



## Notice of a public meeting of

### Decision Session - Executive Member for Economy and Transport

**To:** Councillor Kilbane

**Date:** Tuesday, 16 April 2024

**Time:** 10.00 am

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

## AGENDA

### **Notice to Members – Post Decision Calling In:**

Members are reminded that, should they wish to call in any item\* on this agenda, notice must be given to Democratic Services by **4:00 pm on Tuesday 23 April 2024**.

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

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00 pm on Friday 12 April 2024**.

**1. Declarations of Interest** (Pages 1 - 2)

At this point in the meeting, the Executive Member is asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*[Please see attached sheet for further guidance for Members].*

**2. Minutes** (Pages 3 - 10)

To approve and sign the minutes of the Decision Session held on 12 March 2024.

**3. Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting. The deadline for registering at this meeting is at **5.00pm on Friday 12 April 2024.**

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill out an online registration form. If you have any questions about the registration form or the meeting please contact the Democracy Officer for the meeting whose details can be found at the foot of the agenda.

**Webcasting of Public Meetings**

Please note that, subject to available resources, this public meeting will be webcast including any registered public speakers who have given their permission. The public meeting can be viewed on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

**4. Introduction of Blue Badge Car Parking Bays on Lendal, Blake Street and Davygate** (Pages 11 - 38)

The report proposes the introduction of an Experimental Traffic Regulation Order (ETRO) to provide loading and Blue Badge bays on Lendal, Blake Street and Davygate.

**5. Urgent Business**

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

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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### Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) <b>OR</b> Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) <b>OR</b> Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

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Meeting	Decision Session - Executive Member for Economy and Transport
Date	12 March 2024
Present	Councillors Kilbane (Executive Member)
In attendance	James Gilchrist – Director of Environment, Transport and Planning Christian Wood – Head of Programmes and ITS Helene Vergergau – Head of Highway Access and Development Greg Morgan – Transport Planner Siavosh Mahmoodshahi – Structure Manager Andy Vose – Transport Policy Manager Michael Howard – Head of Highways and Transport

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#### **41. Declarations of Interest (10:01am)**

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

#### **42. Minutes (10:01am)**

Resolved: That the minutes of the Decision Session held on 20 February 2024 be approved and signed by the Executive Member as a correct record.

#### **43. Public Participation (10:02am)**

It was reported that there had been 7 registrations to speak at the session under the Council's Public Participation Scheme.

Andy D'Agorne spoke on agenda item 4. He discussed the options considered and effectiveness in achieving Transport hierarchy objectives, expressing concern that £35,000 of the £100,000 budget had already been spent on "ineffective measures". Mr D'Agorne conceded that although he had previously approved this work as executive member, the objectives

were not being completed by the proposed plan and the plan should be deferred for at least a month to take remedial action to avoid further unnecessary spending.

Andrew Mortimer spoke on agenda item 4; he stated that there the Active Travel Scheme was essentially a “yes or no” decision before the member without different options, due to the available budget. He suggested the executive member should approve officers recommendations but take into consideration additional factors such as selfish/inconsiderate drivers and school pick up times. He also suggested that there was no mention in the report about enforcement; urging that this should be considered, especially in the weeks following introduction. He noted that there was nothing in the scheme on how further participation in walking and cycling to school would be measured. Finally he suggested that any new signage should be non-intrusive and must be viewable at busy times and bollards must look appropriate to the local area.

Cllr Fenton Spoke on agenda item 5, welcoming the report and commending continuity between the prior executive and the present executive in completing work on this item. He expressed concern over an outstanding accessibility issue – specifically with barriers obstructing cyclists carrying children on their bikes who would have to tip bikes to get under them.

John Pybus, landlord of the Blue Bell pub and author of the petition, spoke on agenda item 7 and the benefits of pedestrianising Fossgate; he noted that the report from officers had not been directly communicated to the petitioners, instead they had heard about it via the York Press. He stated that the report only discussed negative financial impact of changes to the council and not the benefits of increased business rates. He said that the report discussed previous public consultation but commented that this had been in 2017, and there had been significant cultural changes since then; café culture has become accepted now and heating in winter is paid for by the café in summer which is significant after energy price increases caused by war in Ukraine.

Anthony Brennan spoke on agenda item 7, supporting the petition; he emphasised to the executive member and officers that Fossgate was a cultural and commercial hub, and that this aspect was more important than transport considerations, asking that the needs of people be prioritised over those of traffic flow.

Sarah Lakin, representing the Fossgate Social, spoke on agenda item 7, supporting the petition; she stated that pedestrianisation would strengthen the community following the established model of the Fossgate festival,



which required removal of traffic for the day. She suggested that a previous consultation had indicated that raising the road surface level with the curb made journey through town more inclusive for visually impaired people. She also suggested that pedestrianisation would help the council to more easily meet Ultra Low Emission Zone targets.

Cllr Steward spoke on agenda item 6. He stated that the works to the bridge were diverting Bishopthorpe traffic through Copmanthorpe including Heavy Goods Vehicles. He hoped traffic would revert to Bishopthorpe Bridge on conclusion of the works, as he believed it was far safer for heavy vehicles to go through Bishopthorpe than smaller villages. Cllr Steward expressed a preference for option 5 on this item. He queried why officers were still “establishing ownership of the bridge” in the report and proposed use of vehicle activated sign, “Slow” road markings and to reopening of the bridge on a one-way basis.

