



**Notice of meeting of
Decision Session - Cabinet Member for City Strategy**

To: Councillor Merrett (Cabinet Member)

Date: Thursday, 8 March 2012

Time: 4.30 pm

Venue: The Guildhall, York

A G E N D A

Notice to Members – Calling In

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10.00 am on Wednesday 7th March 2012 if an item is called in before a decision is taken, or

4.00pm on Monday 12th March 2012 if an item is called in after a decision has been taken.

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

Written representations in respect of items on this agenda should be submitted to Democratic Services by 5.00pm on Tuesday 6th March 2012.

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes (Pages 3 - 4)

To approve and sign the minutes of the meeting held on **Tuesday 21st February 2012.**

3. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5:00pm on Wednesday 7th March 2012.**

Members of the public may speak on:

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

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

4. The Future Management Arrangements for Public Open Space at Mayfield Grove, York. (Pages 5 - 72)

The purpose of this report is to summarise the background and history relating to this site and to set out for agreement the actions required, and the process to be followed to secure long-term management of this land for public benefit as per the section 106 agreement signed and dated 2 June 1997

5. 2012/13 City Strategy Capital Programme Budget Report (Pages 73 - 84)

This report sets out the funding sources for the City Strategy Capital Programme and the proposed schemes to be delivered in 2012/13. The report covers the Integrated Transport and City Walls Restoration allocations.

6. City Centre Footstreets Review - Traffic (Pages 85 - 106) Regulation Order Objections.

The purpose of this report is to consider the representations made following the advertising of amendments to various Traffic Regulation Orders in and around the city centre footstreets. The report also makes recommendations on how to progress the proposals.

7. Urgent Business

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

Democracy Officer:

Name: Laura Bootland

Contact Details:

- Telephone – (01904) 552062
- Email – laura.bootland@york.gov.uk

ADDITIONAL COMMENTS RECIEVED FROM MEMBERS OR THE PUBLIC SINCE THE AGENDA WAS PUBLISHED ARE INCLUDED AT THE END OF THE AGENDA PACK.

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

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above

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Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an

interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Cabinet to Account

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business from a published Cabinet (or Cabinet Member Decision Session) agenda. The Cabinet will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Cabinet meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

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

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

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
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City of York Council

Committee Minutes

MEETING	DECISION SESSION - CABINET MEMBER FOR CITY STRATEGY
DATE	21 FEBRUARY 2012
PRESENT	COUNCILLOR MERRETT (CABINET MEMBER)

37. DECLARATIONS OF INTEREST

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

The Cabinet Member declared a personal interest as a bus user in the City of York.

38. MINUTES

RESOLVED: That the minutes of the Decision Session Cabinet Member for City Strategy held on 5th January 2012, be approved and signed by the Cabinet Member as a correct record subject to the following amendment:

Minute 36 – removal of the sentence referring to a quality contract.

39. PUBLIC PARTICIPATION - DECISION SESSION

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

40. BID TO THE BETTER BUS AREA FUND.

The Cabinet Member considered a report which outlined the City of York bid to the Better Bus Area Fund. A successful bid

would help to deliver a step change in the quality of the bus service across the City.

The Cabinet Member commented that the Better Bus Fund is relevant to the Council's objective to 'Get York Moving'. The fund provides an opportunity for the Council, if successful, to make notable improvements within the next 2 years to the quality of service and ticketing in York. In addition a new interchange and work towards reducing congestion would be possible.

The Cabinet Member confirmed that he supported the West Yorkshire Passenger Transport Executive's proposal to include York as an optional addition to their bid.

- RESOLVED:
- a) That the Cabinet Member noted the contents of the report.
 - b) Agreed to the submission of a City of York bid to the Better Bus Area Fund in partnership with York's bus operators.
 - c) Agreed to support West Yorkshire Passenger Transport Executive's bid to the Better Bus Area Fund in the interests of realising significant ticketing benefits for City of York bus passengers.

REASON: This course of action will greatly assist the Council and York's bus operators to make a step change improvement to the bus network which will deliver an increase in bus passenger numbers.

CLLR D MERRETT, Cabinet Member
[The meeting started at 4.00 pm and finished at 4.05 pm].



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

8 March 2012

Report of the Director of City Strategy

Open Space land at Mayfield Grove York

Summary

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

Background

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

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

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

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

Recent history 2011 to date

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

Current situation 2012 and proposed resolution

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

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

Options

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

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

Analysis

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

Council Plan

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

Implications

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

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

Risk Management

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

Recommendation:

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

Reason:

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

Contact Details

Author:

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

Chief Officer Responsible for the report:

Bill Woolley
Director of City Strategy

**Report
Approved**

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k

Date *Insert Date*
27/3/12

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

AI	tick
I	

For further information please contact the author of the report

Background Papers:

Planning file ref 7/013/03321H/FUL

Planning and Transport committee report 21 Nov 1996

South Area Planning & Transport sub Committee 11 Sept 1997.

Annexes

Annex 1 – outline plan of land at Mayfield Grove York

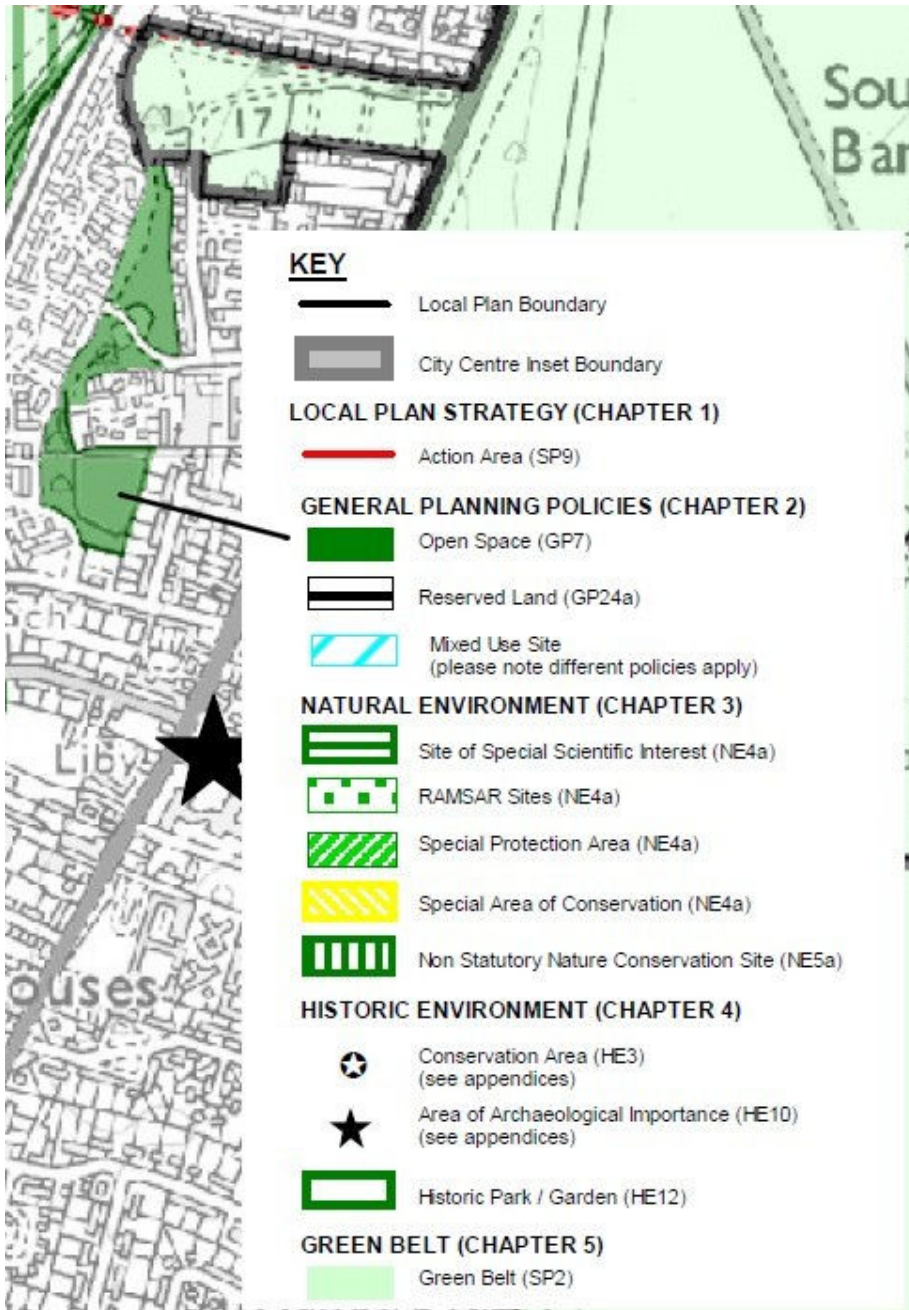
Annex 2 – copy of Section 106 agreement dated 2 June 1997.

