
Meeting of Executive Members for City Strategy and Advisory Panel

8 December 2008

Report of the Director of City Strategy

LINKS TO CYCLE ROUTE THROUGH HOSPITAL GROUNDS: PROPOSED LINK FROM THE HOSPITAL TO FOSS ISLANDS ROUTE

Summary

1. This report advises Members about the results of consultation on proposals to introduce a cycle route link from the northern end of the York Hospital site to the existing Foss Islands Cycle Route. Members are asked to consider the contents of the report and approve the recommended option for implementation.

Background

2. Encouraging more people to cycle has been a long-standing priority for the Council, and this work has recently been given a huge boost by our successful bid to become a 'Cycling City'.
3. As part of an action plan to address existing gaps in the cycle route network, we are seeking to improve the Haxby to York Station route. The overall route plan is shown in **Annex A**. This new route is a planning condition linked to the hospital's new multi-storey car park, which is due to be constructed soon. The new cycle route through York Hospital will continue through Bootham Park Hospital to the A19 (Bootham), and then along St. Mary's towards Scarborough Bridge and the Station. This overall route will provide improved access to many employment sites, schools, leisure facilities, healthcare and retail sites.
4. In relation to the planning condition referred to above, the hospital originally proposed a route along the front of the hospital on Wigginton Road. However, following a detailed feasibility study, it was concluded that this route would not be appropriate, primarily because of a number of significant road safety concerns. These related to problems where the route would need to cross Wigginton Road and side roads, or share limited space with either pedestrians or motor traffic. Furthermore, a route at the front of the hospital would not easily connect with existing cycle facilities at either end, and would be inconsistent in nature, comprising a mixture of on and off-road sections of cycle path and advisory cycle lanes. As a result, Officers considered that the proposals were potentially dangerous, and would not be an attractive route for cyclists to use. Subsequently, it was agreed with the hospital to formulate a route through the hospital grounds instead.

5. The aim of the proposed scheme is to provide a direct off-road link between the existing Foss Islands cycle route and the new route being provided through the grounds of York Hospital.

Proposals

6. In the feasibility stage it was recognised that creating a new cycle route along the old railway line to the rear of Murrough Wilson Place would give rise to some security concerns, and therefore representatives from the hospital, the Railway Housing Association and the Police were consulted at an early stage. Feedback from them has been considered in developing the proposals, which are shown in **Annex B**. A description of the main elements of the proposals are explained in more detail below:

- Building a 2.5m wide off-road shared path for pedestrians and cyclists from the north side of York Hospital, along the old railway track bed to the existing Foss Islands cycle route (note that a significant amount of vegetation will need to be removed to create a more open feel on either side of the path);
- Gated access at both ends of this link, to be open between 7am and 10pm;
- The introduction of street lighting along the length of the path (which will operate in accordance with the gating operation, i.e. will be switched off between 10pm and 7am). Secure fencing to be provided between the new link and the Railway Housing Association properties on Murrough Wilson Place (see **Annex C** for more details);
- Due to the level difference between the existing and proposed paths, a ramp is to be provided at the eastern end in order to provide the link.

Consultation Feedback

7. A consultation leaflet on the detailed proposals was distributed to local residents, businesses, and other interested parties (e.g. the emergency services and road user groups). A summary of the feedback received is outlined below.

Residents / Businesses

8. The Railway Housing Association, who own the properties along Murrough Wilson Place, have canvassed their residents about the proposals as part of the consultation exercise. Although the majority of these residents support the proposals, some have raised specific issues relating mainly to the proposed new fence. The main issues are its proposed height and concerns about the fence's future maintenance.

Officer response

The vast majority of residents support the proposal to provide a 6ft fence, with only one resident in objection, requesting that an 8ft fence should be erected, at least for the boundary to his property. Officers consider that the proposed height of 6ft should be more than adequate to deter any potential anti-social behaviour. Officers also wish to promote a consistent fence

height, and therefore consider that higher fencing should not be provided in isolation.