#### **44. Active Travel Programme - Badger Hill Scheme (10:27am)**

The Head of Programmes and ITS summarised the aims of the plan confirming that 49% of respondents to consultation said that they believed they would personally benefit from the proposals. He advised that the plans had been fed back to Active Travel England who he believed broadly supported them in their current form. He confirmed that in LTN1/20 assessment, the plan scored higher than previous arrangement, with an overall pass. One critical fail was noted as part of this assessment regarding speeds on Field Lane, and the proposed solution to this would be to install a signalised crossing point as part of a future scheme. He noted that this could not be undertaken as part of this plan as the budget did not allow it.

Regarding the point raised in Public Participation regarding enforcement, he confirmed that this would be further explored by officers. In response to the point regarding the metrics by which the relative success of the scheme would be measured after implementation – he stated that officers would ask the same questions again and compare responses. Responding to the point raised about materials used for bollards – and the possibility of using planters in place of bollards, he stated that they could not yet commit but were still at the detailed design stage.

The Executive Member noted Mr D’Agorne’s comments, suggesting that while this was not the ideal scheme, it was something that could be delivered to the budget available and that Mr D’Agorne had in fact commissioned the plan himself under the previous executive.

He also noted the points raised by Mr Mortimer regarding measurement of responses and enforcement, confirming that enforcement would be further explored. He acknowledged that asking the same questions again would give a satisfactory comparison, and while a more scientific method of analysis would perhaps give more detail it would also potentially be cost prohibitive.

Resolved: That option 1 be approved, as presented in the report and visually represented in Annex A, and proceed to detailed design and construction.

Reason: This proposal achieves the scheme objectives, enhancing the local environment for pedestrian and cyclists and de-prioritising motor vehicle traffic and discouraging parent parking on verge areas during school drop-off and pick-up times. The scheme falls within the available budget.

#### **45. Access Control Barrier Review (10:38am)**

The Director of Environment, Transport and Planning introduced the report and the Transport Planner (Active Travel) presented it.

The Executive Member noted the need to balance easier access to all with the need to preserve barriers as a deterrent for antisocial behaviour (such as motorcyclists) and to retain livestock within areas such as Hob Moor.

He acknowledged the University of Westminster who have agreed to evaluate this scheme for first year for free as the council's budget will currently not extend to gathering data for this. He acknowledged that it was a very good suggestion to share learning arising from this with private landowners.

Resolved:

- i. That the policies recommended in the Access Control Barrier Review report (which forms Annex A of Agenda Item 5) be formally adopted and authority be delegated to the Director of Transport, Environment & Planning to carry out any activities needed to facilitate the adoption and to review the impact of implementation of the policies.
- ii. That a stakeholder advisory panel be established, comprising representatives of a wide range of potential users, to review the audit data and prioritise the list of non-compliant sites, monitor the

progress of barrier removal / alteration, discuss broader accessibility issues and ensure the policy is disseminated appropriately.

- iii. That authority be delegated to the Director of Transport, Environment & Planning to enact a programme of barrier removal or redesign in consultation with the stakeholder advisory panel.

Reasons : Once the policies are adopted the Council will then be able to roll out a planned, prioritised programme of works to address existing barriers (plus any additional ones which were missed in the initial audit). This will help the Council comply with its Public Sector Equality Duty under the Equality Act 2010. The policy will also ensure that all council departments follow the same criteria for introduction of access control measures and their subsequent design. The adopted policy should then be disseminated more widely to other agencies and developers to ensure that they also consider amendments to their own barriers and that no new non-compliant barriers are installed going forwards.

#### **46. Bishopthorpe Bridge Options (10:45am)**

The Director of Environment, Transport and Planning presented the report, and responded to questions (assisted on technical matters by the Highways Structure Manager).

Referring to Cllr Steward's point concerning "ownership of the bridge", he noted that Sustrans owned the bridge itself but the local authority were responsible for the highway passing over it. Consultation had been made involving both Bishopthorpe and Copmanthorpe councils, and he would be looking into options to progress the plan with haste following the Executive Member's Decision.

The Executive Member asked for further clarification on implications of this point of ownership to any potential delays to work commencing. The Director of Environment, Transport and Planning answered that under normal circumstances "bridge owner" would be responsible for repairing bridge but Sustrans were also financially struggling and the easiest position for them would be to simply impose a weight limit, which was not the ideal outcome for the authority. Without prejudicing legal discussions he wanted to work with Sustrans within a legal framework to find a mutual solution.

The Executive Member noted the suggestion of a one-way weight limit that had been raised that day, and it was conceded that this would be

discussed. Highways Structure Manager explained the extremely high cost of temporary traffic lights.

Resolved:

- i. That officers will continue to undertake work to establish the ownership of the bridge and responsibilities for any maintenance, improvements or strengthening works be noted.
- ii. That approval be given that officers develop a bridge strengthening scheme as per option 5 of the report.
- iii. That authority be delegated to the Director of Environment, Transport & Planning to undertake the procurement of a suitable contractor to carry out the bridge strengthening works in accordance with the Contract Procedure Rules.
- iv. That once ownership of the bridge has been ascertained as a Council responsibility, authority be delegated to the Director of Environment, Transport & Planning in consultation with Head of Procurement and Director of Governance to take all necessary steps to award and enter into the resulting contract.