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

Annex 4 – Management Framework for land at Mayfield Grove York

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Annex 1 - Map of the area designated as open space



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Annex 2 – Section 106 Agreement dated 2 June 1997

(1) HASSALL HOMES (YORKSHIRE) LIMITED

and

(2) THE COUNCIL OF THE CITY OF YORK

SECTION 106 AGREEMENT

In relation to
1 and at Mayfield Grove York

IRWIN MITCHELL

S O L I C I T O R S



Handwritten notes and signatures, including the name 'A. J. C. J.' and other illegible markings.

Handwritten notes and signatures, including the name 'A. J. C. J.' and other illegible markings.

THIS AGREEMENT is made the 2nd day of June 1997

BETWEEN:

- (1) **HASSALL HOMES (YORKSHIRE) LIMITED** whose registered office is at Raine House, Ashbourne Road, Mackworth, Derby DE22 4ND ("the Owner")
- (2) **THE COUNCIL OF THE CITY OF YORK** of Guildhall, York YO1 1QN ("the Council")
- (3) **BARCLAYS BANK PLC** of Murray House 1 Royal Mint Court London EC3N 4HH as Security Trustee ("the Mortgagee")

WHEREAS

- 1 The Council is the local planning authority for the purposes of this Agreement for the area within which the land described in the First Schedule ("the Land") is situated and by whom the obligations contained in this Agreement are enforceable.
- 2 The Owner is the Owner in fee simple in possession of the Land subject to a Supplemental Debenture in favour of the Mortgagee dated 16th May 1997 but otherwise free from encumbrances.
- 3 The Owner has by an application dated Reference 7/013/03321H/FUL ("the Planning Application") applied to the Council for permission to develop the Land in the manner and for the uses set out therein.
- 4 The Council has resolved to grant planning permission for the development in accordance with the Planning Application subject to the making of this Agreement without which planning permission for the development would not have been granted.
- 5 The Mortgagee enters into this Agreement to indicate its consent to the Owner entering into this Agreement.

NOW THIS AGREEMENT is made in pursuance of Section 106 of the Town and Country Planning Act 1990 and is a planning obligation for the purposes of that section and **WITNESSES** as follows:-

- 1 The Owner covenants with the Council to perform the obligations and activities specified in the Second Schedule.
- 2 The Mortgagee hereby consents to the execution of this Agreement and acknowledges subject as herein provided that the Land shall be bound by the restrictions and obligations contained in the Second Schedule hereto.
- 3 It is hereby agreed and declared as follows:-
 - 3.1 The expressions "the Council", "the Owner", "the Mortgagee" shall include their successors in title and assigns.
 - 3.2 No person shall be liable for breach of a covenant contained in this Agreement after he has passed with all his interest in the land or that part in respect of which such breach occurs but without prejudice to liability for any subsisting breach of covenant prior to parting with such interest.
 - 3.3 The Mortgagee shall not be liable for any breach of covenant contained in this Agreement unless and until the Mortgagee shall have entered into possession of the whole or any part of the Land and for the avoidance of doubt the Mortgagee shall not be personally liable for any breach of any covenant set out in this Agreement occurring at any time after it has disposed of its interest in the Land or the part of the Land in respect of which such breach occurs.
 - 3.4 Nothing in this Agreement shall prohibit or limit the right to develop any part of the Land in accordance with a planning permission (other than one relating to the Development as specified in the Planning Application) granted (whether or not on appeal) after the date of this Agreement.
 - 3.5 The Council will upon written request of the Owner at any time after the obligations of the Owner under this Agreement have been fulfilled issue written confirmation thereof and thereafter cancel all related entries in the Register of Local Land Charges.
 - 3.6 This Agreement is a local land charge and shall be registered as such.
 - 3.7 If any dispute or difference as to whether an act or default of any party is unreasonable or any failure to reach agreement arises at any time and which shall not be resolved within one week of any party notifying the other that such dispute,

difference or failure to reach agreement exists any party shall have the right to refer the same to the decision of an appropriately qualified independent person experienced in matters of the kind to which the dispute or difference relates such person to be agreed between the parties or in default of agreement to be appointed by the President for the time being of the Law Society upon application by any such party and any person so appointed shall act as an expert and not as an arbitrator and his decision shall be binding on the parties provided that the costs of such determination shall be determined by the independent person and provided further that the parties shall use their best endeavours to ensure that the determination of the independent person shall be obtained as soon as possible.

IN WITNESS whereof the Council the Owner and the Mortgagee have set their common seals the day and year first before written

FIRST SCHEDULE
(Description of the Land)

Land at Mayfield Grove/Nelson Lane, Dringhouses, York shown edged red on the plan attached hereto.

SECOND SCHEDULE
(Obligation)

1 OPEN SPACE

1.1 Not to permit the occupation of any dwelling on the Land until:-

1.1.1 the Owner and the Council have agreed the details of open spaces which are to be laid out on the Land and which shall comprise an area of seven (7) acres or thereabouts as shown edged blue on the attached plan ("the Open Space").

1.1.2 the Owner has obtained the approval of the Council to a landscaping scheme for the Open Space including details of the completion of the phasing, top soil, seeding, contouring, grassing and planting.

1.2 Not to permit the occupation of more than 50 dwellings on the Land unless it has obtained a certificate or other approval from the Director of Environmental and Development Services or his nominee that Area A and Area B being the first and

second phases of the landscaping scheme for the Open Space and shown hatched green and yellow respectively on the attached plan have been completed to the reasonable satisfaction of the Council.

- 1.3 Not to permit the occupation of more than 100 dwellings on the Land unless it has obtained a certificate or other approval from the Director of Environmental and Development Services or his nominee that Area C being the third phase of the landscaping scheme for the Open Space shown hatched brown on the attached plan has been completed to the reasonable satisfaction of the Council.
- 1.4 To maintain the Open Space (excluding the Play Area) duly landscaped in accordance with the approved scheme for a period of two years after the date of issue of a Completion Certificate ("the Maintenance Period") allowing public access at all times during that period and remedying all defects which may appear during that time and replacing all shrubs and trees which die or are damaged as proposed in the Planning Application and at the end of the Maintenance Period upon request of the Council to transfer ownership and management of the Open Space (excluding the Play Area) to the Council or to such person or body as the Council may approve.
- 1.5 The Owner covenants with the Council so as to bind the Open Space (excluding both the Play Area and the remainder of the Land) not to transfer it or any part of it to any third party without the prior consent of the Council which shall not be unreasonably withheld if the Council is satisfied with the arrangements that are proposed for the future maintenance of it and the Owner will request the Chief Land Registrar to register such covenant in the Charges Register of the Title to the Land.
- 1.6 On the transfer referred to in clause 1.4 above to pay to the Council the sum of £36,000 for the maintenance of the Open Space (excluding the Play Area) less the assessed income that will be derived from the use of the fishing pond shown edged orange on the attached plan forming part of Area A being the first phase of the scheme for the period of 20 years thereafter and it is acknowledged that the Open Space is principally of benefit to the development rather than to the wider public,

2 PLAY AREA

- 2.1 To provide and lay out a children's play area ("the Play Area") and informal car park in Area B in accordance with such details as shall be approved by the Council in writing and to the reasonable satisfaction of the Council prior to the occupation of the 51st dwelling on the Land.