Officers anticipate that the outer steel section of the fence facing the proposed pedestrian/cycle path will be maintained by Sustrans as an extension to the existing National Cycle Route 66 (Foss Islands Cycle route), which they currently maintain. Officers also anticipate that the inner, wooden section of the fence facing residential properties will be maintained by the Railway Housing Association on behalf of their residents. Legal agreements will need to be made with the aforementioned parties to formalise these arrangements, as explained in the Legal Implications section, paragraph 25.

9. The York District Hospital have confirmed their concerns about security within their grounds. Consequently, they want to include lockable gates at both ends of the proposed linking path, in order to maximise security within their staff car park. They are happy for the gates to be locked between 10pm and 7am, and have indicated that their security staff would be able to lock and unlock the gates at these times.

Officer response

Officers have been in regular contact with the hospital in developing these proposals, and recognise the hospital's security concerns. A lockable gate is shown as part of the proposals in **Annex B**, with the intention that they are locked between 10pm and 7am, in accordance with the hospital's wishes. There would be a further lockable gate arrangement within the hospital site as part of their internal route (to be provided as part of the planning condition associated with the construction of their multi-storey car park). This second gate would be located approximately 30 metres from the hospital's northern boundary, and would be subject to being locked/unlocked at the same times.

Emergency Services

10. The Police Architectural Liaison Officer has submitted a letter and numerous attachments in response to consultation, which identifies problems with crime and disorder. The letter and all attachments are shown in **Annex D**. In addition, the Police's Traffic Management Officer remains concerned about security issues. Both have expressed concerns about the likelihood of increasing the current levels of crime and disorder in the immediate area, say that the proposed path would not be overlooked, and consider that the proposed northern linking section could provide an escape route for criminals. The Police currently object to the proposals on this basis.

Officer response

Officers are aware that there is a relatively small problem with anti-social behaviour in the currently overgrown area where the cycle/pedestrian path is proposed. This appears to be drug/alcohol related, and has also infrequently involved encroachment onto the adjacent properties of Murrough Wilson Place, with isolated incidents of criminal damage, burglary and nuisance behaviour. The proposals seek to minimise the potential for criminal activity by providing security fencing to separate the proposed path from the residential properties more effectively. The proposal also includes street

lighting to deter anti-social activity during the hours of darkness, and lockable gates at either end to prevent access between 10pm and 7am (which Officers anticipate will be operated by York Hospital security staff – a formal agreement is expected to be made shortly). There is also a commitment to provide CCTV coverage from the York Hospital site (again, Officers anticipate that a formal agreement with York Hospital will be made shortly).

11. The Fire & Rescue Service have no objections to the proposals. At the time of writing the report, no response has been received from the Ambulance Service.

Road User Groups

12. The Cycle Touring Club support the proposed measures.
13. York Cycle Campaign support the proposed measures, with some reservations. They are disappointed that the hours of operation of the route will be quite so restricted. They ask whether another gate will be included at the southern end of the new section of route, because they foresee problems with people entering the route and then being unable to exit at the northern end. They also ask who will be responsible for opening and closing the gate, and what undertakings have been received that this will be done on time. In addition, they feel that the high, solid wooden fence might make cyclists feel less safe, as the path would not be overlooked. They also consider that these fences would be very impermeable to wildlife such as hedgehogs, amphibians and invertebrates and a more open design might be better.

Officer response

The lockable gate arrangement has been proposed partly due to the anti-social behaviour that currently occurs in this area, and residents are concerned that we do all that is reasonable to prevent this occurring in the future, should the cycle/pedestrian path be built. In addition, York Hospital would prefer that the route was not available for use during the times stipulated, again for reasons of security within their grounds. Officers consider this to be a reasonable approach, given that the vast majority of pedestrians and cyclists would use the path between 7am and 10pm, and the volume of usage during the day would create passive security. This is also consistent with an existing lockable gate arrangement that provides access to the Foss Islands path from the western end of Hambleton Terrace.