Reason: The temporary weight restriction has caused traffic to displace to other routes and roads which if the bridge is not strengthened would require mitigation in terms of the additional traffic.

#### **47. Response to the petition to "Pedestrianise Fossgate" (10:51am)**

The Director of Environment, Transport and Planning introduced the report, acknowledging that this issue had also challenged previous administrations. He noted that Fossgate had been refurbished five years ago, and that officers viewed this issue within the Transport Strategy, and a “no” decision now would not necessarily mean “no” forever.

The Head of Highway Access and Development presented the report itself, stating that the 2022 survey suggested very low vehicle use, but not completely absent of vehicles. Pedestrian café licensing would not be possible currently due to access requirements, and government guidance currently disallows the dropping of curbs. Shared use of not only vehicles and pedestrians but also cyclists would have an impact on people with protected characteristics, and the air quality point was not addressed within the report because the low number of vehicles on Fossgate did not make it a significant measurable factor.

The Executive Member stressed that the decision being made today lay with him, and officers were not responsible for this other than in an advisory

capacity. He stated that there was a shared desire to extend shared foot streets to areas like Fossgate but the council would not progress with these ideals regardless of other factors. There were other views among residents and also technical issues of access. He stated that the street was simply not wide enough for permanent pavement café in terms of being able to allow access for emergency vehicles but temporary events such as the festival were possible with street marshals. He suggested traders could apply for full day closures for the year and plan around this for events.

He stated that levelling off the road was not possible at present due to government moratorium. He acknowledged Mr Brennan's point that he would love to see an inclusive, safe way of doing this but further work would be needed before this was possible.

Resolved:

- i. That the petition be acknowledged, noting its request for Fossgate to be pedestrianised, and its aim to provide *“enough room to accommodate pavement café licenses and the needs of our local disabled community”*;
- ii. That the significant amount of analysis and consultation previously undertaken on the issue be acknowledged, and the fact be noted that there is no consensus amongst users on the street, with some businesses and users supporting further traffic restrictions, and other residents and businesses opposing any further (permanent) restrictions;
- iii. That it be acknowledged that implementing further permanent access restrictions in the street would not enable licensing of more pavement cafes, as it would not be possible to place tables and chairs in the carriageway (due to the need for emergency vehicle access and some limited vehicular access during the day) and it would only be possible to place cafes on footways where a minimum 1.5m width remains available for footway users to get past;
- iv. That it be acknowledged that CYC cannot support the removal of kerb delineation between the footways and the carriageway as this would transform Fossgate into a level surface shared space and this type of design is currently under a national moratorium and is not supported by national design and accessibility guidance;
- v. That Option A and Option E (as outlined on pages 234 and 239 respectively of the report for Agenda Item 6) be approved. Closures are to be managed as events and organisers to ensure all required permissions are in place, including support of the Security Advisory Group, and they are able to meet the events' costs;

- vi. That further work be undertaken as part of the Local Transport Strategy and Local Transport Plan to Investigate options for vehicles to turn around near Franklin's Yard to enable further consideration of part pedestrianisation of the street in future. This work will also need to consider whether the street should enable two-way movement for cyclists.

Reasons: To support the needs of businesses and users who support the pedestrianisation of the street and want to see more café and event type use, whilst acknowledging the need to retain sufficient footway width and emergency access at all times, and the needs of other businesses, residents, and visitors to retain limited vehicular access to the street during the day.

Cllr Kilbane, Chair

[The meeting started at 10.00 am and finished at 11.03 am].



<b>Meeting:</b>	Decision Session for Executive Member for Economy and Transport
<b>Meeting date:</b>	16/04/2024
<b>Report of:</b>	James Gilchrist - Director of Environment, Transport and Planning
<b>Portfolio of:</b>	Executive Member for Economy and Transport

## **Decision Report: Introduction of Blue Badge car parking bays on Lendal, Blake Street and Davygate**

### **Subject of Report**

1. The report proposes the introduction of an Experimental Traffic Regulation Order (ETRO) to provide loading and Blue Badge bays
  - a) In Blake Street and Lendal, which will be accessible for Blue Badge holders during and outside the footstreet hours (between 10.30am and 6am the next day), and
  - b) On Davygate outside of footstreet hours (between 5pm and 6am the next day).
2. The proposed bays will not have a limit on the duration of stay, to help provide a longer duration of parking for Blue Badge holders to help provide a greater opportunity to access the city centre.
3. The Order will be implemented as an Experimental Order. This approach has been selected to enable the consultation to take place whilst the bays are in place, providing feedback from users based on lived experience of the bays to better inform any future decisions on the matter. This will also enable the bays or time restrictions to be changed quickly if they need to be amended based on user experience and the feedback received. It will also enable the bays to come into operation in a shorter time frame.
4. A decision is required to implement the proposed ETRO, enabling the consultation process to take place whilst the bays are in place.