2.2 Within 12 months of completion of the Play Area to transfer the freehold of the Play Area to the Council although the Play Area may be handed over to the Council for public use and for maintenance purposes in advance of such transfer provided the Play Area has been provided and laid out in accordance with clause 2.1 above.

2.3 Upon hand over or transfer referred to above to pay to the Council the sum of £10,000 by way of commuted sum for the future maintenance of the Play Area and it is acknowledged that the Play Area is principally of benefit to the development rather than to the wider public.

EXECUTED AS A DEED (but not delivered until the date hereof)
BY AFFIXING THE COMMON SEAL of
HASSALL HOMES (YORKSHIRE) LIMITED
in the presence of:
Director:

Secretary:

EXECUTED AS A DEED (but not delivered until the date hereof)
BY AFFIXING THE COMMON SEAL of
BARCLAYS BANK PLC
in the presence of

 Assistant Secretary

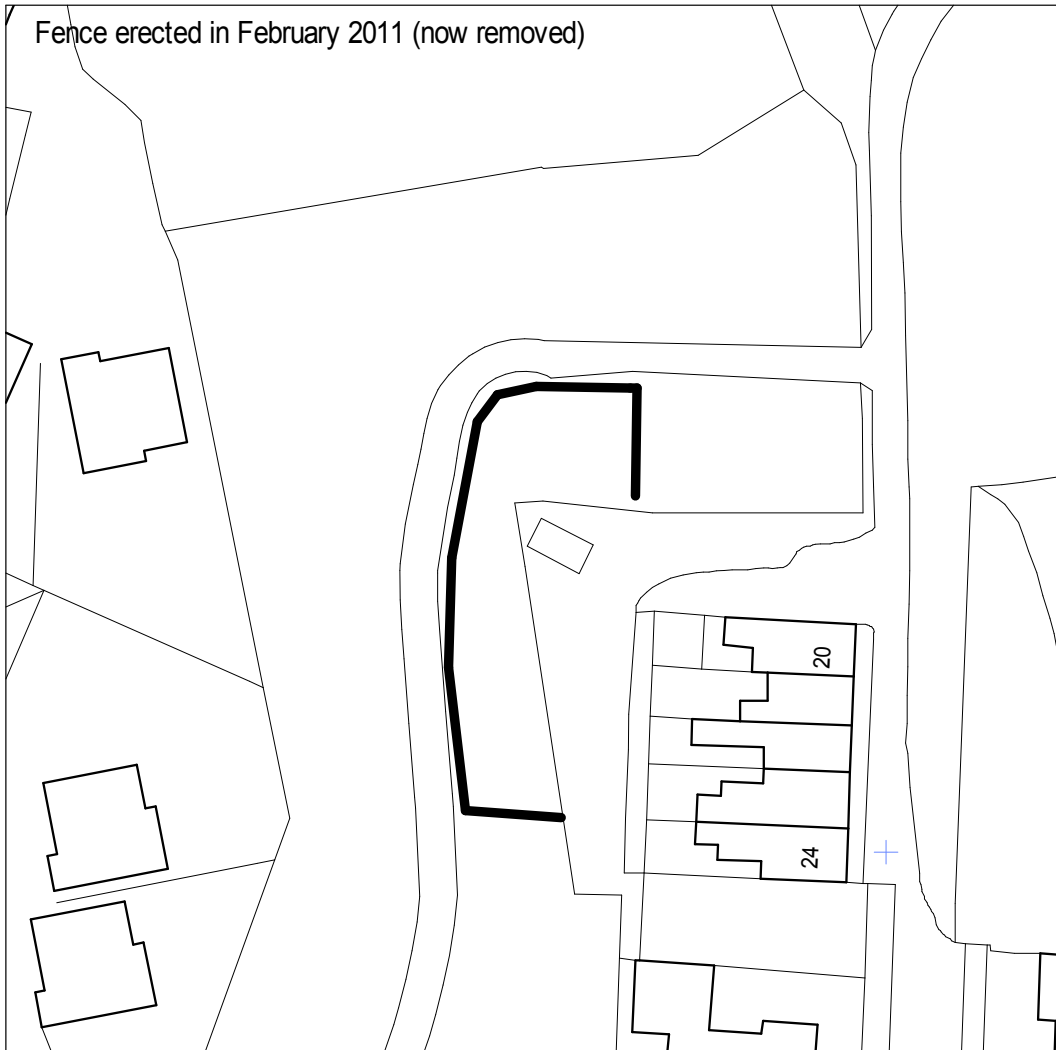
Authorized Sealing Officer
SER 197/2046

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CITY OF YORK
in the presence of:


Head of Legal Services

1276

Annex 3 – fence erected on land to rear of Hob Moor Terrace



Land purchased by Woodhead Investments from Taylor Wimpey



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Annex 4

Land at Mayfields Grove, York

'Mayfields'

A Management Framework 2012 – 2022



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Site Statement

The purpose of this management framework is to: describe the land at Mayfields Grove, York; to set out the requirements for the successful management of the land for nature conservation with free public access and to encourage the development of management plans which realise the many opportunities for wider public benefit.

The importance of wildlife and green spaces to people living in the area is recognized and it is the intention for the site to be managed with nature conservation in mind, to maximise the land's value to people and to wildlife, now and for the future.

The following management framework has been prepared to set out the management intentions for the site for the period 2012 to 2022. The framework sets out the long term management vision with view to developing a management plan on which future operational plans will be based for continuity of practice.

1 SITE DESCRIPTION

1.1 Site Description

Name: Land at Mayfield Grove York
Grid Ref: SE586501
Area: 2.84 Ha
Status: No statutory nature conservation designations
Local Plan Designation: Open Space

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

1.2 Location

The site lies to the southwest of York City centre, is bounded by Aintree Court to the south, Lingfield Crescent & Goodwood Grove to the west, Hobmoor Terrace and Ainsty Avenue to the east. Nelson's Lane, an access road leading to Lingfield Crescent and Goodwood Grove, divides the site. [See Appendix 1 for location plan]

1.3 Adjacent Land

To the north of the site is an informal open space locally referred to as 'Little Hob Moor', this is currently owned and managed by the City of York Council Leisure Services.

A small play area north of Nelsons Lane is surrounded by the space and this is managed by the City of York Council Leisure Services.

1.4 Access

There is unrestricted public access to the site. Mayfields is well used throughout the year, mostly by local residents but also by visitors from further afield attracted by the natural aspect of the site.

Vehicular access to the site can be gained via Nelson's Lane. There is a small car park opposite the play area.

Access through the site is by way of a hard-surfaced track on the key route from Nelsons Lane through to Hobmoor Terrace. Beyond the site to the north there is an established access connection with Little Hob Moor, then onto Hob Moor a few hundred metres away via an underpass under the train line.

At the entrance to the northern section of the site a field gate has been installed for access by maintenance vehicles, with an adjacent pedestrian gate.

There are two access paths from Nelsons Lane leading into the southern section, one through the car park and another along a track adjacent to northern boundary of properties on Weddall Close. Crossing Nelsons Lane from the northern stretch of the site an informal path has established through a small meadow area leading to the car park, connecting to the informal path heading south.

Access from the south is via Aintree Court, which leads off Mayfields Grove. Currently a knee-high wooden barrier has to be stepped over to gain access into the site. It leads to an informal path running northwards past the western edge of the pond up to a gravelled car park. From this path another informal path runs around the periphery of the pond edge.

There are a number of unofficial access points from neighbouring properties onto the site. These take a number of forms from hand gates/ informal openings in the boundary treatment to the removal of the domestic boundary treatment altogether.

1.5 Geology

Information from the British Geological Survey map shows the site to be immediately underlain by 8m Vale of York drift deposits comprising silts and clay, often variable in nature. Glacial sands, gravels and boulder clay will likely underlie the drift. Depth to bedrock is not indicated on the map;

however, it is likely that solid strata comprising Permo-Triassic Sherwood Sandstone, will lie at or in excess of 20m depth beneath the site.

