however, made to Taylor Wimpey on 4 separate occasions in 2007 and 2008 and received no reply.
20. YNET also made efforts to secure the land and continued to manage the land informally by agreement with Taylor Wimpey.
21. In September 2010 a meeting was held with Taylor Wimpey / YNET and CYC, including the Neighbourhood Management unit, to try and resolve the matter and it was agreed that on completion of certain works (tree safety works and demolition of a derelict structure) that the land would be transferred.

22. The works were subsequently completed in 2011, but the land transfer was not made.

Recent history 2011 to date

23. In February 2011, however, it was reported that a fence was being erected to enclose an area of the Mayfield Grove open space land to the rear of Hobmoor Terrace. See annex 3.
24. Council officers followed up the report with a site visit on 3 February 2011 and spoke to the fencing contractor who advised that his client had bought the land.
25. This was confirmed by inquiries made both of Woodhead investments who had purchased the land and Taylor Wimpey who had sold the land.
26. The land is however part of the land designated public open space in the 1997 Section 106 agreement and Taylor Wimpey have conceded this point. See annex 3.
27. This event acted as a trigger for significant local interest in the council's management of the site. FOI requests were received from local residents anxious to discover who was responsible for managing the land and to establish where responsibility lay. Further inquiries and representations were made seeking to address concerns about its state and future use.
28. The facts of the matter are certainly unsatisfactory and the council has apologised both to individuals and more publicly in a statement to the local ward committee on 26 January 2012.
29. Since February 2011 legal dialogue has been ongoing between the council, Taylor Wimpey, and Woodhead Investments to try and reverse the land sale - and remains ongoing.
30. Although this unsatisfactory situation remains YNET have continued to informally manage the land on a limited basis working with Taylor Wimpey and the council. However, it is clear that a formal resolution is now urgently required.

Current situation 2012 and proposed resolution

31. The legal process necessary to secure the transfer of the title to the land identified on the 1997 Section 106 agreement as public open space continues. This includes negotiations with Taylor Wimpey and with Woodhead Investments to recover that part of the land sold to it by Taylor Wimpey. If these negotiations are unsuccessful, it may be necessary to institute court proceedings as a last resort.
32. The legal process needed to secure the transfer of the title to the land identified on the 1997 Section 106 agreement as public open space continues. This includes
33. The Section 106 agreement states that the transfer shall be to the council or other approved body – it has now been agreed that in the first instance the land will be transferred to the council and that the council will seek to secure the long term management of the open space for public benefit.
34. To secure the long term management of the land the process suggested here is that the council seeks expressions of interest from suitably constituted community groups who can demonstrate that they have the appropriate capacity / capability / expertise / resources available to manage the land over the long term, in accordance with an agreed management plan.
35. The council has prepared a management framework - see annex 4 - which essentially describes the site and sets out the minimum requirements necessary for successful management of the area, also articulating some of the aspiration we believe is necessary for achieving wider public benefit. It is informed by the ongoing informal management arrangements and dialogue with York Natural Environment Trust (YNET) and Chase Residents Association (CRA) over recent months.
36. This management framework has been prepared specifically to offer a format for structuring a developed management plan which will be the primary submission requirement requires as a response from interested community groups.
37. If this approach is agreed the following timetable would apply:

38. The opportunity for community groups to submit expressions of interest will be formally advertised in April 2012, by public notice in York Press and by letter to YNET / Chase Residents Association / Wildlife Trust / Askham Bryan College.
39. Expressions of interest should be registered by 30 April 2012 and details of the submission requirements and the council's assessment methodology would be sent out to interested parties by return. The assessment criteria will be clearly set out in the form of the checklist that will be used to assess all responses submitted. This will focus on the developed management plan, but will also require the organisational detail highlighted below, necessary to satisfy the council.
40. 30 June 2012 - Deadline for submission of bids demonstrating organisational constitution / capacity / capability / expertise / resources available to manage the land for public benefit in accordance with a developed management plan, broadly based on the management framework.
41. July 2012 assessment of bids by officers against the criteria set out in the assessment checklist.
42. August 2012 preparation of report for City Strategy cabinet member decision session in September.
43. September 2012 – decision on future management arrangements with effect from a given date which is expected to be 1 October 2012. It is intended and expected that there will be the necessary resolution (as a result of the ongoing legal work) securing transfer of title to the land in accordance with the section 106 agreement.

Options

44. Option 1 - to agree the process set out above for establishing appropriate long term management arrangements for the land at Mayfield grove to secure public benefit for the long term.
45. Option 2 - to agree the process set out above with appropriate modifications based on comments/ representations made in accordance with this process.

46. Option 3 – to agree that City of York Council would take on the long term management of the land

Analysis

47. Option 1 – It was established and agreed from the outset, and set out in the planning committee report in 1996, that management of the land by a community based organisation was the preferred option. At that time the community group was York Natural Environment Trust (YNET). However, because of the passage of time and the interest now expressed by Chase Residents Association (formed since the completion of the housing development) it is appropriate for the council to follow a prescribed process as set out above for establishing appropriate long term management arrangements for the land at Mayfield Grove to secure public benefit for the long term.
48. Option 2 – It is recognised that some modifications to the process may be necessary in light of comments/ representations made on the report when published in accordance with this process.
49. Option 3 – City of York Council could take on the long term management of the land itself. The Council manages parks, gardens and other public opens space, but is faced with increased pressure on resources and is increasingly looking to work more closely with local communities to secure better management arrangements, as here.

Council Plan

50. Securing appropriate future management arrangements for the land at Mayfield Grove York will contribute to the Council Plan objective of protecting the environment by improving public access to green space.

Implications

51. **Financial** the financial contributions for future management of the land were paid to the council by the developer in 2003.
52. **Human Resources** (HR) There are no HR implications

53. **Equalities** the maintenance of public access to the land is a key component of the management framework and an equalities statement will be required as part of the submission from organisations seeking to manage the land for the long term.
54. **Legal** the council is committed to an ongoing legal process in relation to securing title to the land in accordance with the section 106 agreement dated 2 June 1997.
55. **Crime and Disorder** there are no direct implications, and no reported problems on the land. However it will be necessary for the agreed management make a statement in relation to monitoring / remedial action to avoid any future problems.
56. **Information Technology (IT)** there are no IT implications
57. **Property** it is confirmed that in the first instance the land covered by the s106 agreement and (currently owned by Taylor Wimpey and Woodhead investments) is to be transferred to council ownership.

Risk Management

58. The existing situation with respect to uncertainty in land ownership arising from the council's failure to secure complete discharge of a section 106 agreement dated June 1997 is unsatisfactory. Resolution is required to re-assure the local community and discharge the council's responsibility as local planning authority.

Recommendation:

59. The Cabinet Member for City Strategy is asked to agree Option 1 or 2.

Reason:

Thereby confirming the process to be followed to secure the effective long-term management arrangements for land at Mayfield Grove York as per the Section 106 agreement dated 2 June 1997.

Contact Details**Author:**

David Warburton
 Head of Design
 Conservation and
 Sustainable Development
 City Strategy
 Tel No. 1312

Chief Officer Responsible for the report:

Bill Woolley
 Director of City Strategy

**Report
 Approved**

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k

Date *Insert Date*
 27/3/12

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

AI

tick

 I

For further information please contact the author of the report

Background Papers:

Planning file ref 7/013/03321H/FUL

Planning and Transport committee report 21 Nov 1996

South Area Planning & Transport sub Committee 11 Sept 1997.

Annexes

Annex 1 – outline plan of land at Mayfield Grove York

Annex 2 – copy of Section 106 agreement dated 2 June 1997.

Annex 3 – outline plan of land sold to Woodhead Investments – to rear of Hobmoor Terrace

Annex 4 – Management Framework for land at Mayfield Grove York

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City of York Council

Extract from the Committee Minutes

MEETING	DECISION SESSION - CABINET MEMBER FOR CITY STRATEGY
DATE	8 MARCH 2012
PRESENT	COUNCILLOR MERRETT (CABINET MEMBER)
IN ATTENDANCE	COUNCILLORS HEALEY, HODGSON, REID, SEMLYEN AND WATSON.

44. THE FUTURE MANAGEMENT ARRANGEMENTS FOR PUBLIC OPEN SPACE AT MAYFIELD GROVE, YORK.

The Cabinet Member considered a report which summarised the background and history relating to the Mayfield Grove site and to set out for agreement the actions required and the process to be followed to secure long term management of the land for public benefit as per the section 106 agreement signed and dated 2 June 1997.

The Council had produced a Management Framework which was attached at annex 4 to the report. It set out the minimum requirements necessary for the successful management of the land at Mayfield Grove. It had been informed by the ongoing informal management arrangements and dialogue with York Natural Environment Trust (YNET) and Chase Residents Association (CRA) over recent months.