## Benefits and Challenges

5. The main benefit of the proposal is that it will allow vehicles displaying a Blue Badge to park for longer than the 3 hours. In the city centre, Blue Badge parking currently takes place on double yellow lines for a maximum duration of 3 hours (with a Blue Badge on display). York City Centre accessibility workshop participants were generally supportive of the proposal as they supported the provision of options for Blue Badge holders to park for longer than 3 hours close to the city centre.
6. This will provide Blue Badge holders with a greater duration of time to access the city centre (including services such as the Post office, public meetings at the Guildhall, shops, hospitality and leisure venues and take part fully in those activities without the worry of watching the clock for parking.
7. The proposal will only provide space for 3 vehicles (2 on Blake Street and 1 on Lendal) during the footstreet hours, with an additional 2 bays on Davygate outside of the footstreet hours (see Annex A). This will potentially provide limited availability for longer term parking during and outside of the footstreet hours, so these bays will be at a premium.
8. The main concern is that the bays may be utilised for long durations each day by one or a few vehicles, reducing the capacity for other Blue Badge holders to park in the area. York City centre accessibility workshop participants identified this as a concern. Some workshop participants expressed a preference for parking in the bays to be limited to 4 or 5 hours maximum. Others thought that a day as a maximum duration would be reasonable. This is to be tested through the implementation of the Experimental Order. The proposal is therefore not to restrict the length of stay in the bays to start with and monitor how this works in practice.
9. The bays will allow for loading activities to be undertaken in the morning only, between 6am and 10.30am, to help ensure that the businesses in the vicinity are provided with a suitable loading area. This will put an additional restriction on the businesses, as their loading activities will be restricted to the morning, therefore it will have a negative impact on any business that relies on evening deliveries.



10. The provision of loading time in the morning aims to accommodate business needs and remove any concern about the bays being used for long term overnight parking as Blue Badge holders will need to vacate the spaces between 6am and 10.30am every day.
11. Although the location of the proposed bays has been selected to offer the shortest route possible to many city centre shops, services and venues, some Blue Badge holders may find them difficult to use as they are near areas where the street surface includes cobbles. Dropped kerbs and/or raised tables are generally available close to the proposed parking bays to enable wheelchair and/or mobility aid access to the footways but, in some areas, this will require users to walk or wheel over cobbled areas.
12. Initial feedback received through the York City centre accessibility workshops noted some concerns with the proposed bays on Davygate as there could be some conflicts with people queuing at Betty's. As the proposed bays would only operate as Blue Badge parking between 5pm and 6am the next day, the risk of conflict is lower than if the bays were available during footstreet hours. Bettys closes at 5.30pm Sunday to Thursday, 6pm Friday and 7pm Saturday. This will be monitored during the ETRO.

## **Policy Basis for Decision**

13. The proposal looks to make the city centre a more accessible location by providing dedicated parking spaces for blue badge holders. The bays provide an opportunity to connect neighbourhoods and communities by allowing all York residents to access the city centre to provide an inclusive, family friendly experience in the footstreets.
14. The bays will provide an option for Blue Badge parking for longer than 3 hours, which will help remove obstacles with accessing services, shops, restaurants, bars and entertainment venues in the city centre to help support the local economy and businesses in the city centre.
15. The bays will also provide Blue Badge holders with an opportunity to engage with the local democratic process by enabling attendance at Council meetings held at the Guildhall, without any

concern about being able to park for the duration of the meeting. This will allow for a more accessible Council.

## Financial Strategy Implications

16. The proposed introduction of an Experimental Traffic Regulation Order (ETRO) to provide loading and Blue Badge bays has estimated costs of no more than £10,000 for signage and lining as well as consultation and monitoring. If the ETRO is to be made permanent in the future, this will require another decision, where any additional costs would be identified. There may be additional costs for a permanent order for advertising, signage and lining if any changes are required.

## Recommendation and Reasons

17. The Executive Member is recommended to: -

- a) Approve the advertisement and progression of an ETRO for the introduction of the proposed Blue Badge/Loading bays at
  - i. Blake Street and Lendal, which will be accessible for Blue Badge holders during and outside the footstreet hours (between 10.30am and 6am the next day, with loading between 6am and 10.30am), and
  - ii. Davygate outside of footstreet hours (between 5pm and 6am the next day, with loading between 6am and 10.30am).

*Reason: This will allow for the experimental introduction of the bays and allow for ongoing review of the use to provide a clear picture of the impact of the proposal, whilst still allowing for some amendments if required during the experimental period. This option will allow for a quicker installation of the bays to trail the change, following requests for more accessible parking options in the pedestrian area.*

## Background

18. In October 2023 the Council Executive agreed to restore vehicle access to the city centre for Blue Badge holders. It was agreed that vehicle access for Blue Badge holders would be restored from

Thursday 4<sup>th</sup> January via Goodramgate and via Blake Street following the completion of the works to install the bollards.

19. The vehicular access to the footstreet area during the times of operation (10.30am-5pm) is managed by staff at the barriers on Blake Street and Goodramgate. Blue Badge holders are allowed to enter the area with a vehicle when presenting their Blue Badge.
20. Staff at the Blake Street barriers enable access to Blake Street, St Helen's Square, and Lendal. Staff at Goodramgate enable access to Goodramgate, Church Street, King's Square and Colliergate.
21. All of the named streets are currently covered by double yellow lines. Blue Badge holders therefore park on double yellow lines, where a vehicle displaying a Blue Badge can park for up to 3 hours, as long they do not cause an obstruction to other road users.
22. The Blue Badge access consultation undertaken by the Council has indicated that some Blue Badge holders would like to have access to parking bays to be able to park for longer than 3 hours. This report therefore proposes to implement an Experimental Traffic Regulation Order to create shared loading and Blue Badge parking bays in Blake Street, Lendal and Davygate. This will amend the existing order as double yellow lines are currently in place in these locations.
23. The bays in Blake Street and Lendal will offer loading capacity between 6am and 10.30am each day and parking for vehicles displaying a Blue Badge will then be available between 10.30am and 6am the next day. In Davygate the bay will offer loading capacity between 6am and 10.30am each day and parking for vehicles displaying a Blue Badge will be available between 5pm and 6am the next day. The bay on Davygate will only be available outside of the pedestrian hours as it will not be accessible during the times of pedestrian hours.
24. Vehicle tracking analysis has been undertaken for the proposed bays, showing that it will be possible to retain vehicular movements in the streets when permitted and provide the proposed bays, including one bay on Lendal.