There are records of tipping of domestic refuse on the site in 1967, on the land immediately behind Hob Moor Terrace. The refuse was deposited on the site in a land-levelling exercise. Prior to the deposit of waste, the area was marked by hummocky and marshy ground with several shallow ponds, the remnants of the land's former use as a claypit. Subsequently, wastes tipped on the site extend to relatively shallow depth. The deepest area of fill extends to depths of around 3 to 6m. The tip was covered with a mixed layer of brick and concrete rubble with some clay.

The former refuse area is covered with a sub soil layer consisting of gravelly clay composited from several sources within a local quarry, topped with a layer of soil. The gravel element comprises largely of limestone. Prior to the laying of the surfacing materials samples were chemically analysed and found to be acceptable for use on a nature reserve/public open space. The surface material was chosen to allow natural surface ventilation to prevent the build-up methane.

Borehole samples of the tip materials taken at a number of points prior to the re-profiling of the former tip site were analysed and found to be within acceptable health based parameters for the land's use as a nature reserve/public open space.

A gas venting trench was installed along the known perimeter of the landfill with a number of connecting venting brick gas vent boxes at the surface to vent gas from the underlying refuse. The gas venting system was designed to work in conjunction with the natural surface ventilation from the filled area. The gas emissions were appraised and confirmed to be acceptable in terms of human safety both for the use of the site as a public open space and for the development on adjacent land.

No known mining has occurred beneath the site in the past.

1.6 Topography

There are many depressions and bumps on the southern section of the site a result of the previous use as a clay pit and rubbish tip. As part of the development the northern extent of the site above Nelson's Lane has been more formally graded with bunds running in an approximately north-south direction either side of the path.

1.7 Services

A private water main runs from Little Hob Moor southwards close to the rear boundary with properties on Hob Moor Terrace. A sewer flows northwards

across the northern tip of the site from the last property on Hob Moor Terrace.

A water main leads south-west into the site from Weddal Close, which turns immediately south close to the north-west corner of the pond then turns east towards Aintree Court. An abandoned water main follows an approximate parallel course 15m to the north-west.

An overflow pipe runs from the pond to the drainage system on Aintree Court.

A network of passive gas venting boreholes were laid around the periphery of the northern section of the site and a small section south of Nelson's Lane to deal with any remnant gas from the underlying refuse tip. Environmental Health confirms that there is no requirement for maintenance / monitoring, but that the vents must be kept clear.

[The approximate layout of the passive gas venting trench is shown in Appendix 2]

A small sewage pumping station is located west of the access onto the northern stretch of the site from Nelsons Lane, but this is not part of the site.

1.8 History

The origins of the colloquial site name 'Mayfields' is unclear however it may have been used by association with the vegetation cover of the land prior to rail use. Nearby undisturbed land shows that hawthorn or 'May Tree' is a predominant shrub species.

The name is in keeping with the positive image it promotes and with hawthorn being present in scrub areas it is not without association.

During the medieval period most of the site was in cultivation. A plan of Dringhouses Manor drawn in 1624 shows the area divided into strips within open fields, with other areas divided into rectangular fields which were probably very early closures on the edge of Hob Moor.

During the 18th and 19th centuries the site was extensively worked for clay to produce bricks. Brick fields, pits, brick/tile works and a brick kiln are all represented on the OS maps of the time. Buildings associated with the brick and tile works were present in both the southwestern and northern parts of the site.

By 1931 many of the clay pits are shown on plans to have been infilled to accommodate the railway sidings.

A small, dilapidated brick structure (formerly used as a tools store) located on the southwestern boundary with 15 Weddall Close, was removed in 2011.

Soil surveys of the site indicate that most of the site has been subject of

extensive disturbance and few, if any archaeological deposits are likely to survive.

Prior to the development of the site a corridor of long grass and tall herbs with clumps of scrub, mostly hawthorn and brambles extended to the north of the site. It linked Little Hob Moor with the pond at the bottom of Nelsons Lane and provided an informal route for walkers.

The former railway sidings site located off Nelsons Lane was developed by Hassal Homes in the late 1990's. Hassal Homes were later acquired by Taylor Wimpey Homes. In association with the granting of planning permission the developer entered into a section 106 planning agreement with the City of York Council under which it agreed to transfer ownership and management of the remaining open space (excluding the play area) to the Council or such person or body as the Council may approve.

The Mayfields open space concept was modeled on the Danesmead development site, with a local charity, York Natural Environment Trust (YNET), working closely with local residents, developer and York Council to design and specify the landscape of the open space aspects of the development.

1.9 Biodiversity

Mayfields is a mix of semi-natural environment and recently planted landscaping. The vegetation and wildlife found here largely results from the past and current land use. The site is a mosaic of habitats consisting of woodland, scrub, meadow, and pond. The different habitats support a wide range of plant and animal species.

The site provides a valuable green corridor link for wildlife, from Hob Moor and Little Hob Moor through to the countryside in the south.

The distribution of habitats is shown on sketch maps in Appendix 3.

1.9.1 Trees and Woodland

The tree composition of the site is a mixture of naturally established trees and landscape planting. Mature stands of self-sown trees are located at the northern extent of the site and south of Nelsons Lane. The majority of the recent landscaping covers areas of raised land north of Nelsons Lane.

To the south of Nelsons Lane the wet undulations of the former clay pit site originally colonised by willow have naturally dried out and developed into woodland. As the site has dried the area has been colonised by tree species such as ash, birch and oak reaching towards a climax woodland, a community composed of species best adapted to average conditions in that area.

Recent tree management has focused mostly on reactive works to ensure continued safe public access and enjoyment. There is little evidence of structured management within the woodland prior to the acquisition of the land by Hassal Homes, though some historic management of the willows adjacent to the pond has taken place.

The mature tree components of the site provide a variety of habitats. Dead wood, hollow trees, fungi, are all important elements of a good woodland habitat. Decay is found both in standing deadwood (trees that have died naturally e.g. from shading) and fallen trees, logs and branches. Deadwood can support specialised and rare species of plants and animals that rely on wood decay for one or more stages of their life cycles. Holes and hollows can provide homes for birds and bats.

Woodland North of Nelson's Lane

The young trees were planted in 2002 with the majority of the landscaping and are growing well. With the exception of Scots pine a mix of native broadleaved trees was used, consisting of species found in local woodland. The main species are Ash, Silver Birch, Alder, Scots Pine, Field Maple, Hawthorn, Willow, and Oak, with other smaller growing trees such as Crab Apple, Wild Cherry, Rowan, Holly, Spindle, Guelder Rose, Hazel having a significant presence also. Shrubs were also planted in and around the trees, predominantly composing Dog Rose, Sweet Briar, Downy Rose, Common Laurel, and Dogwood.

The trees are in fair condition providing a valuable screen to the surrounding properties. Many of the trees suffer defects or suffer from competition due to the density of the woodland planting.

North east behind Hob Moor Terrace

The northern extent of the new tree planting extends into an area of self-sown trees for the most consisting of Crack & Goat Willow, Hawthorn, Elder and Sycamore. The mature Willow trees were retained for screening purposes with supplementary planting added as part of the landscaping scheme. There is a large Elm tree adjacent to the rear boundary of 26 Hob Moor Terrace showing early signs of Dutch Elm Disease infection.

Woodland South of Nelson's Lane

A small strip of landscape planting has taken place on the western boundary south of the car park and adjacent to the boundary at the end of Weddall Close. The majority of the woodland to the south of Nelsons Lane is however secondary woodland, largely self sown on land that has previously been cleared of trees. The woodland largely consists of primary colonisers

indicating the woodland likely established naturally. The wood contains a mixture of species including Willow, Birch, Ash, Oak, and Sycamore. Several of the Willow trees are notable over-mature specimens, these trees are in various stages of collapse and have recently been pollarded to make safe. The ground flora is dominated by Ivy and Ground Ivy, but includes Lords and Ladies, Bramble, Cow Parsley and a small number of other herbs are also present. The ground flora species is also indicative of the recent colonisation by trees. Beneath these trees and in more open areas Willow scrub and Ash natural regeneration has developed with a mixed age class structure, from 1-year seedlings to about 15-20 year old specimens. There are a number of cypress trees that have been planted in the woodland.