Although not shown on the plan, an additional lockable gate is proposed within the hospital grounds. A formal agreement is yet to be drawn up, but managers at the NHS Trust have informally indicated that their security staff would lock and unlock these gates at the stipulated times.

Street lighting is proposed for when it gets darker earlier in the day during the winter months.

Officers consider that creating small gaps at the bottom of the boundary fencing to the Murrough Wilson Place properties to allow wildlife through is not appropriate. This is because of a known problem with rats in the disused

track bed area, and Officers do not wish to create a problem for residents within their properties. However, there are other places where wildlife would be able to access or leave the area concerned.

Other Groups

14. The Council for British Archaeology support the majority of the proposals, with the exception of providing the lockable gate, proposed to operate between 10pm and 7am. The objection is based on a concern that cyclists will be forced to use the road network at night, which they consider to be more dangerous.

Officer response

It is anticipated that very few people will need to use the path for legitimate reasons during night-time hours. In addition, traffic levels on the road network are significantly reduced from daytime levels. Therefore, Officers consider that the disbenefit to the small number of cyclists likely to be affected by closing the new route at night is warranted, given the concerns of the Police, the hospital and the residents of Murrough Wilson Place about the potential for acts of crime and anti-social behaviour. Nevertheless, Officers are arranging for a survey to be conducted on the existing Foss Islands path at night to help assess the potential use of the proposed link path.

15. Cycling England have been made aware of the proposals and welcome the improvements that the scheme would bring to cyclists. Whilst preferring the route to be accessible 24 hours a day, they accept that security concerns may warrant a night-time closure. To assist cyclists they suggest additional signing is provided for an alternative route that can be used whilst the gates are locked.

Officer response

The concerns of the hospital and Police regarding the potential to increase crime and disorder have been discussed at length earlier in the report. On balance, Officers consider that the lockable gates should be closed to prevent usage between 10pm and 7am. Signing an alternative route for when the gates will be locked is a good idea, and will be investigated during the detailed design stage.

Member Views

Ward Members

16. Councillors Douglas, King, Scott and Looker support the proposals. Councillor Watson has yet to provide a response. Should we receive any further comments following the submission of this report, they will be reported as an update at the meeting.
17. Councillors Douglas, King and Scott have suggested that a cycle route along Crichton Avenue should be developed to further improve cycle provision in this area.

Officer response

A feasibility investigation for providing cycling facilities on Crichton Avenue is included in the current Transport Capital Programme, with a view to bringing forward proposals for implementation in the next financial year (2009/10).

Other Members

18. Councillors Gillies, Potter and Stephen Galloway were also made aware of the proposals and asked for their comments. Councillors Potter and Galloway have responded to indicate their support for the proposals.

Options on the Way Forward

19. Officers consider that there are three basic options for Members to consider:

Option One – implement the proposals as shown in **Annexes B** and **C**;

Option Two – make any changes to the proposals that Members consider necessary;

Option Three – no cycle improvement measures to be implemented.

Analysis of Options

20. Officers consider that the proposals represented in Option One appear to be the best in terms of advancing the aims of the Council as a Cycling City. The proposals would provide a crucial missing link within the strategically important Haxby to York Station route, which would improve cycle connections for many people covering a wide area to the north of the city. The consultation has shown a good level of support in principle for establishing the new cycle route.
21. The only major area of concern highlighted by the consultation process is the potential to increase crime and disorder, which Officers have taken into account, and have made efforts to mitigate against throughout the development of the proposals. Although there is some opposition to the proposed night-time closure of the path, Officers consider that the proposals are reasonable, given the security concerns, but also the low number of potential night-time users that will be affected. Therefore, Officers do not consider that any amendments to the scheme (Option Two) are required.
22. Clearly, Option Three would do nothing to promote cycling, and crucially, this option would not fulfil the Council's obligations in relation to being a Cycling City. This option would fail to deliver on at least two of the seven aims outlined for spending Cycling England's funding, namely to increase total cycling activity (more people cycling more often), and to address the gaps in connections and cycle routes. Therefore, Option Three could not be recommended.