## Consultation Analysis

25. The Council has undertaken a Blue Badge Access consultation for the city centre, and this is request came out of the consultation process. The proposal was created to look at how this proposal could be facilitated.
26. The proposal has been discussed with the York Access Forum and there was a general agreement with the proposal. Although, one contributor did suggest that a four-hour limit should be considered to remove the potential of all day parking.
27. The proposals have also been discussed at the York City centre accessibility workshops facilitated by MIMA. Key points from the workshops are summarised below:
  - a) Range of views on whether the bays should be time limited and what these durations should be. Some participants didn't want any limitations and others wanted limits of 4, 5, 6 or 12 hours.
  - b) Some participants expressed concerns that the bays would remove capacity for double yellow line parking (longer bays) and because parking duration would be longer than 3 hours.
  - c) Some concerns with access to the bays linked to locations in busy streets, quality of street surface, location of the bays near Bettys on Davygate, how useable the bays would be for Wheelchair Accessible Vehicles.
  - d) Some questions on how people would know about the bays, especially for visitors who may not know York.
  - e) Some participants wanted to see more bays provided, with a range of views on whether more bays should be provided in these locations and cycle parking moved somewhere else. Some participants supported the removal or relocation of cycle parking to provide additional Blue Badge parking space and others were against the idea.
  - f) Some concerns about enforcement and whether the bays may be used by others for loading or taxis for example.
  - g) Some participants noted that the proposed bays would be a good starting point but would not be enough. More bays would need to be provided to improve access to the city centre. Locations identified in the workshops included St Sampson's Square, Davygate and Duncombe Place.

28. The recommended option within the report is for progression of an Experimental Traffic Regulation Order, so the consultation process for the proposal will be undertaken whilst the bays are in place so the use of the bays can be monitored and users will be invited to provide feedback to CYC, prior to any further decision on the matter.

## **Options Analysis and Evidential Basis**

29. The report considers the following three options:
- Implement an ETRO for the Blue Badge/Loading Bays;
  - Take no further action; or
  - Advertise a permanent amendment to the Traffic Regulation Order through the statutory consultation process to provide the Blue Badge/Loading bays.
30. Option 1, the implementation of an ETRO is recommended so that the consultation can take place whilst the bays are in place, providing feedback from users based on lived experience of the bays to better inform any future decisions on the matter. The experimental order will also enable the bays or time restrictions to be changed quickly if they need to be amended based on user experience and the feedback received.
31. The ETRO also enables the bays to be in place on street quickly so the bays can come into operation and use in a shorter time frame. This will help to provide longer stay parking for Blue Badge holders, so they are able to access the city centre.
32. The bays will allow for a greater opportunity to access the city centre without any time restrictions, this will provide opportunities to visit restaurants, cinema and be involved in Council meetings, which generally last longer than 3 hours.
33. The proposal is to make an ETRO for an initial period of 12 months to enable consultation and monitoring to take place to provide feedback based on users' lived experience.
34. An ETRO can generally remain in place for up to 18 months before a decision is made on whether to make the changes permanent or revoke the order. Changes can be made during the first 6 months of the experimental period, before the Council formally decides whether or not to continue with the changes on a permanent basis.

If the experimental order is changed, then objections may be made within six months of the date those changes come into operation.

35. An ETRO will allow for the consultation process to be undertaken whilst the ETRO is in place, which will provide the users and all interested parties with an opportunity to comment on the bays whilst they are in place and provide the Council with real life experiences of not only how the bays are used but also the impact the bays have on the local businesses and Blue Badge parking capacity on double yellow lines.
36. The bays will impact the local businesses, as they will only allow loading activities to be undertaken in the morning (6am to 10.30am). The bays may therefore have a negative impact for businesses undertaking evening deliveries/collections. This may for example create an issue for businesses that offer next day delivery, as there will be a reduced area for vehicles to park in the evening to collect the products.
37. It is only proposed to introduce 5 Blue Badge bays, which will not offer a restriction on duration of stay during the hours of eligibility. This may reduce the number of vehicles that can park (compared to current parking on double yellow lines) due to the increased length required for a Blue Badge parking bay. There is also a concern that, as there is no limit on time, there could be limited turnover in the use of the bay and vehicles could park all day, which may make the area less accessible.
38. If an ETRO is approved and the bays are installed under an ETRO, when issues with the operation of the bays are highlighted through monitoring and consultation, an amendment Order can be processed to change the restrictions as long as the amended ETRO is in place for 6 months before any decision is made to make the order permanent. This offers the flexibility to respond to feedback to the proposal, which the other options do not.
39. Option 2 is that the Council does not implement the proposed Blue Badge bays, and parking and loading on double yellow lines remain available in these locations. Blue Badge holders will however not have the option of parking for longer than 3 hours in the city centre area and this will continue to have a negative impact on Blue Badge holders who may want to park for longer periods to access city centre services, shops, hospitality and

entertainment venues, and Council meetings at the Guildhall. This option would ignore the issue that has been raised with the Council and not listen to the concerns of York residents and visitors.