Having taken into consideration the representations made by the public speakers and Council members, the Cabinet Member made the following comments:

- Apologised for the ongoing situation and the fact that the land transfer is still to be finalised.
- Acknowledged the efforts made by local residents in trying to discover who has responsibility for the land. As a result the Council has paid attention and a solution was now trying to be found. The key issue is to move forward.

Option 2 was approved with the amendments detailed below.

The Cabinet Member suggested the changes to take into account the representations made by interested parties and council members at the meeting.

RESOLVED:

That Option 2 be approved and the process set out in the report, with the following amendments, be agreed:

- (i) That the Habitat Plan and Site Layout plan be improved for the final copy of the Management Framework.
- (ii) The Ecological Assessment should be made more specific to York species, particularly in relation to Bats etc but without being over-prescriptive.
- (iii) Section 1.4 be amended to recognise that there is currently not general disabled access to the site and improvements could be made.
- (iv) The value of the land as a community resource should be upfront in the Management Framework.
- (v) The Community involvement sections 3.3 and 3.4 should be strengthened and potentially based around a reinvigorated 'friends of' model.
- (vi) That the final wording be delegated to the Director of City Strategy in conjunction with the Cabinet Member.
- (vii) That the Council would seek to ensure that the site was managed according to the draft management framework for the interim period until a new managing organisation was established.

REASON:

In order to confirm the process to be followed to secure the effective long-term management arrangements for land at Mayfield Grove York as per Section 106 agreement dated 2nd June 1997.

Invitation to submit a formal proposal for the management of land at Mayfields Grove York – to deliver long term nature conservation and public benefit.

Invitation in accordance with City of York Council cabinet member decision session 8 March 2012.

1 Summary

The City of York Council seeks formal proposals for the long term management of land at Mayfields Grove York, from suitably constituted community / environmental groups who can demonstrate that they have the appropriate capacity / capability / expertise / resources available to manage the land over the long term, in accordance with an agreed management plan.

A management framework has been prepared which describes the site and sets out the minimum requirements necessary for successful management of the area; it also articulates some of the opportunities for achieving wider benefit.

Formal submissions should build on the management framework adding appropriate additional information and detail in the form of a developed management plan that will deliver on the aims and objectives set out in the Framework.

As an oasis of green space within a residential area, Mayfields offers the local community and wider public a mix of a safe play ground, a natural experience, a place of quiet reflection and some opportunity for informal leisure pursuits. It provides space and habitat for wildlife with access to nature for people. The screening provided by peripheral trees and vegetation gives the site a pleasant, rural aspect in an otherwise urban setting, and is one of only a few such sites in the main urban area.

2 Management Aims and Objectives

The key management aims and objectives are:

1. To maintain and enhance the site for nature conservation for the benefit of indigenous flora and fauna
2. To provide a safe & attractive public open space, with a particular emphasis on nature conservation
3. To maintain the trees in a safe condition
4. To provide a place to enjoy nature
5. To maintain the footpaths and access points
6. To manage opportunities for recreation
7. To maintain and manage fishery
8. To guide human access along established paths to develop refuge areas for wildlife
9. To work with local interest groups, residents associations and schools/colleges to maintain and enhance the site

10. To secure community involvement in the site covering all aspects of site work and management to promote a greater knowledge and understanding of Mayfields
11. To provide opportunities for educational use by local schools and colleges
12. To monitor the effectiveness of the management in maintaining and enhancing the wildlife interest of the site

3 Queries

Please submit any queries in writing or by email to:

Attn: David Warburton, Head of Design Conservation and Sustainable Development, City and Environmental Services, 9 St Leonard's Place, York, YO1 7ET
Tel.: 01904 551312
E-mail: conservation@york.gov.uk

4 Clarification

If we consider any query / question or request for clarification is relevant to all interested parties, we will circulate both the query and the response to all potential groups, although the identity of the originator will necessarily remain confidential.

5 Return Arrangements and deadline

Please make all formal submissions to the above address. Submissions to be as one paper copy by post (or hand delivered) or electronic submissions by email, please note that we do not accept fax copies.

The deadline is Fri 6 July 2012 – for practical purposes this will include post rec'd / hand delivered on Monday 9 July. We will keep entries received before this deadline unopened until after this time. We will not consider any competition entries we receive after the deadline. Please be aware that competition entries may be copied for our use.

Please mark your email or envelopes with the words 'Mayfields Competition entry'.

6 Assessment Criteria

All submissions will be evaluated in accordance with a Council evaluation process and specifically including the criteria set out below:

As we evaluate submissions, we may seek clarification and may ask for additional information. The purpose being to explore further the information you have provided in your submission.

Criteria	Description	Weighting
Organisational factors	Group constitution Membership arrangements Group status Trustees Group finances Statement of accounts Insurances	20
Organisational capacity	Group Capacity Membership and meetings Resources people / equipment Relevant experience of carrying out management works Organisational expertise Partner organisations	20
Developed Management Plan	Potential to deliver minimum standards A Place for Nature Management standards Appropriate additional detail on habitat area management Potential to deliver added value Annual works programme Monitoring and review arrangements Project development, including improving access for all requirements Revisions to management plan	30
Community involvement	Commitment to local engagement A Place for People Communication methods Arrangements for local engagement – both formal and informal Appropriate access Working parties Schools and education Equalities statement Support for a “Friends of Mayfields”	30
		100%

This is not necessarily the final assessment form but indicative of the key aspects to be considered

Completion of Entry

All submissions must include documents and, or other evidence as requested to satisfy these criteria. If the criterion does not apply to you, please write N/A. If you do not know the answer please write N/K.

Any additional documents you provide must refer to a criterion and be easily identifiable as such.

Constitution

Please provide a copy of the group constitution.

Group status

Please provide details of your group's official status (Charity, Limited Company or other), including a list of Trustees (if not already included in constitution).

Statement of accounts

Please provide proof of accounts. Any documentation provided will be kept in the strictest confidence.

Resource Capability (finance, grant possibilities, volunteers, tools)

Please provide details of the group's staffing and availability of tools.

Track record demonstrating public benefit – explain how the organisation's aims are for the public benefit

Please provide details of the group's previous track record, including where appropriate examples of how the aims of the management framework have been achieved on other sites.

Management plan

Please include your developed management plan detailing the site management practices and specific aspirations and methods of delivery your group has prepared for the land.

Equalities Statement

The maintenance of public access to the land is a key component of the management framework and an equalities statement will be required as part of the submission from organisations seeking to manage the land for the long term.

CRB checks

If, as part of the community involvement, members of your group, volunteers or partners will be working directly with children or vulnerable adults you must ensure that they have been checked by the Criminal Records Bureau (CRB check). More information is available from the CRB website at www.crb.gov.uk.

7 Grounds for Rejection

There are certain essential criteria that must be met for a group to be able to effectively take tenure and legitimately manage the site.

Insurance

Please provide evidence that your group has the necessary cover to deliver the management of the site. You must have the sufficient levels of insurance needed to manage the site. If you do not have these, you must provide evidence that you will be able to put them into affect if successful, before taking on the management responsibility. If you cannot confirm this, you will fail in the competition bid.

You will need to ensure that any insurances cover volunteers. You will be responsible for ensuring that you and your contractors have appropriate additional insurance cover in place while any works or activities are in progress.

You must also ensure that you have appropriate insurance cover in place for the lifetime of the group's existence.

Trustees

Land cannot be transferred or leased to a group unless a formally constituted body, such as a limited company or charity group with trustees vested with powers to own the land.

8 Additional Information

Timetable

The timetable is set out below; this is intended as a guide, and, while we do not intend to depart from the timetable, we reserve the right to do so.

Stages	Dates
The opportunity for community groups to submit expressions of interest will be formally advertised by public notice in York Press	2 May 2012
Expressions of interest should be registered by no later than Details of the submission requirements and the council's assessment methodology would be sent out to interested parties by return	16 May 2012
Deadline for formal submissions demonstrating compliance above with criteria and including developed management plans manage the land for public benefit in accordance with a developed management plan, broadly based on the management framework	6 July 2012 (inc post rec'd Mon 9 July 2012)
Assessment of bids by officers against the criteria set out in the assessment checklist	July 2012
Preparation of report for cabinet member decision session in September	August 2012
Decision on future management arrangements	September 2012
Future Management Arrangements in place	tbc October 2012

9 Conditions relating to all submissions

A legal agreement will be required to initiate the new management responsibilities detailing the tenure/management responsibility which is intended to be in perpetuity.

In the event that submissions fail to meet the necessary criteria in part or in full the Council reserves the right not to accept proposals.



