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Meeting	Decision Session - Executive Member for Transport
Date	8 September 2020
Present	Councillor D'Agorne

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## **19. Declarations of Interest**

The Executive Member confirmed that he had no personal interests not included on the Register of Interests, nor any prejudicial or disclosable pecuniary interests, to declare in respect of business on the agenda.

However, he wished to place on record that, in common with other cyclists, he would benefit from the proposals in Agenda Item 4 (Winter Gritting Cycle Pilot Trial Analysis) and had suggested the pilot trial before he became an Executive Member.

## **20. Public Participation**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme, but one request to speak from a Ward Member.

Cllr Melly, Member for Holgate Ward, spoke on Agenda Item 6 (Urgent Business: E-scooter and E-bike Trial). She welcomed the trial but expressed concerns about a lack of information on mitigating the effects on people with visual impairments, the suitability of the hospital site, data protection and insurance issues, and how visitors to the city could access the scheme.

## **21. Traffic Management Order Waiting Lists**

The Executive Member considered a report which advised of the likely cost of dealing with the items on the Traffic Management Order waiting lists and sought guidance on which items to prioritise.

There was currently a backlog of around 20 traffic movement and 15 speed requests to be responded to, as listed in Annex A to the report. These had been split into 4 broad areas. Further

details, and the estimated costs of taking forward each of the changes, were set out in Annexes B to E. It was noted that funding would need to be identified before progressing the schemes. The following options were presented in respect of each area:

- a) Modifications to aid cycle movement:
  - Option 1 – advertise all amendments, using minimum legal consultation as they were minor changes (recommended)
  - Option 2 – advertise some of the amendments
  - Option 3 – take no further action.
- b) Redundant restrictions:
  - Option 1 – advertise all amendments
  - Option 2 – advertise removal of old access restrictions and consider removal of the right turn prohibition from Lendal after further investigation (recommended)
  - Option 3 – take no further action.
- c) Potential new restrictions:
  - Option 1 – investigate all items further, provided capital funding is made available, and report back on each (recommended)
  - Option 2- as above, except for the access restrictions.
- d) Speed limit changes:
  - Option 1 – note the intention to bring a report later in the year outlining costs, potential for improvement and scheme priority (recommended)
  - Option 2 – defer this area of work until a later date.

In response to questions, officers confirmed that they would keep the programme under review but would require the approval of the Executive Member to add any further items.

Resolved: (i) That the following options be approved in respect of orders to be added to the Transport Services work programme for delivery once funding has been identified, as recommended in the report:-

- a) Modifications to aid cycle movement  
To advertise all the suggested amendments once funding has been identified, using the legal minimum consultation (Option 1).

Reason: Because these are uncontroversial minor alterations that introduce improvements to the cycle network

and contribute to the further encouragement of active travel options.

b) Redundant Restrictions

Subject to funding being identified, to advertise the removal of the old access restrictions and carry out some further investigation into the removal of the right turn prohibition from Lendal, to be brought back for consideration at a later date (Option 2).

Reason: Because these restrictions are not effective and no longer needed, and the ongoing maintenance is a needless drain on resources.

c) Changes to speed limits

To receive a report on these requests at a future Decision Session that will outline costs, potential for improvements and scheme priority, depending on resources (Option 1).

Reason: Because this has the potential to target limited resources to where there is scope for actual improvements.

(ii) That the work be prioritised as follows:

- Priority 1 – the modifications to aid cycle movement and the removal of redundant restrictions.
- Priority 2 – the speed limit review report.
- Priority 3 – the potential new restrictions.

Reason: Because the modifications and removals require no further investigation work and the speed limit report can be started, whereas the requests for new restrictions, if taken forward first, would have an adverse impact on other areas of workload and commitment.

## **22. Winter Gritting Cycle Pilot Trial Analysis**

The Executive Member considered a report which reviewed the pilot carried out during winter 2019/20 to include in the regular winter gritting cycle a defined section of the cycle route that was off the main highway and would not normally be treated.

