

**Customer and Corporate  
Services Scrutiny  
Management Committee**

**7 November 2022**

Report of the Director of Transport, Environment and Planning  
Portfolio of the Executive Member for Transport and Executive Member  
for Economy and Strategic Planning

**City Centre Access – Action Plan Update**

**Summary**

1. In November 2021 the Executive, following three scrutiny meetings and extensive consultation, considered Police and Counter terrorism advice regarding access to the City Centre. On balance Executive made the decision to reduce the risk to life caused by the use of vehicles as a weapon in the City Centres most heavily pedestrianised streets. Deciding to remove as many vehicles as possible from accessing the whole footstreets area during pedestrianised hours. That advice has not changed and has been reiterated to executive Members by the Police and National security advisors, and the hostile mitigation measures are contracted to be completed in summer 2023.
2. Advice from North Yorkshire Police and the Counter Terrorism Unit (found in **Annex C**) requested to consider new measures to reduce the risk of a vehicle as weapon attack in the footstreets, particularly considering York's historic and narrow streets and high number of people visiting the city centre. Particular vulnerabilities were identified in relation to the areas which host some of the city's largest seasonal events and were based on the targeting of similar events across Europe by terrorists. Risk Assessments have taken place regularly through the multi-agency York Protect and Prepare Group convened under Safer York Partnership to drive forward an action plan to mitigate the threat of terrorism through local delivery of the Government's CONTEST strategy.
3. Recognising the impact that the decision would have in particular on Blue Badge holders and the need to mitigate impacts, a suite of accompanying decisions were also made. Amongst these was a

report on the “Strategic Review of City Centre Access”, which included an action plan to improve access. This report provides an update on the delivery of the action plan. The update summary can be found in **Annex A**.

4. At the full Council meeting on the 20 October 2022 the Council received a number of representations forming a petition relating to the removal of the blue badge exemption in the foot streets. These representations formed a petition titled “Reverse the Ban”. A summary of comments is included in **Annex B**.

### **Recommendations:**

5. The Committee is recommended to:
  - i. Note the update on the “City Centre Access - Action Plan” **Annex A**;
  - ii. Consider the petition presented to full Council as required by the Constitution.

Reason: To provide ongoing scrutiny of the implementation of mitigation measures agreed by Executive and consider petitions presented to Council as required by the Constitution.

### **Background**

6. In November 2021, the Executive considered a number of reports including
  - “City Centre Strategic Vision - Adoption of Vision and Next Steps”,
  - “Strategic Reviews of City Centre Access and Council Car Parking”,
  - “Consideration of Changes to the City Centre Traffic Regulation Order”.

Links to these are provided in the background documents at the end of the report.

7. The last of these reports was to give effect to the Police Counter Terrorist Advice to make the City Centre as car free as possible and install Hostile Vehicle Measures. A subsequent Executive Member for Transport decision removed the majority of exemptions

that permitted access, this has come into effect at the end of September this year. The Police advice has not changed and the contract for the hostile mitigation measures is expected to start in the new year and be completed Summer 2023.

8. In making the decision to remove vehicles from the foot street area, the Executive recognised the access impacts of such a decision, particularly on blue badge holders. In response, Executive adopted actions (“Strategic Review of City Centre Access – Action Plan”) to improve and support access in and around the foot streets, as well as the “My City Centre Vision” as a long-term ten-year vision that would support an accessible and thriving city centre. It was recognised that mitigation opportunities should continue to be reviewed to support the promotion of a safe and accessible city centre.

### **City Centre Access – Action Plan**

9. An update on the current progress of delivering actions in the Action Plan can be found in **Annex A**.
10. A number of the actions agreed at November Executive had significant dependencies. These are specifically updated as follows:

#### **Access Officer Action**

11. One of the first actions requested by the Executive was the creation of an Access Officer post. A number of subsequent actions were then assigned to the Access Officer.
12. A recruitment process for the Access Officer should have concluded before this committee considers this paper and Access Specialist Consultants, MIMA, have been brought in to support the work. MIMA will support the following in the first instance.
  - Consultation on improving pavement café licensing rules
  - Installing additional benches in the City Centre
  - Identifying the two priority car parks for investment in Gold Standard access
13. A separate consultant will undertake the City Centre Shuttle work.

### Dropped Kerbs Action

14. The dependency for this action was funding. The programme of dropped kerbs was identified in the Action Plan as to be funded by a Department for Transport funding stream. Unfortunately, this element of the funding bid was not successful. Despite this, 8 additional dropped kerbs have been installed on Stonegate and the existing ones refurbished on Colliergate and Church Street. The work carried out in these locations highlighted the challenges of cellars and buried utilities can impose.
15. The Executive Member for Transport in March this year received a report detailing the approach to dropped kerbs. Due to the lack of funding from the Department for Transport, the council re prioritised to deliver a dropped kerbs programme to the same level of funding.
16. Since the funding was approved by in March 2022 the designwork has commenced on a programme of dropped kerbs and implementation will happen on Fossgate later in the Autumn and Low Petergate, Blake Street and Lendal in the Spring.