**Cabinet Member for Transport,
Planning and Sustainability**

27 September 2012

Report of the Director of City and Environmental Services

**A59 Phase 2 and Phase 3 Bus Priorities - Highway Proposals
Consultation**

A59 Phase 1 and 3 TRO Consultation

Reasons for Urgent Consideration

1. The Cabinet Member for Transport, Planning and Sustainability is requested to consider the designs and approve the proposals for immediate construction of the bus priority works. Urgency is required to integrate the roads surfacing elements to fit into the wider programme of road re-surfacing in the City and to ensure that the road surfacing activities are carried out before the temperature drops significantly and before the Christmas moratorium on highway works.

Executive Summary

2. City of York council has been successful in securing funding for the Access York scheme to expand Park & Ride capacity. To support the operation of the new Poppleton Bar site bus priority measures will be implemented at three locations along the A59 corridor.
3. This report provides details of the consultation carried out for the highway works forming Phase 2 and 3 of the A59 bus corridor scheme as shown in the plan attached as Annex 1.
4. This report updates the Cabinet Member on the changes made to address issues identified during the consultation period. The report recommends that amended designs should be approved for construction.
5. The Traffic Regulation Orders needed for the lengths of bus lane in Phase 1 and bus lane and parking restriction amendments needed for Phase 3 have been advertised; objections considered and reported.

Recommendations

6. The Cabinet Member is recommended to:
 - Note the comments raised by the public, Councillors and interested organisations.
 - Note the Officer's response to the comments and any proposed amendments to the design.
 - Approve the implementation of the scheme in line with the recommended improvements:
 - Phase 2 as set out in the drawing Annex 4
 - Phase 3 as set out in the drawing Annex 5
 - Approve the addition of the proposed Traffic Regulation Orders to the city-wide order.

Reason: To inform the Cabinet Member of the consultation responses and to enable the works to proceed prior to inclement weather and the moratorium on highway works.

Highway Works Consultation Details

7. The consultation gave local residents, stakeholders and other key group's opportunity to make their views known. Leaflets including a covering letter and proposal drawings (appended as Annex 2 and 3) were sent out to local residents as follows:
 - Phase 2 consultation: 24 August 2012 to 14 September 2012
 - Phase 3 consultation: 16 August 2012 to 7 September 2012
8. The consultation also included the following elements:
 - Consultation with council departments
 - Consultation with interest groups and emergency services
 - Employee Drop In Session at Holgate Park Drive
 - Meeting Benenden Healthcare Society and CPPGroup Plc
 - Consultation materials uploaded onto the council website

A59 Phase 2 - Consultation Responses

9. Three areas of concern were identified in the five comments returned from members of the public. These are listed in Table 1 and summarised in the subsequent paragraphs.

Table 1 - Summary of Main Comments Received (A59 Phase 2)

Response	Frequency
Concern about drainage problems in Carr Lane area	2
Do not want to have the parking lay-by near Manor Drive North removed	2
More cycle improvements required	1

A59 Phase 2 - Analysis of Consultation Comments

Concern about drainage problems in the Carr Lane Area

10. Respondents commented on the existing carriageway drainage problems experienced on the A59 in the Carr Lane area.

Officer Response

11. The Phase 2 proposals will not result in any increase in paved area, therefore will not place any further pressure on surface water drainage in the area. Also, no significant civil engineering works are planned in this phase so improvements to drainage in this area are not feasible.
12. Notwithstanding this council officers are aware of the existing issues. As part of our Phase 1 proposals an improved surface water drainage system will be constructed including greater attenuation of storm run off which will result in less upstream pressure on the Carr Lane area drains.

Concern about Parking Lay-by on the A59 near Manor Drive North

13. This issue will be covered in the Member Views section.

Cycle Improvements Insufficient

14. One resident felt that that cycle improvements were insufficient.

Officer Response

15. The scheme as designed represents the most optimal set of improvements that can be brought forward for all users as part of a bus priority proposal.

A59 Phase 2: Consultation with Stakeholders

North Yorkshire Police

16. North Yorkshire Police raised concern over the use of cycle symbol markings only.

Officer Response

17. The use of cycle symbols to diagram 1057 of the DfT's Traffic Signs Manual without the usually associated lining was agreed with the council cycling and walking officer as appropriate in this case to continue an on highway cycle lane over a short length of road where there is no potential to widen to achieve the required width for a formal lane due to the presence of utility equipment. This is in line with the City of York Council Standards & Principles for Designing Cycling Infrastructure which is agreed for adoption and use by the full council.

North Yorkshire Fire and Rescue

18. North Yorkshire Fire and Rescue Service were consulted. The Acomb fire station is within the scheme proposals. Acomb station has two pumps; one manned by a full time crew the other by a crew of local retained fire fighters. The fire service had the following concerns:

- Impact of congestion on response times
- Retained fire fighters use of Phase 1 bus lane when responding to the station
- Road markings outside the fire station and
- Potential for warning signs/lights or a 'Green Wave' traffic signals system

Officer Response

19. At a meeting with the fire service on 12 September 2012 the comments were addressed. It was agreed that the scheme proposals would improve congestion in the local area. It was also agreed that the issue of retained fire fighters responding to the station would be discussed with North Yorkshire Police.
20. Additional keep clear markings will be added to the fire station exit road. The provision of 'Wig-Wag' warning lights would be explored as part of detailed design of the traffic signals works. It may also be possible to retain and reuse the existing 'green-wave' equipment from

the Clifford Street station. This will be taken forward by the fire service.

Cycle Touring Club York

21. York Cycle Touring Club made the following requests:

- Can pedestrian crossing points be removed to improve off-road cycle route?
- Can the off-road cycle only path down Water End be changed to prevent frequent (errant) use by pedestrians
- Can the same path be made accessible to cyclists coming from Lindsey Ave or Poppleton Rd, for example through installing dropped kerb access points?

Officer Response

22. Dealing with each point in turn:

- Removing pedestrian crossing points that particularly benefit pedestrians and pedestrians with mobility problems to provide cycling facilities would not be in line with the council transport planning policy with respect to the hierarchy of road users.
- The existing off-road cycle only path down Water End is already marked and signed for cyclists only. Adding extra signs or markings would be a waste of money and cause sign clutter without necessarily improving compliance.
- The cycle path is segregated from the carriageway at this point by a low wooden fence and a low grass bank. A dropped kerb, new surfacing connection and amendments to the fence and bank would be needed. A more cost effective solution designed as part of these proposals is to provide a short length of on street cycle lane along Water End. This is accessible to cyclists coming from Lindsey Ave or Poppleton Rd via the junction and links to the existing cycle lane facility on Water End bridge.

A59 Phase 2: Member Views

Ward Councillors

23. Councillor Simpson-Laing made the following comment:

- Examine potential to remove the parking lay by on the outbound side of the A59 for safety reasons stemming from poor visibility for drivers waiting to turn out of Manor Drive North.

Officer Response

24. Council officers consulted with the two neighbouring local businesses. Both business owners do not object to the relocation of the parking lay by within the general area but are opposed to its total removal. It is believed that construction of the lay by was funded by the previous business owner to smooth traffic flow for users accessing the shops.
25. The existing parking lay by is well used throughout the day. The council Network Management team support its retention in that it forms a useful facility for passing trade. If it is removed vehicles may park in the main A59 carriageway causing delay and safety issues or potentially cause congestion on Manor Drive North.
26. The proposed amendment is to relocate the lay by closer to the back of footway and formalise the lay by exit point. This creates a safer more conventional lay by and brings about an increased visibility distance for traffic turning out of the minor road. The safe capacity of the lay by will be reduced from three to two vehicles.

Party Group Leaders

27. Councillor D'Agorne of the Green Party commented that he felt that all on road cycle lanes should be 1.5m wide, or minimum 1.3m where they are ASL feeder lanes. If this is not feasible consideration should be given to removing the substandard width lanes in favour of wider nearside lanes and shared use paths with slips onto and off the carriageway either side of the side roads.

Officer Response

28. As detailed in paragraph 17 the use of cycle symbols only to continue an on-road cycle lane over a short length of road is appropriate, has been agreed with the council cycling and walking officer and is in line with council cycle design standards.

A59 Phase 3 - Consultation Responses

29. Nine main areas of concern were identified in responses from members of the public. These are listed in Table 2 and summarised in the subsequent paragraphs.

Table 2 - Summary of Main Comments Received (A59 Phase 3)

Response	Frequency
Tisbury Road issues	22
Commuters parking on residential street	17
Windmill Rise realignment - loss of "roundabout"	10
Windmill Rise realignment - difficulty turning right	10
Time saving doesn't justify scheme	8
Tree concerns	6
Proposals introduce too many signals in a short length	5
Outbound Bus stop - problems exiting St Swithin's Walk	5
Consultation issues	4

A59 Phase 3 - Analysis of Consultation Comments

Tisbury Road Issues

30. The residents of Tisbury Road submitted a group response requesting that the right turn into Tisbury Road not be made more difficult and requested improvements to the no through road traffic signage.