West side

The mixed Birch woodland, which borders the western side of the site, forms an important screen between the pond and the new housing estate as well as being a worthwhile habitat in its own right. This is a mixture of Birch of 14m in height and diameter at chest height of 30cm, together with some smaller growing Goat Willow, scrub Ash and other material. Species present indicate that this is pioneer woodland which established on railway ballast and is now moving towards a more mature stage with climax species such as Oak beginning to establish.

Surrounding the pond

The pond edge is dominated by Crack Willow that shows signs of previous coppice and pollard management works.

1.9.2 Scrub

Shrubby margins to the meadows were planted to give naturalistic wood edge habitats.

Areas of the new landscaping north of Nelsons Lane contain shrub plants such as Rose species, Common Laurel, Dogwood, Bramble, Hawthorn, Blackthorn and Hazel that could suitably be managed as scrub. Scrub is usually a transition zone between woodland and open grassland, it is dominated by shrubs and small trees. By maintaining areas at varying stages of growth and openness it is possible to create a variety of habitats supporting a wide range of invertebrates and breeding birds.

There are areas of willow and ash scrub in the secondary woodland, with an occasional understorey specimen such as Holly or Hazel.

1.9.3 Rides

A ride is an open tract of land through woodland and scrub. Rides were established to support wildlife, and improve access. Maintaining the narrow rides as grassland to the rear of properties on Hob Moor Terrace and Goodwood Grove will enable access for maintenance purposes both for the

domestic boundaries and the passive gas vents. The rides have been cut sporadically, with extents of the ride to the rear of Hob Moor Terrace being cut by the adjacent property owners as had occurred when the site was under the ownership of the rail company.

1.9.4 Meadow

The northern section of the site was covered in clay subsoil in 1997 to cover the old tip site. Formal bunds were constructed on both sides of a new path, and were planted with a variety of British native tree and shrub species. A large central meadow area was seeded with a wildflower mix, with some of the established species comprising Lesser Knapweed, Bird's Foot Trefoil, Red Clover, Ribwort Plantain, Self Heal, Ladies Bedstraw and Meadow Vetchling, Perennial Ryegrass, Red Fescue, Brown Bent, Tufted Fescue. From the central meadow area strips either side of the path heading north were also established with wildflower meadow seed. A small meadow area was also established between the northwest boundary of the car park and Nelsons Lane.

The species composition is most favourable in the northern meadow.

The meadow areas have been cut only occasionally since their establishment. The floral diversity has likely diminished as a consequence of the limited management and the artificial input of nutrients from dog waste. The most obvious ecological effect is on vegetation structure, as the fertilising effect benefits vigorous, bigger plants at the expense of smaller, more sensitive ones.

1.9.5 Pond

Mayfield Pond is a 0.6ha body of water with a 310m perimeter surrounded by woodland fringe. The pond was excavated in order to extract clay for brick production, which is reflected by its great depth and near vertical margins. The excavated hollow left by the brick production industry filled with rainwater, which over time was subsequently colonised by a variety of wildlife. Railsport Angling Club who managed the pond area privately stocked the pond with Carp and angling use has continued under YNET since British Rail sold the site to Hassal Homes. The pond is well used by anglers for course fishing throughout the year and its surrounds provide an attractive place to walk.

Due to the pond's origins as a clay pit it has noticeable steep sides with little shelving and associated shallows. The pond is understood to be over 6m deep at its deepest point. Although the surface of the pond may freeze over in winter, because of its depth, it does not freeze solid and is able to support a viable fish population throughout the year.

The aquatic vegetation in and around the pond (floating, emergent and marginal species) is noticeably limited. The pond lacks the profile of plant

types which are associated with a naturally occurring pond community. Only at the north end (colloquially known as 'Carp corner') do significant shallows exist and these are populated with Water Lilies. Growth of marginal aquatic plants has been suppressed by the extensive growth of willows. Some Lilies and bottom rooted aquatic plants exist in a narrow band along the eastern side of the pond.

With the proximity to residential property a variety of ornamental plants have either escaped or been planted in the area.

The aquatic invertebrate fauna is markedly impoverished indicative of high levels of organic input (i.e. leaves) from the surrounding vegetation. The overhanging branches from previously pollarded Willow trees around the banks of the pond and mature standards of Willow and Ash reduce sunlight reaching the shallows inhibiting plant growth, which in turn is needed for the survival of aquatic herbivores. The limited presence of aquatic plants and herbivores reduces processes in the pond of recycling organic matter and oxygen production.

The great depth of the pond prevents much weed growth in the centre although some may develop in association with the newly created island formed from tipped clay.

The pond experiences a number of problems including an autumnal temperature inversion which causes the water to 'turn over' bringing de-oxygenated water to the surface with consequent distress to the fish. Also the water surface is characteristically still and is known to show signs of a lack of oxygen in summer.

A lesser but significant problem is the shortage of spawning and fry development sites arising from the shortage of shallows and weedbeds. The immediate surrounds of the pond contain numbers of large trees, mostly Willows, some of which were pollarded in 1992 and others which have been pollarded in 1996. This has improved airflow across the pond that should assist with the de-oxygenation problem. However, it opened up the view from within the pond area revealing the backs of houses and changing the pond's character from a rural to a suburban one.

Over the years volunteers have augmented the natural vegetation of the site with a wide variety of new planting both of native and garden plants. In some areas the pond surrounds have a natural character, in others they are of a more formal garden-like character.

Depressions on the southern section of the site have previously retained water however these have for the most largely dried out having accumulated leaf matter. These areas if left will further dry out succeeding to the surrounding woodland conditions.

1.9.6 Fauna

With its varied habitats the site supports a number of animal and insect species.

The woodland supports a diversity of bird species, as do the scrub areas, which will be of value to breeding Whitethroat and Dunnock. Birds using the site include Blackbird, Blackcap, Bullfinch, Carrion Crow, Dunnock, Goldfinch, Great Spotted Woodpecker, Greenfinch, House Sparrow, Kestrel, Linnet, Magpie, Mallard, Moorhen, Robin, Sparrowhawk, Blue Tit, Great Tit, Whitethroat, and Wren.

A number of animals have been seen on the reserve, including Grey Squirrels, Foxes and bat species feeding around the pond. The scrub and more dense woodland areas may be of potential for small mammals such as Common Shrew, Bank Vole and Woodmouse.

The site appears moderately rich in invertebrates, with some of the commoner butterflies and moths, beetles, true flies, spiders and snails living in the meadow, scrub and woodland areas. Rotting dead wood supports additional invertebrates as well as a variety of commoner fungi.

1.9.7 Undesirable species

Some areas in the southern section were scattered with clumps of Japanese knotweed particularly close to the western and southern boundaries, which were controlled as a matter of priority in 2010. The control works were guaranteed for a period of 5 years should regeneration take place.

The Grey Squirrel is present in the mature woodland but is not yet viewed as a significant threat.

1.10 Recreation and Community Involvement

The site is enjoyed for informal recreational pursuits such as walking and dog walking, nature watching and fishing. It is surrounded by housing and is an easy place to visit. Many of the local visitors act as 'eyes and ears' on the site, reporting any problems found.

Prior to the acquisition of the site by Hassal Homes the pond was stocked and managed privately for coarse fishing by the Railsport Angling Club. Angling use, open to the general public, has continued under the supervision of YNET since.

With its variety of habitats Mayfields would make an excellent study site for local schools and colleges to use for fieldwork and practical work. There are 4 local schools within a kilometre of Mayfields.

2 LEGAL AND PLANNING FRAMEWORK

2.1 Land Ownership

Tenure at March 2012: owned by Taylor Wimpey Homes to manage as open space with public access.