40. Option 3 is to make a permanent change to the TRO following the full TRO process. The advertisement of an amendment to the TRO would provide an opportunity to consult on the proposal with the local community prior to the restrictions coming into force. This would allow the proposal to progress with a clear understanding of the views of the local community and affected users, which would assist the Executive Member with deciding on any future actions. These views would be based on potential users imagining how the bays would work however, rather than providing feedback based on user experience. It is considered to be more effective to consult with the trial bays in place rather than with them simply being 'on paper'.
41. The statutory consultation process to permanently change a TRO is a long process, which means that Blue Badge holders may not get to use the proposed bays for several months. If the bays required adjustments once implemented, any future amendment to the bays, would need to be advertised through the statutory consultation process again, which would prevent any quick changes if there were any issues with the operation of the bays.

## Organisational Impact and Implications

42. The following implications have been identified for the recommended option:
  - **Financial** – The recommended option for the proposal is to approve the advertisement and progression of the ETRO for the introduction of the proposed Blue Badge/Loading bays. The estimated costs are no more than £5k which will be covered from Revenue Transport budget. Additional consultation and monitoring costs for the ETRO are also estimated at no more than £5k and will be covered by the same budget.
  - **Human Resources (HR)** – no HR implications identified.
  - **Legal** - The Road Traffic Regulation Act 1984, and associated regulations, set out the requirements for implementing traffic regulation orders which can prohibit, restrict, or regulate the use of a road, or any part of the width of a road, by vehicular traffic. The Traffic Management Act 2004 places a duty on local traffic authorities to manage the

road network with a view to securing, as far as reasonably practicable, the expeditious, convenient and safe movement of all types of traffic. An Experimental Traffic Regulation Order (ETRO) is made under Sections 9 and 10 of the Road Traffic Regulation Act 1984.

An ETRO can only stay in force for a maximum of 18 months while the effects are monitored and assessed. There must be a genuine experiment being conducted. Changes can be made during the first six months of the experimental period, if necessary, before the Council decides whether or not to continue with the changes brought in by the experimental order on a permanent basis. If feedback or an objection is received during the period that suggests an immediate change to the experiment is required, that change can be made, and the experiment can then proceed.

After an experimental order has been made, the order's notice of making must be published. Documents referred to in relevant regulations must be made available for public inspection throughout the duration of the experiment.

Statute does not permit formal objections to be lodged to an ETRO until it is in force. This allows the ETRO to be in force while the consultation is ongoing. Once it is in force, objections may be made to the order being made permanent and these must be made within six months of the day that the experimental order comes into force.

- **Procurement** – no procurement implications identified. All works to be undertaken using internal teams and existing contractors.
- **Health and Wellbeing** – no implications identified.
- **Environment and Climate action** – no implications identified.
- **Affordability** – no implications identified. Blue Badge parking is free on street and in City of York Council car parks. Parking in the proposed bays will also be free of charge.
- **Equalities and Human Rights** - The Council recognises, and needs to take into account, 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). An Equalities Impact Assessment has been carried out and is provided with this report at Annex B. In summary, the assessment found that the proposal is anticipated to have positive impacts for some groups with protected characteristics and this will be monitored over the ETRO period. The Equalities Impact Assessment will be updated accordingly.

- **Data Protection and Privacy** – no implications identified.
- **Communications** – If the proposed ETRO is approved, a suitable communication strategy will be developed with the communications team to ensure that information about the new bays is provided to Blue Badge holders.
- **Economy** – Economic impacts will be mixed with reduced loading capacity for businesses on the streets concerned (although still available in the morning and/or at other locations) but improved access for Blue Badge holders who may access these businesses as staff and/or customers.

## Risks and Mitigations

43. The recommended option is considered low risk as the experimental order brings a level of flexibility, enabling the restrictions and bays to be changed relatively quickly if issues become apparent as they are implemented.
44. A limited level of financial risk can be identified as if any adjustments are required, new signage and markings may be needed.

## Wards Impacted

45. The proposal has an impact on the Guildhall Ward as that is where bays will be located but the proposal will have an impact on Blue Badge holders across all wards as well as for visitors to York.

## Contact details

For further information please contact the authors of this Decision Report.

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<b>Date:</b>	05/04/2024

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**Annexes**

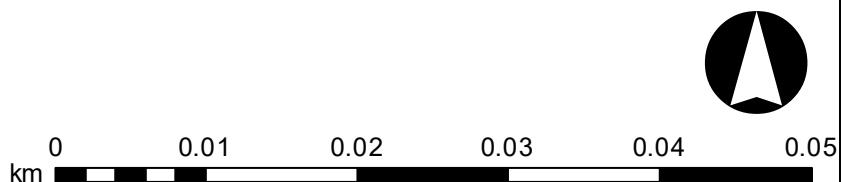
- Annex A: Location plan of proposed bays
- Annex B: Equalities Impact Assessment (EIA)

# Proposed Blue Badge bays



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**Date:** 25 Mar 2024  
**Author:** City of York Council  
**Scale:** 1:500