Officer Response

31. Further improvements have been added to the scheme proposal to address these concerns.
- Alteration to the pedestrian refuge to make the right turn manoeuvre easier.
 - Provision of right turn markings within the junction to highlight the movement and provide a turning bay.
 - Provision of new no through road signs at the junction of Tisbury Road and Poppleton Road.

Commuters Parking on Residential Streets

32. Local residents have raised concern about the migration of commuter parking into residential streets as a result of the bus lane on the A59.

Officer Response

33. Council officers have met with the key employers on Holgate Park Drive to discuss the impact of the scheme. A number of mitigation measures will be brought forward to address this issue.

34. The council has committed to work with the employers to produce travel plans for each business. The travel plan will collect information on employee travel patterns and bring forward initiatives and interventions to maximise sustainable travel. By bringing forward sustainable alternatives less pressure will be put on the stock of on road parking spaces in the local area.
35. After the scheme has been constructed the Park & Ride buses will serve the stops on the A59 at Holgate Park Drive area as the only interim stop, providing a high quality public transport alternative. The service buses travelling along the corridor will be able to use the new bus priority measures and will be boosted by the new 14 service from Acomb – York Sports Village which starts in October 2012. This will result in a quarter hourly frequency of service along the A59 until the Poppleton Bar Park and Ride site opens.
36. In the interim period the council will continue to monitor parking issues in the local area and intervene if the situation deteriorates substantially.

Windmill Rise Realignment - Loss of "Roundabout"

37. Many local residents from the Windmill Rise area objected to the realignment of Windmill Rise junction with Poppleton Road (A59). This would result in the removal of the central circular splitter island known colloquially as 'the roundabout'. Many residents felt that it adds character, has historical value and links to the windmill (including a small sapling planted on it).

Officer Response

38. The re-alignment of Windmill Rise junction would simplify the turning movements at the junction; however, it is not a key part of the project. Therefore, the realignment will be removed and the current layout maintained. The performance of the junction after the scheme has been implemented will be monitored.

Windmill Rise Realignment – Difficulty turning Right

39. Respondents highlighted a perceived difficulty in turning right out of Windmill Rise, due to the relative proximity of the downstream (bus gate) traffic signals on Poppleton Road.

Officer Response

40. The original layout included for sufficient space to turn right safely out of Windmill Rise, however, the layout has been amended to further

increase the separation between Windmill Rise and the bus gate, increasing storage capacity and visibility on approach to the bus gate.

Time Saving Doesn't Justify Scheme

41. Respondents questioned whether the journey time savings achievable justified the scheme proposals.

Officer Response

42. Successful Park & Ride schemes depend upon a fast, reliable and high quality bus service. Traffic modelling carried out for this project forecast bus journey time savings of around 5 minutes at peak times. This saving equates to a 20% improvement over journey times without the proposals.
43. The works as proposed represent the most cost effective and efficient way of prioritising public transport without introducing long delays for other road users. The council has satisfied the Department for Transport that the Access York project represents value for money for the UK taxpayer. The scheme results in substantial transport and environmental benefits far outweighing the scheme cost.

Tree Concerns

44. Four comments were received highlighting concern over impact on trees in the local area. Concern was primarily over potential impact on the large mature specimens on the south side of Poppleton Road.

Officer Response

45. The scheme has been designed to minimise impact on trees in the local area. The trees to the south side of Poppleton Road will not be affected by the scheme. It is possible that a small number of trees to the north side of Poppleton Road may suffer root damage or need to be removed to facilitate the key (unavoidable) elements of the proposals.
46. If this is the case then the council will replant similar trees of native species in the immediate area following advice from the council's arboreal officer. Planting will exceed any removals to give a net increase in the tree stock in the local area.

Proposals Introduce too many Signals in a Short Length

47. Some respondents felt that the proposals would lead to too many traffic signals in a short length.

Officer Response

48. The traffic signals along this section of road will be linked and co-ordinated through the Council's Urban Traffic Control (UTC) system. Traffic conditions will be remotely monitored through CCTV with the potential for override should the situation demand it. This represents a significant improvement on the management of signals in the corridor as currently all traffic signal junctions in the area are isolated and work independently.

Outbound Bus Stop - Problems exiting St Swithin's Walk

49. Respondents have made comment on the re-location of the outbound bus stop on Poppleton Road and potential impact on turning out of St Swithin's Walk.

Officer Response

50. Relocation and upgrade of the existing outbound bus stop is an essential part of the scheme to enable a new pedestrian crossing of the A59 to be created to serve the local area and to provide access to the bus stops. The proposed location of the bus stop has also been sited to minimise impact on a large mature chestnut tree.
51. Visibility from St Swithin's Walk along the A59 may be reduced when a bus is at the stop; this will occur once approximately every 10-15 minutes. Stops in locations such as this are not unusual throughout towns and cities in the UK and function safely if drivers obey the Highway Code.

Consultation Issues

52. Respondents have commented that the consultation was not extensive enough or did not give sufficient time for response.

Officer Response

53. The consultation gave local residents, stakeholders and other key group's opportunity to make their views known on the proposed highway works whilst ensuring value for money and adherence to the project timetable. The consultation extent was agreed with the Cabinet Member for Transport. A problem did occur with the leaflet drop on Windmill Rise. This was rectified by Officer's hand delivering letters and extending the deadline for response for those affected.

A59 Phase 3: Consultation with Stakeholders

North Yorkshire Police

54. North Yorkshire Police raised the following concerns:

- The proximity of the proposed signal controlled crossing to the bus gateway.
- Concern over the use of anti-pedestrian paving between the bus stop and the proposed crossing.
- New splitter island on Poppleton Road may affect on-road pedal cyclists.
- Left turn except buses marking has not been used correctly.
- Issues turning out of Windmill Rise.
- Holgate Road/Acomb Road traffic signals no obvious route for cyclists once they have reached the south side of the junction (outside house numbers 1 & 3).

Officer Response

55. Dealing with each point in turn:

- All traffic signals will be linked together and co-ordinated.
- Anti-pedestrian paving between the bus stop and the proposed crossing has been specified for safety reasons along the carriageway edge to prevent people walking in a very narrow margin area. Providing a footway directly along the carriageway edge between the bus stop and crossing is not feasible as it would mean the removal of a very large and important chestnut tree and the rebuilding of a significant length of retaining wall. A safe walking route has been provided to the rear of the verge area to link the bus stop and crossing.
- A splitter island on Poppleton Road is needed to mount traffic signals on but has been located and designed to minimise impact on-road pedal cyclists.
- The Left turn except buses marking will be revised and used correctly.
- Issues turning out of Windmill Rise – scheme has been redesigned see paragraph 41.
- Holgate Road/Acomb Road traffic signals no obvious route for cyclists on the south side of the junction – cyclists must either use the off road cycle path to the north of the road or ride in traffic as

there is insufficient space without affecting utility equipment or losing parking bays to create an outbound on road cycle lane at this location.

North Yorkshire County Council

56. North Yorkshire County Council wrote in support of the scheme.

York Cycle Campaign

57. Adrian Setter of the Campaign wrote to say that they do not support the use of bus lanes by motorcyclists.

A59 Phase 3: Member Views

Party Group Leaders

58. Councillor D'Agorne of the Green Party commented that introducing a larger staggered pedestrian crossing refuge island across the mouth of Holgate Park Drive might cause problems for cyclists.

Officer Response

59. The staggered crossing proposals and amendment of the pedestrian refuge island on Holgate Park Drive have been withdrawn.

60. Additionally a dropped kerb access will be installed to the south of Holgate Park Drive to enable inbound cyclists who are cycling on road to 'drop on' to the off road cycle path to the north side of Poppleton Road.

A59 Phase 1 and Phase 3 Traffic Regulation Orders

61. The Traffic Regulation Orders needed for the lengths of bus lane in Phase 1 and bus lane and parking restriction amendments needed for Phase 3 have been advertised; conclusions have been made and are reported as follows.

Phase 1

62. No objections were received.

Officer Response

63. None needed.

Phase 3

64. No objections were received in response to the advertisements placed in the press or placed in the locality. Five responses to the consultation exercise mentioned the TRO reference number and provided general comment on the scheme, but did not object to the Traffic Regulation Order itself.
65. These are listed in Table 3.