A map showing the routes covered by the trial was attached as Annex A to the report. Details of the practical works carried out and the issues encountered were contained in paragraphs 13-20. The trial had cost £47k in total. The Executive Member was asked to decide whether to continue the trial for a year, with the cost to be covered from the reserve budget (Option 1) or to cease treating the defined cycle routes, in view of the additional budget pressure (Option 2).

In response to questions from the Executive Member, officers confirmed that:

- The service would continue to be modified as lessons were learned from the trial and could be flexible in terms of the routes treated, provided it remained within budget.
- There were limitations on the number of routes that could be treated, due to the need to operate out of Hazel Court within a 2-hour window.

Resolved: That Option 1 be approved and winter treatment be continued on the cycle routes that have been defined during the trial period, using the reserve budget for a further year of the trial.

Reason: In order to encourage sustainable travel, and to confirm the council's winter maintenance plans for the winter ahead.

## **23. Progress Towards Determining all Outstanding DMMO Applications**

The Executive Member considered a report which detailed ongoing progress towards eliminating the council's backlog of undetermined definitive map modification order (DMMO) applications and sought approval to refer the report to the Local Government Ombudsman (LGO).

This was the second of the update reports required by the LGO following their finding that the Council had taken too long to process the DMMO application of 'Mr X'. The first had been considered at the Decision Session on 17 January 2020 (Minute 54 of that meeting refers).

Since January, two of the determined applications had had orders made and, due to objections, had been submitted to the

Secretary of State for a final decision. Four applications had been rejected and were considered closed. The outstanding application from the previous report had been determined. The backlog had therefore been reduced from seventeen to twelve. The council had also submitted the order regarding the application by 'Mr X' as directed, and was awaiting the Secretary of State's final decision on this.

Resolved: That the content of the report be noted and approval be given to forward it to the Local Government Ombudsman.

Reason: In accordance with the steps required to avoid a finding of maladministration by the LGO.

**24. Urgent Business: E-scooter and E-bike Trial (Department for Transport initiative), in the Context of the COVID-19 Economic Recovery and Transport Recovery Plans**

The Executive Member considered a report which presented a proposal for a small-scale trial of e-scooters and e-bikes in York for a 12-month period from the end of September 2020 involving City of York Council, York Hospital and the University of York, with the trial being operated by a preferred supplier at no additional cost to the council.

This item had been accepted for consideration as urgent business in order to meet the Department for Transport's trial window and to enable a decision to be made in public rather than through the use of emergency measures.

The report set out details of the trial and how it would operate in York. Potential issues and how they might be managed were detailed in Annex 4, and a summary Community Impact Assessment (CIA), including the risks that e-scooters might pose for people with visual impairments, was provided at Annex 1. The Executive Member was asked to decide whether to participate in the trial as recommended (Option 1) or not to (Option 2).

Georgina Stares, for the University of York, and Dan Braidley, from York Hospital, were in attendance for this item, and both spoke in support of the trial on behalf of their respective organisations. In presenting the report and responding to

questions from the Executive Member and matters raised under Public Participation, officers confirmed that:

- The e-scooters would be controlled by geofencing in terms of their speed and the areas where they could operate; they would be confined to specific parking bays and not allowed in non-cycling areas;
- It was proposed to roll out e-bikes later on in the trial;
- The DfT required the council's permission to carry out the trial, which could be stopped if there were problems
- Insurance would be the supplier's responsibility;
- The CIA was a live document and would be kept updated.

Resolved: (i) That approval be given to participate in the trial as outlined in the report, with the implementation of e-scooters and e-bikes across the city in a number of small-scale parking bays, from September 2020 to September 2021, with a review taking place throughout.

Reason: To take advantage of an opportunity to explore how e-scooters might add to the mix of sustainable transport options available to residents, with a supplier selected to meet the needs of York.

(ii) That the progress of the trial be reported to the Economy & Place Scrutiny Committee on a regular basis.

Reason: To ensure that the trial is properly monitored.

Cllr A D'Agorne, Executive Member

[The meeting started at 9.38 am and finished at 10.38 am].