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## Introduction of Blue Badge car parking bays on Lendal, Blake Street and Davygate

### City of York Council Equalities Impact Assessment

#### Who is submitting the proposal?

<b>Directorate:</b>	Place		
<b>Service Area:</b>	Transport		
<b>Name of the proposal :</b>	Introduction of Blue Badge car parking bays on Lendal, Blake Street and Davygate		
<b>Lead officer:</b>	Helene Vergereau, Head of Highway Access and Development		
<b>Date assessment completed:</b>	4 April 2024		
<b>Names of those who contributed to the assessment :</b>			
<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
Darren Hobson	Traffic Management Team Leader	CYC	Transport
David Smith	Access officer	CYC	Accessibility

## Step 1 – Aims and intended outcomes

<b>1.1</b>	<b>What is the purpose of the proposal?</b> Please explain your proposal in Plain English avoiding acronyms and jargon.
	<p>The proposal aims to introduce an Experimental Traffic Regulation Order (ETRO) to provide loading and Blue Badge bays in Lendal and Blake Street and Davygate.</p> <p>The bays will be used for loading between 6am and 10.30am and will be reserved for Blue Badge holders outside of these hours.</p> <p>For the bays in Blake Street and Lendal, Blue Badge parking will therefore be available between 10.30am and 6am the next day, with Blue Badge access during footstreet hours (10.30 am to 5pm) permitted through the hostile vehicle mitigation bollards on Blake Street on presentation of a Blue Badge. Vehicles carrying Blue Badge holders are permitted to exit through the bollards on Lendal.</p> <p>For the bays on Davygate, as vehicular access is only permitted outside of the footstreet hours, Blue Badge parking will be available from 5pm until 6am the next day.</p> <p>The proposed bays will be implemented without a limit on the duration of stay. This is to provide a longer duration of parking for Blue Badge holders to improve access to the city centre. This may be changed during the Experimental Order if the evidence gathered during this time shows that time limits are required.</p> <p>The Order will be implemented as an Experimental Order as this process enables:</p> <ul style="list-style-type: none"><li>• The bays to be put in place quickly;</li><li>• The consultation to take place whilst the bays are in place, providing feedback from users based on lived experience of the bays to better inform any future decisions on the matter;</li><li>• The bays or time restrictions to be changed quickly if they need to be amended based on user experience and the feedback received.</li></ul>

<b>1.2</b>	<b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)
	Road Traffic Regulation Act 1984 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 The Traffic Signs Regulations and General Directions 2016 Inclusive Mobility, A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure, Department for Transport BS8300 Design of an accessible and inclusive built environment, Part 1: External environment — Code of practice Equality Act 2010
<b>1.3</b>	<b>Who are the stakeholders and what are their interests?</b>
	Blue Badge holders and the people they travel by car with (carers, family, friends, taxis, etc). Local businesses, their customers, and the suppliers and contractors delivering to those businesses. Highway users, including people walking and cycling and users of cycle parking on the streets
<b>1.4</b>	<b>What results/outcomes do we want to achieve and for whom?</b> This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.
	The provision of Blue Badge bays in Blake Street, Lendal and Davygate aims to improve access to the city centre for Blue Badge holders by providing an alternative to parking on double yellow lines which is restricted to a maximum duration of 3 hours and does not provide parking bays.

## Step 2 – Gathering the information and feedback

2.1	<b>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</b> Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
<b>Source of data/supporting evidence</b>		<b>Reason for using</b>
Feedback from the York City centre accessibility workshops facilitated by MIMA		Workshops have been focusing on access to the city centre and how this can be improved and provided feedback based on users' lived experience
Feedback from the York Access Forum		The Access Forum meets regularly to provide feedback on access issues in York
Inclusive Mobility, House of Commons Blue Badges and parking for disabled people, and other relevant publications		Additional information on the impact of providing Blue Badge bays, design recommendations, etc

## Step 3 – Gaps in data and knowledge

3.1	<b>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</b>	
<b>Gaps in data or knowledge</b>		<b>Action to deal with this</b>
Will the bays deliver an improved experience to access the City Centre for Blue badge holders?		Monitoring and feedback through the ETRO process, including through the York City centre accessibility workshops and the York Access Forum
Will the loading capacity be sufficient for local businesses?		Monitoring and feedback through the ETRO process



## Step 4 – Analysing the impacts or effects.

<b>4.1</b>	<b>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?</b> Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.
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<b>Equality Groups and Human Rights.</b>	<b>Key Findings/Impacts of the recommended option</b>	<b>Positive (+) Negative (-) Neutral (0)</b>	<b>High (H) Medium (M) Low (L)</b>
<b>Age</b>	See below, the benefits are anticipated to be realised for Blue Badge holders and their family, friends, and carers. Older people are more likely to hold a Blue Badge so the benefits described under the “Disability” section will be relevant to older people who have a Blue Badge.	+	M
<b>Disability</b>	<p>The proposed Blue Badge bays will provide a new car parking option, using bays for unlimited durations, to supplement the existing option to park on double yellow lines for up to 3 hours in locations which are close to City Centre shops and services.</p> <p>The bays will enable parking without any time limit, apart from the need to vacate the bays to enable loading to take place between 6 and 10.30am every day.</p> <p>This will be reviewed during the experimental order based on monitoring and feedback.</p> <p>The provision of the bays is anticipated to have a positive impact on accessibility to the City Centre, including during footstreet hours where vehicular access is restricted,</p>	+	M