2.2 Tree Preservation Orders

There are 2 Tree Preservation Orders (TPO) numbers CYC45 and 9 in affect on the trees south of Nelson's Lane; there are no protected trees north of Nelson's Lane. Although the trees are protected there are certain exemptions from requiring prior consent from the Local Planning Authority, these exemptions are detailed in the Appendices.

A woodland TPO (referred to as 'W1' on the plan) should not necessarily hinder beneficial management work, which may include regular felling and thinning. Applications to manage the trees in ways that would benefit the woodland without making a serious impact on local amenity would be encouraged by the Local Planning Authority.

[A TPO summary plan is shown in Appendix 4]

2.3 Public Rights of Way

There are a number of informal paths through the site at present, none of these are currently formalised Public Rights of Way (PRoW) however the northern stretch is under investigation for designation as a PRoW (see Appendix 5). The most prominent path leads north from Nelsons Lane through the meadow turning east to join the open space ('Little Hob Moor') just north of the last property on Hob Moor Terrace. There is a path from the car park south of Nelsons Lane linking down to Aintree Court road. Another path runs along an old access track leading from Nelsons Lane running adjacent to the northern boundary of properties 4 – 22 Weddal Close (a definitive map modification order application has been received for this extent).

There is a well-used path set back from the pond running along the north, east and south edges.

2.4 Fences /boundary treatment

The adjacent property owners are responsible for the boundary fencing and maintenance.

2.5 Gates and access

The public access point from Nelsons Lane to the northern section is by a pedestrian gate installed to prevent motorcyclists from entering the site. The adjacent field gate is locked and used for access by maintenance vehicles.

There are a number of unofficial access points from neighbouring properties onto the site. In order to manage these points to prevent the degradation of the site's rural character residential properties bordering the site will need to enter into a licence agreement with the landowner in respect of access (via hand gates or removal of boundary treatment) onto the open space.

A knee high rail extends across the access point from Aintree Court (adjacent to Mayfield Grove) that has to be stepped over to gain entrance into the site.

2.6 Bylaws

There are no bylaws in affect.

2.7 Designations

Mayfields is designated as 'open space' on the City of York Council's Local Plan. The site does not meet ecological criteria for designation, for example as a Site of Importance for Nature Conservation (SINC).

3 MANAGEMENT AIMS, OBJECTIVES AND DELIVERY

Management aims will need to be a sensible balance between nature conservation and public access.

3.1 Overall Aims and objectives

1. To maintain and enhance the site for nature conservation for the benefit of indigenous flora and fauna
2. To provide a safe & attractive public open space, with a particular emphasis on nature conservation
3. To provide a place to enjoy nature
4. To maintain the footpaths and access points.
5. To guide human access to develop refuge areas for wildlife
6. To work with local interest groups, residents associations and schools/colleges to maintain and enhance the site
7. To provide opportunities for educational use by local schools and colleges
8. To monitor the effectiveness of the management in maintaining and enhancing the wildlife interest of the site

In order to achieve these aims and objectives the developed management plan will need to ensure that as a minimum the following management practices and actions are delivered - a summary of which is included in Appendix 6.

3.2 Biodiversity

To manage the site as a dynamic mosaic of habitats and, in particular, maintain and enhance the diversity of structure, age and composition of the areas of woodland, pond, scrub and meadow. Although the site is split into a number of habitats, these are managed as a whole to contribute to the overall biodiversity of the site.

3.2.1 Woodland

Essential management

1. Undertake annual tree inspection.
2. Maintain the trees in a safe condition for continued public enjoyment.
3. Selective thin of landscape belts, remove unsuitable species.
4. Maintain vegetation to give statutory clearance above the highway by 5.2m and by 2.5m over the roadside footpath.
5. To ensure sight lines are clear to vehicles leaving/entering the car park.
6. Maintain vegetation to keep the primary paths through the site accessible.
7. Keep woody vegetation/trees from establishing at least 2.5m clear of passive gas vents.

Desirable management

1. Promote and maintain a native mixed broad-leaved woodland while removing non-native trees
2. Promote an increase in age class and structural diversity across the woodland
3. Promote the development of an understory with native species
4. Promote standing and fallen deadwood habitat
5. Plant native woodland bulbs

Tree management

The colonisation of the formerly waterlogged undulations by willow once provided a wet woodland habitat however with the exception of the pond they have all but dried out and succeeded to Birch, Ash and Oak woodland. The general management should look to encourage and maintain mixed broad-leaved woodland with a diversity of age structure and tree species giving consideration to climax woodland community of the area.

Initially the management is likely to be quite intense, later with a minimum of intervention as the site becomes more established.

There have been incidents of trees falling within the site. For public safety reasons it is therefore important that arboricultural inspections are arranged at suitable intervals.

Trees should be managed for wildlife giving consideration to the ultimate canopy size when they are in proximity to domestic property. Ultimately smaller growing trees should be favoured adjacent to property, with a phased removal and suitable replacement (if necessary) of ultimately large growing species close to property, particularly Willow which has a high water demand. Removing these trees will reduce the possibility of future conflict with such issues as subsidence, severe shading, encroachment of branches onto property, and complaints regarding debris and leaves.

The current understory composition is limited and could be enhanced by planting with species such as Hazel, Holly and Yew to create denser habitat for wildlife.

The flora of the woodland could be enhanced by planting native bulbs, such as Blue Bell, Wild Garlic and Wood Anemone. Ideally these would be planted in areas away from trampling pressures.

There should be a presumption against the use of fires to dispose of cut material.

Trees adjacent to neighbouring property

Trees are dynamic and generally throughout their lives increase in size. Whilst the woodland will be managed for the benefit of wildlife giving consideration to the ultimate growth size of trees and proximity to buildings it is recognised there will likely be requests from neighbouring properties for tree works. As such a supplementary policy has been developed, "Mayfields Tree Works Management Policy" for determining whether or not requests from adjacent residents for pruning or felling of trees in Mayfields should lead to action [Appendix 7].

Dead wood

Deadwood habitats are an ever decreasing but most valuable habitat, especially for fungi and invertebrates. They can easily be created by stacking small sticks and twigs, stacking logs, or placing whole trunks of felled trees. Habitat log piles can easily be incorporated into furniture within the site. For example, a hibernation seat can enhance biodiversity whilst being functional.

Log piles and wildlife towers such as an 'ivy-tat' (a habitat created by running ivy up a log structure) should be placed in partial shade, if they are sited in sunny places holes of varying size could be drilled for solitary bees to nest in and provide additional hibernation sites for minibeasts.

Dead wood from cut and fallen tree trunks and branches should, where possible, be left intact or in as large pieces as possible close to the parent tree to enhance biodiversity. This material may be moved for safety or access reasons. The retention of deadwood will however be a balance between

safety and wildlife considerations. Smaller logs and brash may either have to be removed or secured as children are prone to moving them around the site, and are often thrown into the pond.

Where a dead or dying tree is considered likely to pose a safety hazard, such as when above a path or close to property, height reduction should be considered to leave as much standing timber for habitat as is safely possible.

Woodland North of Nelson's Lane

Management works of the landscaping will require the removal of suppressed and less desirable trees giving considerations to long-term growth potential and proximity to neighbouring houses, i.e. look to remove ultimately large growing Willow and Oak where close to property, favouring Oak to be retained in areas distant from property. The retained trees will benefit from remedial works that will enhance their immediate condition to improve their chances of being retained in the medium to long-term.

The suppressed plants, if small enough could be moved to more favourable areas. Alternatively the suppressed plants could be 'ring-barked' to increase the amount of deadwood.

The newly planted Willow trees are beginning to dominate the area and should be removed to favour species more suitable in the long-term.

In more secluded areas of the new planting dead wood could be added in the form of log piles using material from the mature section of the woodland.