Table 3 – Respondents using the TRO Reference Number Main Comments Received (A59 Phase 3)

Response	Frequency
Extent of consultation	4
Commuters parking on residential street	3
Time saving doesn't justify scheme	3
Windmill rise realignment - difficulty turning right	2
Proposals introduces too many signals in a short length	2
Outbound Bus stop - problems with exiting St Swithin's Walk	2
Tree concerns	1

Officer Response

66. It can be seen from Table 3 that most comments received are generic scheme wide comments and as such are considered in previous paragraphs. Perhaps the most relevant objection area is that of commuter parking on residential streets which respondents believe may occur as a result of the removal of on street parking on the A59 proposed as part of the scheme and the associated TRO.
67. This issue is being mitigated initially through travel planning works which will be carried out with and by local employers. Any latent parking issues will be monitored.
68. We have fully considered all objections received and proposed mitigating amendments to the scheme where necessary. However we do not consider there to be any valid reason to modify the TRO proposals and jeopardise successful compliant use of the bus lanes.

Summary

69. The council has fully considered the major points of concern being cognisant of current Government and Council policy and has evaluated the situation considering potential impacts.

70. Where concerns were justified the scheme design has been revised to incorporate the following improvements:

Phase 2

- Parking lay by relocated slightly and layout amended to improve safety and visibility out of Manor Drive North;
- Additional “Keep Clear” road markings to be added to cover the Acomb Fire Station exit road. Provision of Wig–Wag lights to be investigated.

Phase 3

- Junction of A59 Poppleton Road/Tisbury Road/Holgate Park Drive, additional road markings and signage. Pedestrian crossing changes proposed for Holgate Park Drive have been withdrawn.
 - Windmill Rise junction to remain as is – retention of ‘roundabout’
 - Bus gate moved further downstream of Windmill Rise junction
71. These changes are shown in the proposed scheme drawings appended as Annex 4 and 5.
72. The council is committed to working with employers on Holgate Park Drive. Employer travel plans are being taken forward as a separate work stream.

Options

73. The Cabinet Member for Transport, Planning and Sustainability has the following options:
1. Approve the original consultation scheme layout drawing
 2. Approve a revised scheme layout drawing as indicated in Annexes 4 and 5
 3. Reject the scheme design

Analysis

74. If the Cabinet Member chooses Option 1 then the decision may result in a less compliant scheme being taken forward, that does not address residents’ concerns or technical design development. This choice may be subject to further scrutiny.

75. If the Cabinet Member chooses Option 2 (**RECOMMENDED**) this will enable the scheme design to be developed and construction take place in this financial year.
76. Choosing Option 3 would require the extensive re-modelling of the bus priority scheme in compliance with DfT requirements, potentially reducing the journey time savings for Park & Ride and potentially undermining the Poppleton Bar Park & Ride site and the entire Access York Phase 1: Park & Ride project. It would also introduce additional cost requirements and may mean that large values of work done to date would have been abortive. There are no opportunities to put bus priority measures anywhere else along the A59 other than in the proposed locations.

Estimated Costs

77. The scheme is estimated to cost around £600,000 which will be met from the overall Access York project budget.

Programme

78. Construction of Phases 1 and 2 of the works is proposed to commence as soon as approval is given. Phase 3 works will follow on and are currently planned for January 2013.

Council Plan

79. The highway works proposed as part of the Access York Park & Ride project will contribute to the following priorities of The Council Plan:
80. Create jobs and grow the economy – Construction of the highway works represents a substantial package of work for the CES Highways unit. Construction will benefit the local construction industry and construction material suppliers.
81. Get York moving – The public transport improvements will provide a boost to the priority reducing delays for existing bus users and benefiting new Park & Ride users when the site opens.
82. Protect the environment - Encouraging modal shift onto Park & Ride buses will provide environmental benefits in terms of reduced carbon emissions and better air quality in the city centre.

Implications

83. The following implications have been considered:

- **Financial** – Funding for the project has been approved by the Council and will be funded from the Access York Park & Ride project allocation.
- **Human Resources (HR)** – There are no Human Resource implications
- **Equalities** – The highway works have been designed to meet accessibility requirements, and will be designed to current design standards within very tight layout constraints.
- **Legal** – There are no legal implications
- **Crime and Disorder** – There are no Crime and Disorder implications
- **Information Technology (IT)** – There are no IT implications
- **Property** – There are no Property Implications
- **Other** – There are no other implications

Risk Management

84. A risk register for the delivery of the project has been prepared and mitigation measures applied where necessary. In compliance with the Council's risk management strategy measured in terms of impact and likelihood, the risk score has been assessed at less than 16. This means that at this point the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.

Contact Details

Author:	Chief Officer Responsible for the report:		
Matt Rudman Access York Assistant Project Manager City and Environmental Services Tel No. 55 1624	NEIL TAYLOR Interim Director, City and Environmental Services		
	Report Approved	√	Date 24 Sept 2012
Specialist Implications Officer(s) <i>List information for all</i>			
Wards Affected: <i>Acomb</i>		All	
For further information please contact the author of the report			

Background Papers:

None

Annexes

Annex 1: Project Area and Context

Annex 2: Consultation Leaflet – Phase 2

Annex 3: Consultation Leaflet – Phase 3

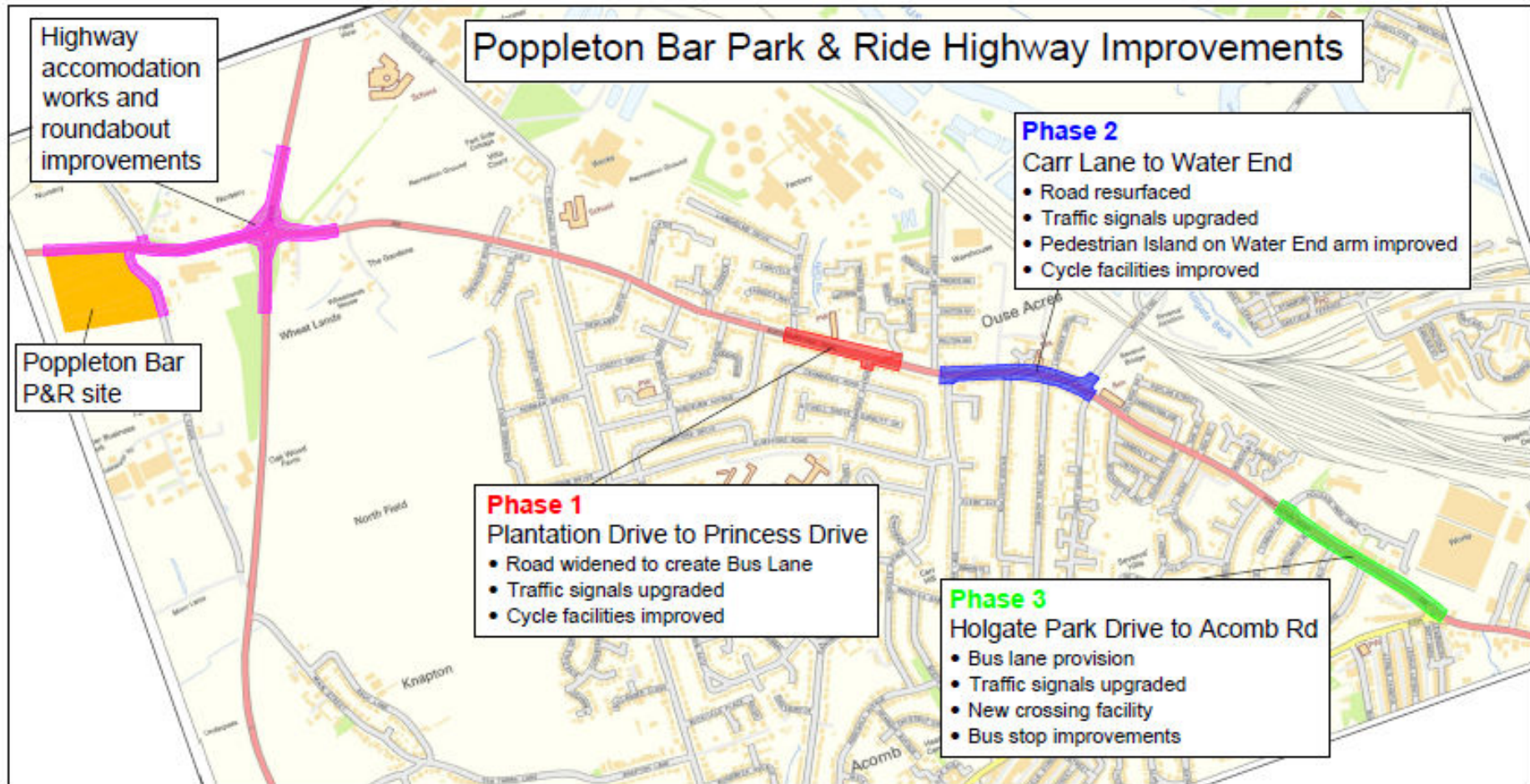
Annex 4: Phase 2: Proposed Post Consultation Scheme Layout Drawing

Annex 5: Phase 3: Proposed Post Consultation Scheme Layout Drawing

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A59 Phase 1 Bus Priorities Consultation

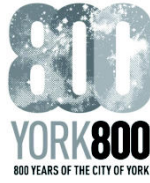
Annex 1 – Project Areas



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CITY OF
YORK
COUNCIL



City & Environmental Services

9 St. Leonard's Place
York
YO1 7ET

Contact: Mark Reade or Ben Potter
Tel: 01904 55 ext.3519 or 3496
Email: mark.reamde@york.gov.uk or
ben.potter@york.gov.uk

Our ref: MR/BP/MD/09010585/01

Date: 24th August 2012

A59 Bus Corridor Improvements Phase 2 – Carr Lane to Water End

As you may be aware CYC will soon be constructing a new Park & Ride site on the A59 near Poppleton. As part of the project the A59/A1237 roundabout is to be upgraded, and various bus priority measures will be provided along the route in to the city centre.