<b>Equality Groups and Human Rights.</b>	<b>Key Findings/Impacts of the recommended option</b>	<b>Positive (+) Negative (-) Neutral (0)</b>	<b>High (H) Medium (M) Low (L)</b>
	<p>including for Blue Badge holders who are permitted access on two loops only.</p> <p>The impact will be relatively limited as only 5 bays are proposed in total and only 3 bays will be available during footstreet hours.</p> <p>As noted in the report, some accessibility issues will remain for the proposed bays as they are close to cobbled areas and although dropped kerbs and/or raised tables are generally available close by to enable users to rejoin the footways, these are not directly adjacent to the proposed bays.</p>		
<b>Gender</b>	No potential disproportionate impacts identified.		
<b>Gender Reassignment</b>	No potential disproportionate impacts identified.		
<b>Marriage and civil partnership</b>	No potential disproportionate impacts identified.		
<b>Pregnancy and maternity</b>	<p>No potential disproportionate impacts identified.</p> <p>Some people may experience mobility issues during or after pregnancy. If this results in them becoming a Blue Badge holder, the impacts described in the “Disability” section above will be relevant.</p>	+	M
<b>Race</b>	No potential disproportionate impacts identified.		
<b>Religion and belief</b>	No potential disproportionate impacts identified.		
<b>Sexual</b>	No potential disproportionate impacts identified.		

Equality Groups and Human Rights.	Key Findings/Impacts of the recommended option	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
<b>orientation</b>			
<b>Other Socio-economic groups including :</b>	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
<b>Carer</b>	For carers who take care of a Blue Badge holders, the impacts identified in the “Disability” section will be relevant.	+	M
<b>Low income groups</b>	No potential disproportionate impacts identified.		
<b>Veterans, Armed Forces Community</b>	No potential disproportionate impacts identified. Some members of the veterans and armed forces community may experience mobility issues. If they are a Blue Badge holder, the impacts described in the “Disability” section above will be relevant.	+	M
<b>Other</b>	Not applicable		
<b>Impact on human rights:</b>			
List any human rights impacted.	<p>The proposal should have a positive impact with regard to:</p> <ul style="list-style-type: none"> <li>Article 8 “Respect for your private and family life, home and correspondence”. This includes a right to participate in essential economic, social, cultural and leisure activities. In some circumstances, public authorities may need to help people enjoy their right to a private life, including their ability to participate in society.</li> </ul>	+	M

Equality Groups and Human Rights.	Key Findings/Impacts of the recommended option	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	<ul style="list-style-type: none"> <li>Article 14 “Protection from discrimination in respect of these rights and freedoms”. This requires that all of the rights and freedoms set out in the Human Rights Act must be protected and applied without discrimination.</li> </ul>		

**Use the following guidance to inform your responses:**

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p><b>High impact</b> (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact  The proposal is institution wide or public facing  The proposal has consequences for or affects significant numbers of people  The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p><b>Medium impact</b> (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact  The proposal is institution wide or across services, but mainly internal  The proposal has consequences for or affects some people  The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p><b>Low impact</b> (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact  The proposal operates in a limited way  The proposal has consequences for or affects few people  The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

## Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	<b>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</b>
<p>The proposal is anticipated to have positive impacts, improving access to the city centre for Blue Badge holders. As the recommended option proposes that the bays be provided through an Experimental Order, this will enable CYC to monitor the usage of the bays and gather feedback based on lived experience. This may lead to some changes being implemented during the Experimental Order and will inform the decision on whether the bays should be made permanent at the end of the Experimental Order.</p>	

## Step 6 – Recommendations and conclusions of the assessment

6.1	<b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</b>
<p>- <b>No major change to the proposal</b> – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

**Important:** If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	The proposal is anticipated to have positive impacts, improving access to the city centre for Blue Badge holders. As the recommended option proposes that the bays be provided through an Experimental Order, this will enable CYC to monitor the usage of the bays and gather feedback based on lived experience. This may lead to some changes being implemented during the Experimental Order and will inform the decision on whether the bays should be made permanent at the end of the Experimental Order.

## Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
Impact on Blue Badge holders (including those using the bays and those	Monitor parking activity in the area and gather feedback from users	Helene Vergereau	During the ETRO



parking on double yellow lines)			
Impact on businesses and loading activity	Monitor loading activity in the area and gather feedback from users	Helene Vergereau	During the ETRO

## Step 8 - Monitor, review and improve

<b>8. 1</b>	<p><b>How will the impact of your proposal be monitored and improved upon going forward?</b> Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?</p>
	<p>As the recommended option proposes that the bays be provided through an Experimental Order, the monitoring and consultation will be on-going during the experimental order and will inform the decision on whether the bays should be made permanent at the end of the Experimental Order. Based on initial consultation feedback, issues to monitor will include:</p> <ul style="list-style-type: none"> <li>- Ease of access to the bays for Blue Badge holders (manoeuvring in and out of the bays, possible conflict with other vehicles, pedestrians at busy times, queues at Bettys on Davygate)</li> <li>- Communications – how will Blue Badge holders know about these bays – information will be included on the website, but more information may be required</li> <li>- Understanding the impact on Blue Badge parking capacity (bays versus double yellow line parking, parking duration in the bays)</li> </ul>

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