North east behind Hob Moor Terrace

The large Elm to the rear 26 Hob Moor Terrace showing early signs of Dutch elm disease infection should be removed and replaced with an understorey species e.g. hazel, set back from the property to provide a buffer strip between the property and trees. A private water supply runs along rear boundary of properties at approximately 2.5m deep so caution should be exercised if the stump is removed.

Woodland South of Nelson's Lane

The large over-mature Willows should be retained in the short term whilst new planting becomes established. They should be monitored on an annual basis to ensure that their condition does not deteriorate at an unreasonable speed and providing health is maintained, felling may not be necessary until the new planting has created a desirable habit. The Crack Willows around the rest of the site will need monitoring periodically for safety and stability reasons. Mature Willow trees can either be left if they are naturally regenerating and do not pose an undue danger or pollarded if deemed necessary.

The central Willows could be replaced with Oak. It would be worth considering the planting of Oak acorns sourced from local trees to provide future canopy trees. These could be planted in localised areas where recent removal or thinning has taken to place to allow enough light for the seedlings to develop.

The Cupressus trees planted in the woodland provide little wildlife benefit and should be removed and replaced with native evergreens.

Regeneration of Sycamore should be controlled within the woodland by removal of seedlings and thinning of saplings as necessary.

Surrounding the pond

The surrounding trees and tall herb vegetation should be managed in a manner suited to the pond habitat, preventing excessive shading and leaf infill, and providing sufficient space for fishing. The Willows and Alder would suitably be retained as they compliment the pond and provide an associated invertebrate rich habitat.

The trees on the northern side of the pond will require some management including periodic pollarding (10-15 years) of the Willows, ensuring that a screen is maintained. The Willows on the southern side should also be coppiced or pollarded as appropriate to reduce shading on the pond.

It will be suitable to remove tall trees from a short section to open the pond to south westerly winds to reduce the possibility of inversion and consequential fish mortality. Replacing the tall trees with low Hazel coppice stands and native evergreens will provide screening but allow air movement over the pond.

The depressions on the southern section of the site north west of the pond could be excavated to remove silt and accumulated leaves to recreate wetland/boggy areas. However given the density of canopy in the area and annual leaf input this will likely require significant input to maintain as a habitat.

3.2.2 Scrub

Essential management

1. Restrict encroachment into grassland areas
2. Remove ultimately large growing tree species

Desirable management

1. Maintain and enhance dense scrub areas for nesting birds

Scrub areas should be managed to restrict encroachment into grassland areas, and any tree species within the scrub areas should be removed to

prevent successional change into a woodland habitat.

The scrub should be managed to provide a suitable nesting area for birds such as Dunnock, Blackcap and Song Thrush. If a significant area becomes dominated by dead stems then this should be considered for clearing and replanting with a mixture of scrub species such as hawthorn and wild rose to provide dense nesting areas.

3.2.3 Rides

Essential management

1. Cut rides at the end of summer

Desirable management

1. Plant teasel in patches

The rides should be cut at the end of the summer and where possible, the cuttings should be removed to maintain the soil nutrient levels, however should this not possible they could be deposited alongside the rides in the scrub and treed areas to decompose naturally. After a number of cutting seasons and reduced soil nutrient status it may be possible to introduce wildflowers.

Teasel would suitably be planted in patches to provide a winter seed source for birds such as Greenfinch.

3.2.4 Meadow

Essential management

1. Mow the meadows annually at the end of summer, to encourage floral richness, thereby increasing its potential as a habitat for the fauna of the site

Desirable management

1. Leave small patches of uncut vegetation on a rotational basis
2. Plug plant with wildflowers to increase diversity
3. Encourage the use of the dog bin to help reduce meadow nutrient levels

Annual mowing and cutting back woody scrub is necessary management as grassland species can be lost very quickly following scrub encroachment. Cropping hay removes large quantities of nutrients taken-up from the soil and allows a greater diversity of plants to establish.

The meadow areas should be cut in August, with the hay crop removed. Small patches of tall vegetation would ideally be left for invertebrates, the area being left to be varied on a 4 year rotational basis [See Appendix 8 for tall vegetation compartment plan].

If vigorous, coarse vegetation is felt to be becoming too dominant, the area could be cut and raked off in April.

After 2 or 3 years of cutting and removing the hay to reduce soil nutrient levels consideration should be given to enhancing the floral diversity by putting in wildflower plug plants. For example, Meadow Buttercup, Knapweed and Yellow Rattle could be planted in areas where competition is likely to be higher. Cowslip, Wild pansy, Creeping Bellflower, Hoary Plantain, Kidney Vetch, Dropwort, Harebell could be planted in areas with less competition. Taller growing species e.g. Ox-eye Daisy, Meadow Sweet, Yarrow, Wild Carrot, should be planted around the edges of the meadow areas to avoid being trampled.

Reducing nutrient inputs from dogs could be achieved by encouraging the use of the dog bin located at the southern end of the main meadow adjacent to the entrance from Nelsons Lane.

If material from meadow cutting cannot be removed from site it should be piled in fixed locations to decompose naturally.

To maintain sufficient light reaching the meadow areas, consideration will need to be given to the ultimate size of nearby trees particularly adjacent the southeast, south and southwest aspects of the meadow. Ultimately smaller growing trees should be favoured in these areas.

3.2.5 Pond

Essential management

1. To maintain and restore visual screening of the site around the pond
2. To maintain and manage fishery

Desirable management

1. To develop pond surrounds so as to encourage wildlife, including shallows
2. To increase plant diversity at pond margins
3. To improve breeding habitat for fish and invertebrates
4. Introduce a pond dipping area for formalised educational groups
5. Discourage feeding waterfowl
6. Discourage the use of excessive amounts of fish bait

The management of the pond will be a balance between its use as a fishery and the wildlife habitat value it provides. Well-managed fishing ponds can be good for wildlife, and provide an important refuge for many freshwater species. Improving a pond for wildlife also improves the fishery habitat.

Successful pond management requires more than just stocking fish. It is also important to maintain the proper environmental conditions, to monitor fish

numbers, check for successful fish reproduction, and to keep out unwanted fish species.

People fishing require areas of open water so their lines are not entangled in vegetation. In meeting the recreational fishing of the pond, the relative areas of open water and aquatic vegetation will need to be carefully managed, so as not to adversely affect the health of the pond.

The pond has a limited floral composition that should be enhanced by planting emergent, submerged and marginal plant species such as Yellow Flag Iris, Flowering Rush, Brooklime, Arrowhead, Water Crowfoot, Stonewort. The use of vigorous plants such as Reedmace and Common Reed should be avoided as they are likely to dominate to the exclusion of other species. Any new plants should be sourced from a recognised nursery using local provenance. Using plants from domestic ponds should be avoided to prevent the spread of invasive and non-native plants. Increasing the plants in the pond will provide habitat for aquatic invertebrates and provide shelter for fish spawning.

Due to the pond having steep sides with little shelving and associated shallows areas the scope for planting is limited. Adding suitably inert material to areas at the side of the pond could be used to create water of varying depth and enable aquatic planting. It may be possible to extend the pond to create shallows on the west and south west sides. By suitable grading and establishing dense aquatic plants it may be possible to create areas to exclude mature Carp providing refuge for invertebrates and other pond life. Pre-planted coir fibre mats could be pegged into the pond banks to speed up plant colonisation and provide an instant habitat.

Other than fish stock there should be no introduction of animals as this may spread disease and invasive species. For example, moving frogs can spread Red Leg Disease. Animals will find their own way to the pond.

Feeding aquatic wildfowl should be discouraged as a regular supply of extra food can lead to artificially large numbers of waterfowl being present in the area. This can lead to an increase in the nutrient levels (build up of droppings) in the pond which favours the growth of algae, which can smother aquatic plants and can deprive the water of oxygen. Ducks are omnivorous, eating plants and insects, so increasing their numbers can reduce the wildlife potential of a pond – large numbers of fish can have a similar affect.

Angling can cause problems when excess amounts of protein-rich baits remain uneaten, adding unwanted nutrients to the pond.