The bus priority proposals cover three key locations, and are being progressed in a phased approach;

- Phase 1 – Plantation Drive to Princess Drive
- Phase 2 – Carr Lane to Water End
- Phase 3 – Holgate Park Drive to Acomb Road

An overview of the three phases and a digital copy of the information provided in this leaflet can be found online at:

[www.york.gov.uk/transport/Parking/Park and Ride/new/poppleton_bar/prioritybusroute/](http://www.york.gov.uk/transport/Parking/Park_and_Ride/new/poppleton_bar/prioritybusroute/)

This consultation concentrates on Phase 2, Carr Lane to Water End. To minimise disruption to local residents and traffic using the route, essential maintenance work to resurface the carriageway along this stretch of Boroughbridge Road has been integrated into this bus priority corridor works.

The key features of the scheme are;

- The road will be re-surfaced and re-lined with minor alterations to road space.
- Existing traffic signals will be upgraded to include bus prioritisation to improve bus times at the two junctions.
- Existing signal controlled pedestrian crossings will be converted to include detectors which will improve efficiency and safety at the junctions for all road users.
- Localised carriageway widening will provide wider running lanes and allow the inbound filter lanes on approach to the Water End junction to start earlier.
- Cycling facilities will be improved where possible

In addition to these works, it is also proposed to install CCTV cameras at the Carr Lane and Water End junctions so that traffic conditions can be monitored and managed.

If you would like to make any comments regarding these proposals, please submit them no later than **Friday 14th September 2012**, either by telephone, in writing or by email. All feedback will be included in a report to help decide whether the proposals should proceed.

If you would like this information in an accessible format, for example in large print, by email, or in another language, please contact 01904 551550.

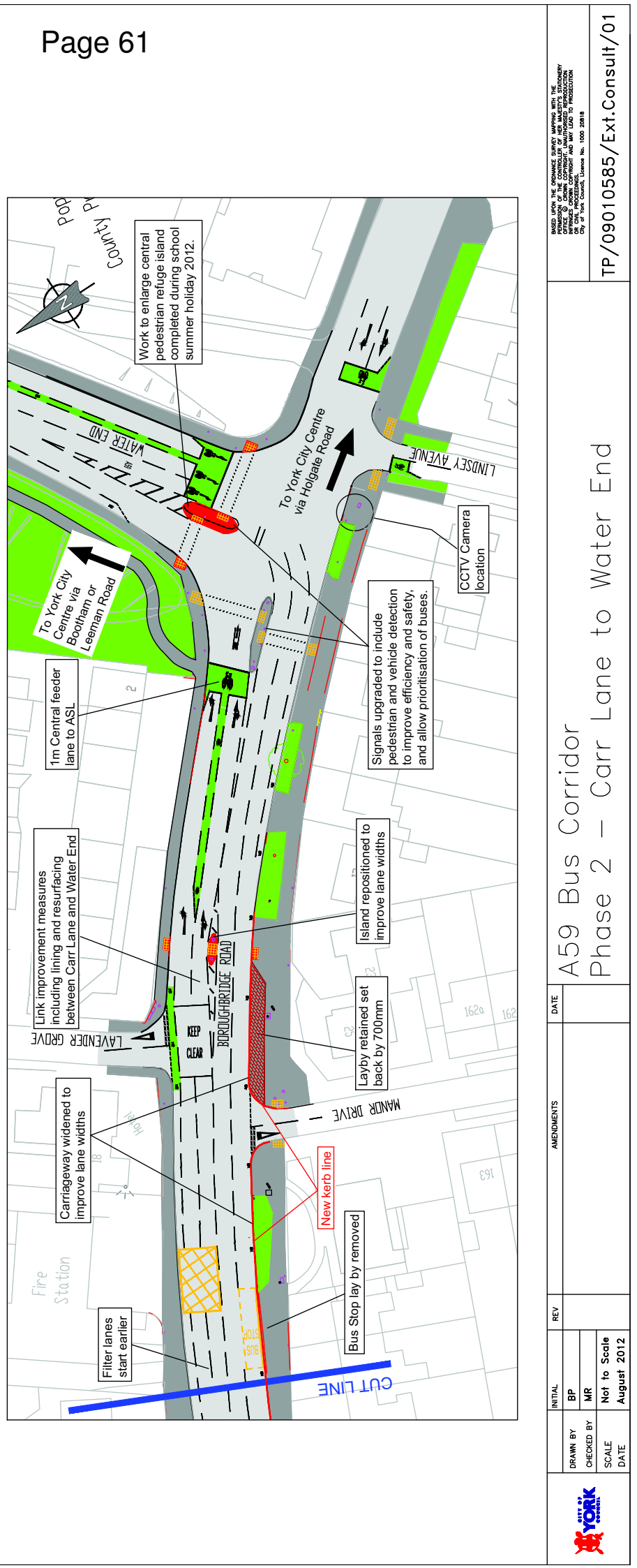
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我們也用您們的語言提供這個信息 (Cantonese)

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

 01904 551550



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BP	MR	Not to Scale	August 2012

INITIAL	REV	AMENDMENTS	DATE

A59 Bus Corridor
Phase 2 – Carr Lane to Water End

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City & Environmental Services

9 St. Leonard's Place
York
YO1 7ET

Contact: Mark Reade or Ben Potter
Tel: 01904 55 ext.3519 or 3496
Email: mark.reamde@york.gov.uk or
ben.potter@york.gov.uk

Our ref: MR/BP/MD/09010586/01

Date: 17th August 2012

A59 Bus Corridor Improvements Phase 3 – Holgate Park Drive to Acomb Road

As you may be aware CYC will soon be constructing a new Park & Ride site on the A59 near Poppleton. As part of the project the A59/A1237 roundabout is to be upgraded, and various bus priority measures will be provided along the route in to the city centre.

The bus priority proposals cover three key locations, and are being progressed in a phased approach;

- Phase 1 – Plantation Drive to Princess Drive
- Phase 2 – Carr Lane to Water End
- Phase 3 – Holgate Park Drive to Acomb Road

Information on the proposals for all three phases including the information provided in this leaflet can be found online at:

www.york.gov.uk/transport/Parking/Park_and_Ride/new/poppleton_bar/prioritybusroute/

This consultation concentrates on Phase 3, Holgate Park Drive to Acomb Road and is based around the provision of a bus lane and bus gate on Poppleton Road between Holgate Park Drive and Windmill Rise, a plan of the proposals is shown over the page. The scheme carefully balances the need to minimise environmental impact whilst bringing a predicted journey time benefit of over 2 minutes for buses during morning rush hour.

Cont'd on back page

Other key features of the scheme include;

- Localised carriageway widening to accommodate the new lane, including some reduction and amendment to on street parking (highlighted on the attached plan).
- Introduction of a new signal controlled crossing point and repositioning of the outbound bus stop, to be the only interim stops on the new P&R service in 2014.
- Changes to the layout of the Windmill Rise junction and relocation of a short length of residents parking to enable the new bus gate and improve safety.
- Upgrade traffic signals at the Acomb Road junction to give further efficiencies and advantage to bus movements and to rationalise and bring pedestrian and cycle crossing facilities up to current standards.
- Minimised impact on the avenue of mature trees and maintaining the separate pedestrian and cycle paths to the north of the A59.

In addition to these works, it is also proposed to install a CCTV camera at the Acomb Road junction so that traffic conditions can be monitored and managed.

If you would like to make any comments regarding these proposals, please submit them no later than **Friday 7th September 2011**, either by telephone, in writing or by email.