Corporate Priorities

23. These proposals should help meet the Council's Corporate Priorities for increasing the use of public and other environmentally friendly modes of

transport, and also for improving the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest.

Implications

Financial/Programme

24. The cost of the scheme is estimated at approximately £120k. This is higher than originally anticipated and allowed for in establishing the 2008/09 Capital Programme. However, the scheme is still considered to represent good value, given the strategic importance of the route. Therefore, the Capital Programme Manager is seeking an increased budget for the scheme as part of his Capital Programme Monitoring report due to be considered at EMAP on 8th December.
25. The timing of implementation will need to be coordinated with the hospital to minimise any gap between the completion of this scheme and the opening of the route through the hospital grounds, which is linked to construction of the hospital's new multi-storey car park. This may require deferral of the scheme into the 2009/10 financial year.

Human Resources (HR)

26. There are no human resources implications.

Equalities

27. There are no equalities implications.

Legal

28. The route cannot be created as a public right of way or a cycle track as currently, legislation does not allow creation of such a facility with gates locked at certain times of the day. Therefore, use of the path by pedestrians and cyclists would need to be 'permissive', and a long term agreement to this effect will be drawn up with the respective land owners. In addition, to mitigate against any concerns regarding misuse of the path at night, gates will be locked to prevent anti-social behaviour. To that end, an agreement with the hospital will also be made to arrange for their security staff to lock and unlock the gates at the appropriate times.

Crime and Disorder

29. The crime and disorder implications have been discussed at length with the Police. Although the Police remain in objection to the proposals, Officers have taken their concerns into account, and have made efforts to mitigate against the potential to increase criminal activity throughout the development of the proposals.

Information Technology (IT)

30. There are no information technology implications.

Property

31. As part of the scheme, it is proposed to acquire a small part of the garden belonging to No.1 Murrough Wilson Place to improve the width of the proposed pedestrian/cycle path where it enters the hospital grounds (see **Annex B**). Both the resident of the property and the Railway Housing Association have informally indicated that this would be acceptable, and the land has been offered for free. A formal agreement for legal purposes would be required, for which the Council would pay all associated costs.

Risk Management

Risk Category	Impact	Likelihood	Score
Physical	Low	Possible	6
Organisation/Reputation	High	Possible	12

32. In compliance with the Council's Risk Management Strategy, the main risks that have been identified in this report are the potential damage to the Council's image and reputation linked to increased criminal activity (Organisation/Reputation). Despite the concerns of the Police, Officers believe that this risk has been minimised through the development of the proposals. Measured in terms of impact and likelihood, the risk scores have all been assessed at lower 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.

Recommendations

33. That the Advisory Panel advise the Executive Member to:

Approve Option One, to implement the proposals (as shown in **Annexes B and C**), subject to the following:

- that a formal agreement is made between the Council and York Hospital regarding the operation of the lockable gates;
- that a formal agreement is made between the Council, York Hospital and Sustrans relating to the maintenance of the path and any other relevant infrastructure (i.e. the proposed fencing);
- timing of the works being coordinated with construction of the cycle route through the hospital grounds.

Reason: Officers consider that these proposals will provide significant benefits for cyclists by providing a strategically important cycle connection that would create much better links from the city centre to a wide area to the north of the city. The proposed measures would also make a significant contribution towards the aims of the Council as a Cycling City.

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Report Approved

Date 12/11/08

Specialist Implications Officer(s)

There are no specialist implications.

Wards Affected: Clifton Ward

All

For further information please contact the author of the report

Background Papers:

“Proposed 2008/09 City Strategy Capital Programme” – report to the Meeting of Executive Members for City Strategy and Advisory Panel on 17 March 2008

“York Cycling City” – report to the Meeting of Executive Members for City Strategy and Advisory Panel on 8 September 2008

Annexes:

Annex A – Overall Route Plan

Annex B – Route Proposal for Northern Linking Section

Annex C – Fencing & Lighting Proposals for Northern Linking Section

Annex D – Letter from the Police in response to consultation