### City Centre Bus Shuttle Feasibility Action

17. Through the scrutiny process, a trial of a City Centre Bus Shuttle service was identified as a potential mitigation. This was included in the “City Centre Access – Action Plan” by Executive in November 2021. The Action Plan was clear that the first step as part of this action was coproduction with involvement of the access officer and potential services users to ensure their requirements shaped future proposals. This is particularly important given this mitigation emerged through scrutiny discussion rather than through direct engagement with blue badge holders, unlike the other actions in the action plan.
18. The Feasibility Study was dependent on the award of Bus Service Improvement Plan (BSIP) funding.
19. The Council has been told it will receive this funding in November and part of the bid has been specified to trial this service. However, due to delays in the announcement of the funding and then dependencies on making the Enhanced Bus Partnership, it was felt that Transport funding would be useful to expediate this process. The decision to do this was made at the July 2022 Executive meeting.
20. By bringing forward coproduction on possible vehicle and service options, which would include the identification of specific user

needs, review of the vehicle type and the physical experience of some different vehicles, a trial of the service could be brought forward sooner.

21. A consultant has been appointed to undertake this work. Officers will be imminently working with the consultant on a programme.

### **Current City Centre Operation**

22. As detailed above, the pavement café licenses issued as part of the regulations put in place on response to the pandemic remain in place. There are currently 115 pavement cafes across the city. This is roughly double the number that existed prior to COVID with the requirement for planning permission.
23. Consultation with businesses and residents is currently ongoing to explore improved café license regulations, which would take account of access impact of the operation of the licenses. The results of the consultation and recommended changes in guidance is set to be reported to a meeting of the Executive in November.
24. The decisions taken by Executive in November have removed the vast majority of vehicles from the City Centre, in the future this will be physically enforced through Hostile Vehicle Mitigation Measures.
25. The pedestrianised footstreet hours currently operate until 5:00 pm as per the permanent Traffic Regulation Order. The return to 5pm in the footstreets follows the decision, made by the council's Executive in July 2022, to postpone a statutory consultation to permanently extend footstreet hours to 7pm.
26. The decision to postpone this consultation aims to provide the opportunity to consider the lived experience of pavement cafes under a revised licensing guidance, wait for more clarity from the Government on the long-term legislative framework for pavement cafes, and make further progress with the delivery of the City Centre Access – Action Plan.

### **Petition**

27. A petition was received at full council titled “reverse the ban” and the subject is the decision at the November 2021 Executive meeting, on the advice of Police Counter Terror, to remove the blue badge exemption during footstreet hours. A summary of the petition can be found in **Annex B**.

## **Council Plan**

28. The proposals are well aligned with the aims of the Council's Plan 2019-2023.
- Well-paid jobs and an inclusive economy
  - Getting around sustainably
  - Safe communities and culture for all
  - Creating homes and world-class infrastructure

## **Implications**

### **Financial**

29. The £80k cost of the hostile vehicle mitigation temporary measures for Christmas 2022 and the £40k ongoing security for TRO compliance until permanent measures are completed will be funded from within existing transport budgets. The one-off £50k funding required for the city centre bus shuttle feasibility can be met from transport reserves.

### **Equalities**

30. The Council recognises its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). These duties were considered in detail when undertaking the Executive decision in November 2021 and subsequent decisions. The process of co-production detailed in this report will identify any equalities implications when implementing mitigations and these will be addressed in future reports.
31. The Action Plan captured the mitigations for the decision to remove the exemption for blue badge holders from the City Centre Footstreets that was considered under a detailed equality impact assessment.
32. However, as detailed proposals come forward, such as the results of the consultation on pavement cafes and the City Centre Shuttle

Bus Study Feasibility, they would each need a specific equality impact assessment of its own.

## Legal

Traffic Restriction Orders (TRO)

33. The Executive decision of November 2021 implementation complied with the Council's power to make a permanent TRO is set out in Section 6 of Part 1 Road Traffic Regulation Act 1984. Before a TRO is made, the Council should ensure that the relevant statutory procedures set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996 (LATOR) are complied with including the requirement for formal consultation and advertisement in the local press. As objections were received these objections were duly considered.

## Risk Management

34. Co-production ensures the risk that the proposals do not meet the needs of intended users.

## Contact Details

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### Chief Officer Responsible for the report:

Neil Ferris  
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Report  
Approved



Date 27/10/22

**Wards Affected:** Guildhall, Micklegate, Fishergate

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

## **Background papers**

### **Executive - 18 November 2021**

- My City Centre Strategic Vision - Adoption of Vision and Next Steps
- Strategic Reviews of City Centre Access and Council Car Parking
- Consideration of Changes to the City Centre Traffic Regulation Order

### **Executive - 18 July 2022**

- Update on City Centre Access and Pavement café licensing.

### **Officer Decision 19 September 2021**

- Pavement cafes: enforcement and accessibility (under Business and Planning Act 2020)

## **Annexes**

Annex A	Strategic Review of City Centre Access – Action Plan update
Annex B	Petition
Annex C	Annexes from Executive, November 2021