The introduction of the bus lane and alterations to the residents parking also requires a legal traffic regulation order. This will be formally advertised for 21 days by putting up notices on site and by publishing a copy in The Press. We hope you feel able to support the proposals but if you wish to formally object to either the proposed bus lane or alterations to the residents parking you must write direct to the following address by Friday 7th September 2012, quoting The York Traffic Management (Amendment) (No 11/3) Order 2012 and stating your reasons for objecting:

Richard Wood - Assistant Director
Strategic Development and Transport
9 St. Leonards Place
York
YO1 7ET

If you would like this information in an accessible format, for example in large print, by email, or in another language, please contact 01904 551550.

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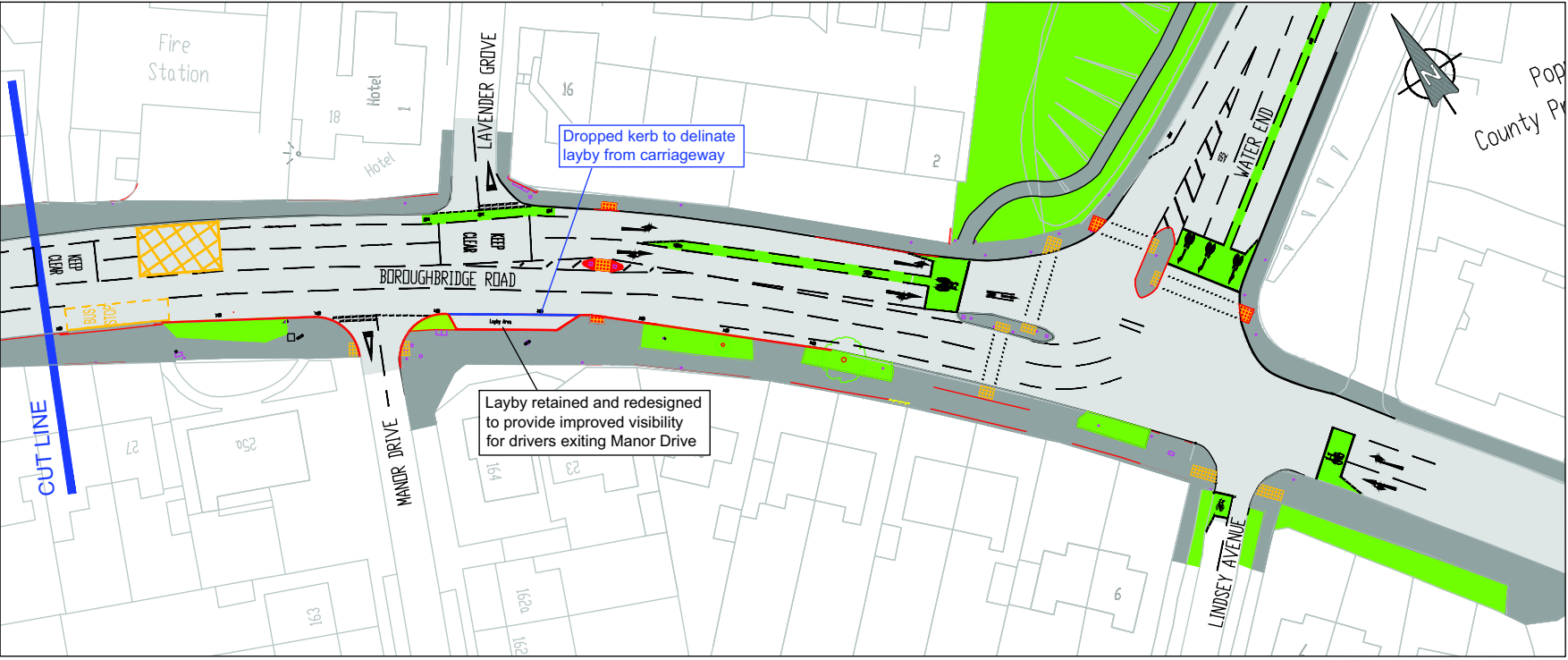
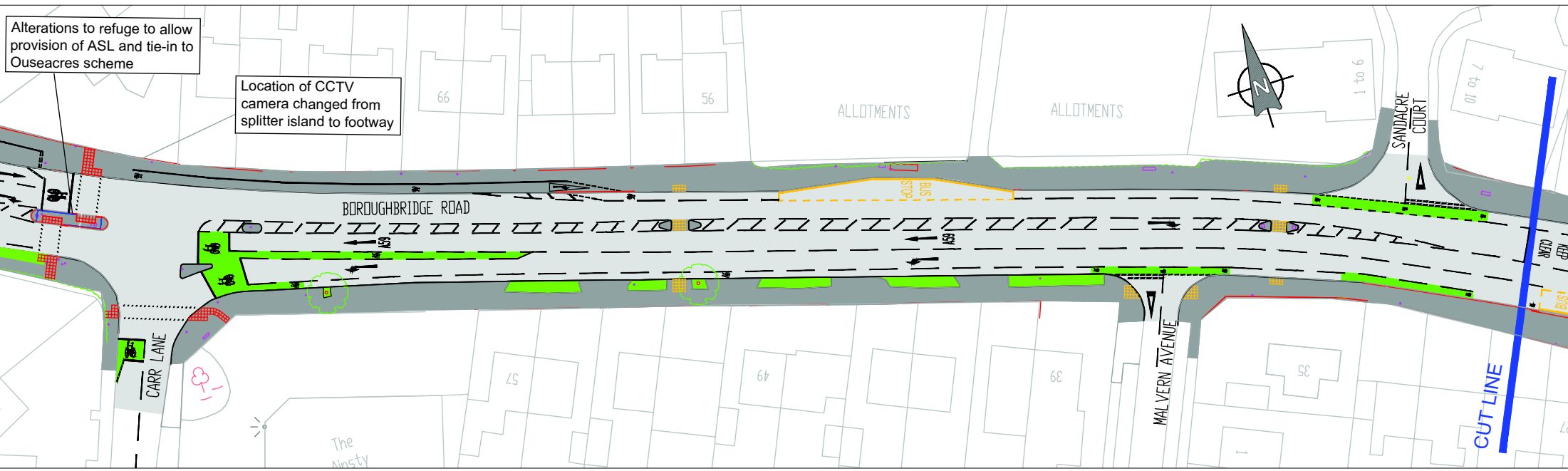
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Alterations to refuge to allow provision of ASL and tie-in to Ouseacres scheme

Location of CCTV camera changed from splitter island to footway



Dropped kerb to delineate layby from carriageway

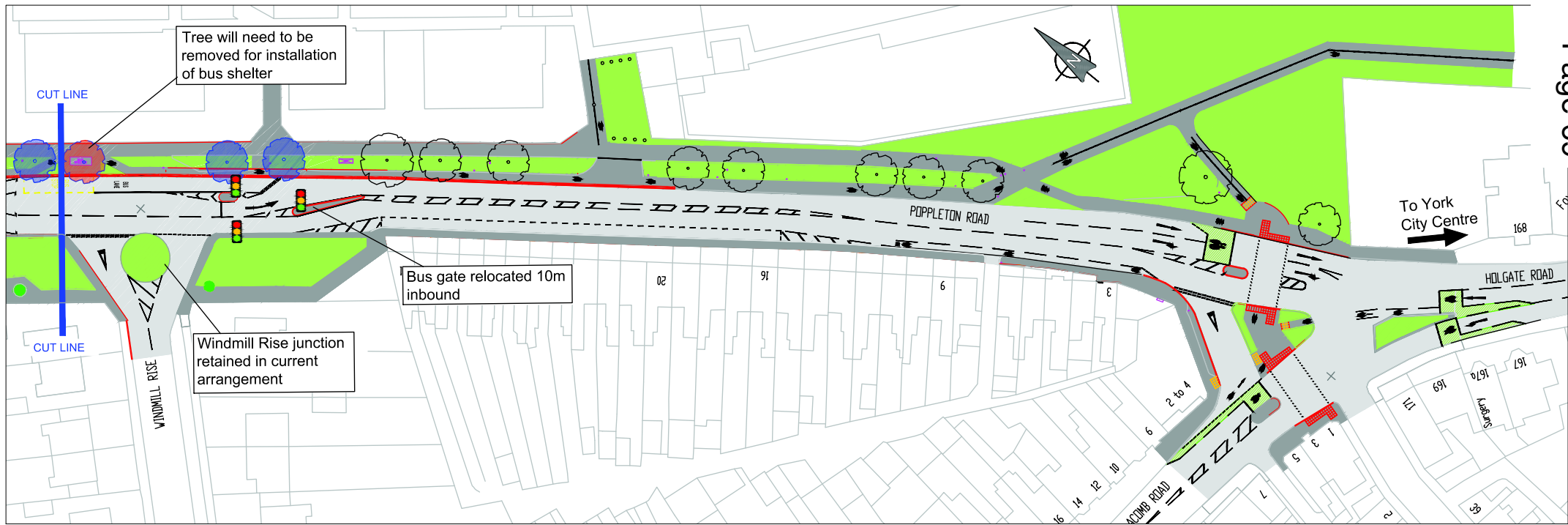
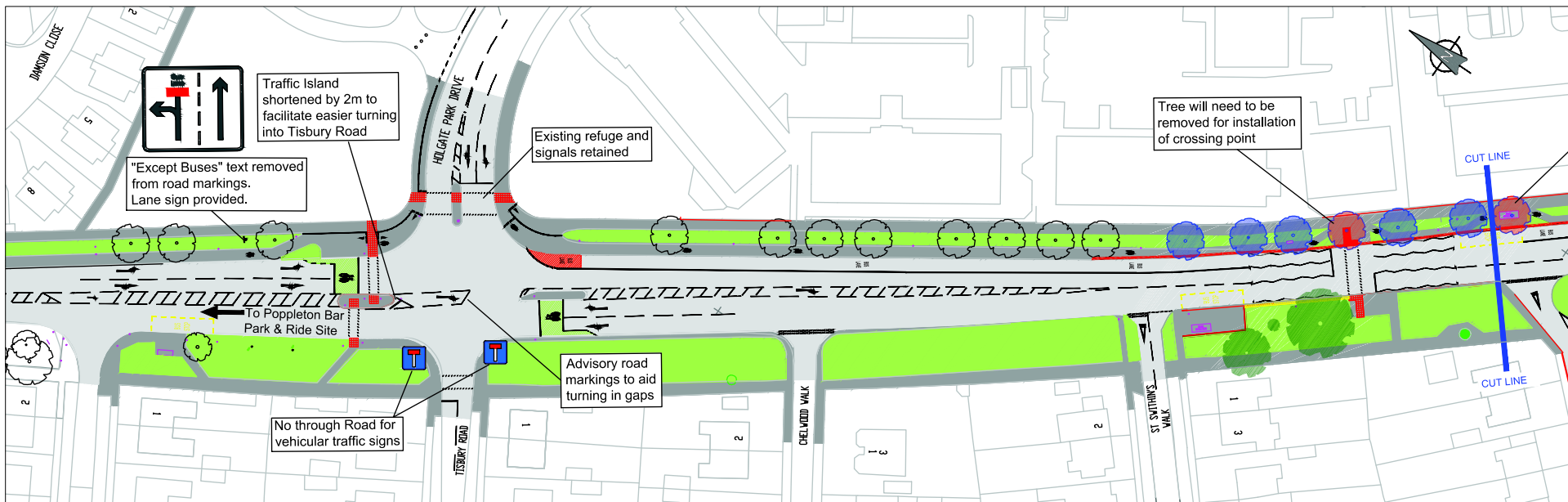
Layby retained and redesigned to provide improved visibility for drivers exiting Manor Drive

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SCALE	Not to Scale					
DATE	Sept 2012					

A59 Bus Corridor, Phase 2 – Carr Lane to Water End
Design Alterations following consultation

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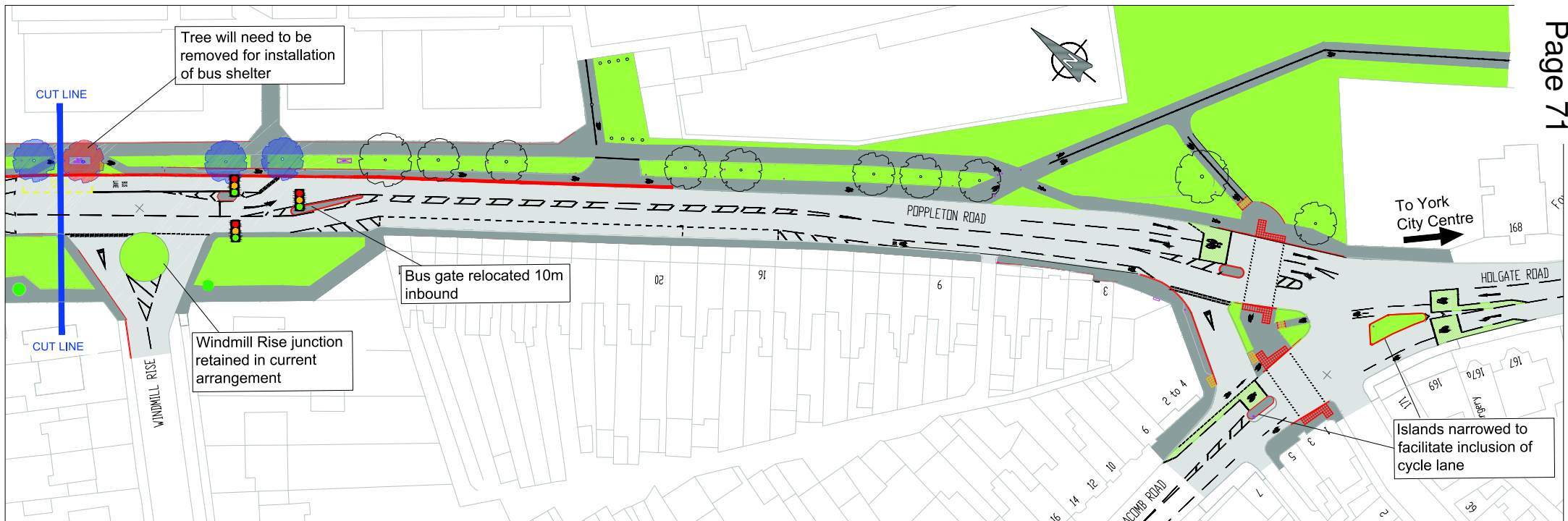
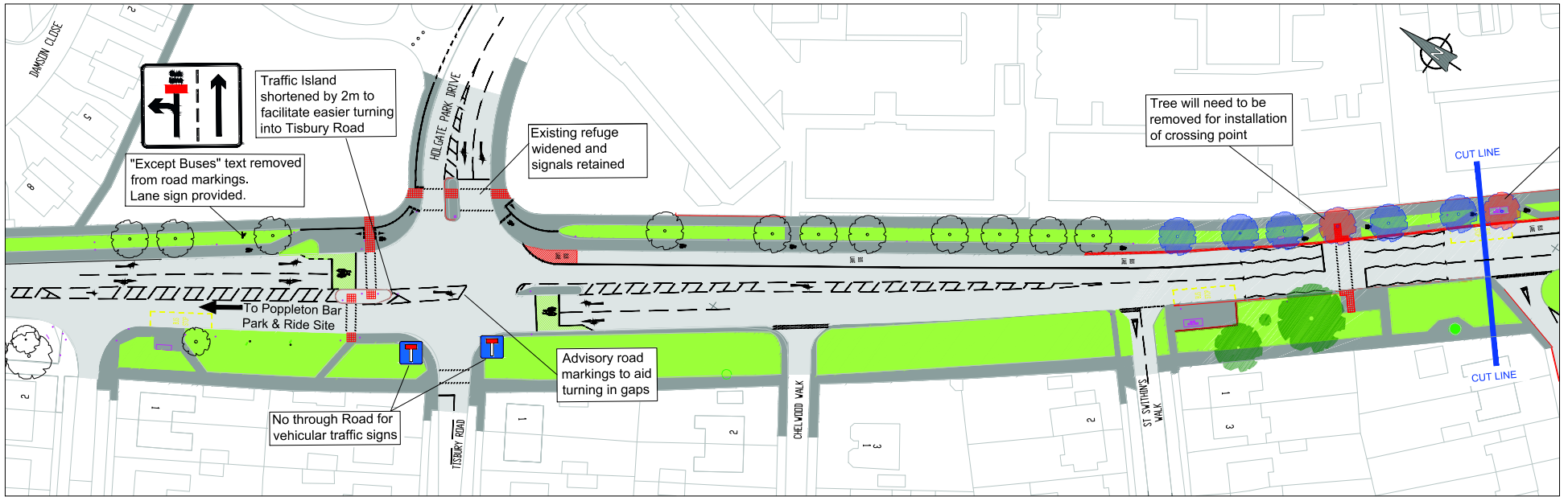
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	SCALE	Not to Scale			
	DATE	Sept 2012			

A59 Bus Corridor, Phase 3 – Holgate Park Drive to Acomb Road Junction
 Design alterations following consultation

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A59 Bus Corridor, Phase 3 – Holgate Park Drive to Acomb Road Junction
 Design alterations following consultation

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