Should the pond suffer from an algal bloom the application of barley straw can control the issue – as the straw decomposes, chemicals are released that

act as a natural herbicide to kill the algae. This is usually a short-term solution and the focus should be to reduce the nutrient levels of the pond.

The pond is deep enough to form layers of water with different temperatures - this is called thermal stratification. It occurs because of the large differences in density (weight) between warm and cold waters. Summer stratification can result in the formation of layers without oxygen in deeper water. If levels of dissolved oxygen in the pond become too low, it can result in fish mortality. Usually the pond will naturally destratify in the autumn when temperatures fall. This can be aided by increasing surface water movement, achievable by opening the pond up to south westerly winds by selective removal of tall trees.

3.2.6 Fauna

Desirable management

1. Erect bird and bat boxes on mature, stable trees
2. Create ivy tats, dead hedges, and hibernacular for insects

3.2.7 Undesirable species

Essential management

1. Control invasive species

The responsible body will assess the threat to biodiversity caused by potentially undesirable species and, where necessary and appropriate, control the invasive species by suitable management.

For example, Japanese Knotweed will have to be controlled by selective herbicide, as digging or cutting will likely spread the invasive plant further.

3.3 Community involvement

A 'community approach' is firmly based on working with local people to recognise and address issues affecting Mayfields, its environs and the wider built and natural environment. It would be difficult to manage the site effectively without input from others and the responsible body rely on consultation with a wide range of individuals and organisations

There should be opportunities for volunteers to be involved in practical conservation work and wildlife monitoring, encouraging the use of community groups where needed (e.g. BTCV, Community Payback).

Volunteers play a key role in protecting the site by patrolling, promoting responsible use, educating and advising visitors.

3.4 Consulting local groups and associations

Propose a meeting twice a year composed of representatives from a range of local groups, organisations, authorities and other stakeholders. Suitable groups may include:

Angling Club, Askham Bryan College, City of York Council, Friends of Hob Moor, Residents Groups, YNET, Yorkshire Wildlife Trust.

Communication would be aided by publishing an annual programme of activities and events for volunteers via a website such as Yortime and producing an annual newsletter.

3.5 Reporting incidents, accidents and dangerous occurrences

The main incidents affecting Mayfields include dogs not being kept under effective control, dog faeces, rubbish, fires started accidentally or otherwise, branches falling from trees.

Would look to adopt a 'community approach' encouraging local people to act as the 'eyes and ears' reporting any potentially harmful activities to the responsible body as soon as possible.

3.6 Managing boundaries

Manage vegetation on the residential boundaries and highways verges of the site and remove any encroachments where damage may occur.

The rural character of Mayfields could be damaged by unsympathetic boundary treatment of neighbouring properties, for example the use of gates and removal of fences would introduce an urban element into the site. It will be necessary for residential properties bordering the site to enter into a licence agreement with the responsible body in respect of access onto the open space.

3.7 Keeping paths open

Essential management

1. The existing path system should be maintained, with overhanging branches and encroaching vegetation cleared from the paths as necessary.

Mayfields is managed as a public open space that allows access on foot to all areas by all persons at all times, whilst maintaining wildlife refuge areas. The responsible body inspects the network of paths and keeps them free of obstruction such as low overhanging branches and encroaching vegetation.

The knee high rail extending across the access point from Aintree Court will need addressing, suitably being replaced with a pedestrian gate.

There are a number of informal paths through the site at present; none of

these are currently formalised Public Rights of Way (PRoW). To secure public access it would be viable to put forward for dedication as a PRoW the path that runs from the northern access adjacent to Hob Moor Terrace running south through site to Aintree Court. Also to dedicate as a PRoW the path along the old access track leading from Nelsons Lane running adjacent to the northern boundary of properties 4 – 22 Weddal Close.

The path around the eastern stretch of the pond is lined with coppiced willows that will likely needing regular works. This stretch of path will be more suitably designated as 'permissive' - the proposed designation of this path is not intended to be used as a means of preventing public access. It will be easier to close without formal consent and the implied cost should tree works be required.

[See Appendix 9 for suggested path designations]

3.8 Maintaining surfaced track

Essential management

1. Maintain and restore fabric of path as necessary

The path from Hob Moor Terrace leading south to Nelsons Lane has been surfaced to increase accessibility.

Members of the public are not allowed to use motor vehicles anywhere on the site.

Undertake monthly inspections of all surfaced routes, paths, rides, gates, and other countryside furniture (e.g. log seating). The surfaced track will be inspected and any damage will be repaired through a programme of maintenance and resurfacing work. The paths have some occasional low points that retain water during wet weather. These need to be raised so that they remain above the water level to maintain access throughout the year.

It is envisaged volunteers or local contractors carry out any maintenance and repair works. The responsible body will purchase any materials, and hire machinery and equipment needed to carry out the work.

3.9 Keeping the site cleaned and well-maintained

Essential management

1. Regular checks should be made and any litter found removed from the site.

For aesthetic as well as health and safety reasons, issues of cleanliness and maintenance will be adequately addressed.

3.10 Dog waste bins and litter bin

The City of York Council is responsible for the management of the litter bin and dog waste bins on and adjacent to the site. One litter bin is located within the perimeter of the play area off Nelsons Lane. Dog waste bins are located at the two entrance points to the northern section of the site, from Nelsons Lane and adjacent to Hob Moor Terrace.

3.11 Gathering information by research and surveys

Research at the site should be encouraged with links to local educational bodies e.g. Askham Bryan College, York University.

Information could include photographs, historical surveys and biological data. The programme of research and surveys should be linked to the aims.

3.12 Facilitating educational activities and school visits

With its variety of habitats Mayfields would make an excellent study site for local schools and colleges to use for fieldwork. The site is a potential educational resource and through educational activities could attract local families, primary schools, secondary schools, college students and youth groups.

The production of interpretative panels and a leaflet describing the history and habitats of the site will increase the public's awareness of conservation and explain the contribution of the site in providing a refuge for wildlife.

3.13 Health & Safety

The responsible body will need to meet all the requirements of the Health & Safety at Work Act 1974, in order to ensure the health, safety and welfare of volunteers, contractors and visitors to the site.

A buoyancy aid should be provided to be located by the pond.

3.14 Identifying hazards and reducing risks

The responsible body will ensure risk assessments and safe systems of work are completed and recorded before activities are undertaken on the site.

It will be necessary for the responsible body to undertake a risk assessment even when external contractors (e.g. Community Payback, BTCV) have carried out their own risk assessments.

There should be an inspection of tools, protective equipment and clothing used by volunteers and a check made of insurance cover of contractors.

3.15 To follow good practice to sustain economic, environmental and social development on and around Mayfields

There should be a commitment to delivering sustainability through onsite activities. The limits of the site's resources should be respected whilst seeking to improve the local environment and enhance biodiversity. Effective and innovative planning can reduce the resources used. However, it is inevitable that active land management generates by-products that no longer offer commercial benefit and may incur a cost for disposal as waste. Where possible, these by-products should be reused or recycled locally. For example,

- cut timber not used for habitat piles could be taken away by locals for firewood, as could wood chippings
- wood chip could be used on muddy paths where necessary to improve access
- wooden benches could be made from felled timber
- cut hazel stems could be used for fencing posts
- cut brash and hazel stems could be used to create dead hedging for nesting birds
- the hay crop from the meadow could be taken away for stock feed by a local farmer
- woody material and cut grass can be piled on site to provide habitat material for birds and small mammals.

3.16 Resource Evaluation

The activities and resources at Mayfield will be funded by a commuted sum provided by the developer of the adjacent site, at no cost to the local community. The responsible body will need to control expenditure of their budgets to deliver work activities efficiently and sustainability.

An annual income is also generated from the collection of fishing fees.

In line with the responsible body's functions it may be necessary for grants and other capital funding to be sought to supplement the annual income.

3.17 Preparing and reviewing management specifications

As part of planning, specifications should be prepared to guide work activities, seek consents and inform volunteers and contractors.

Methods should be used that do not harm important features, enhance biodiversity and encourage sustainable development.

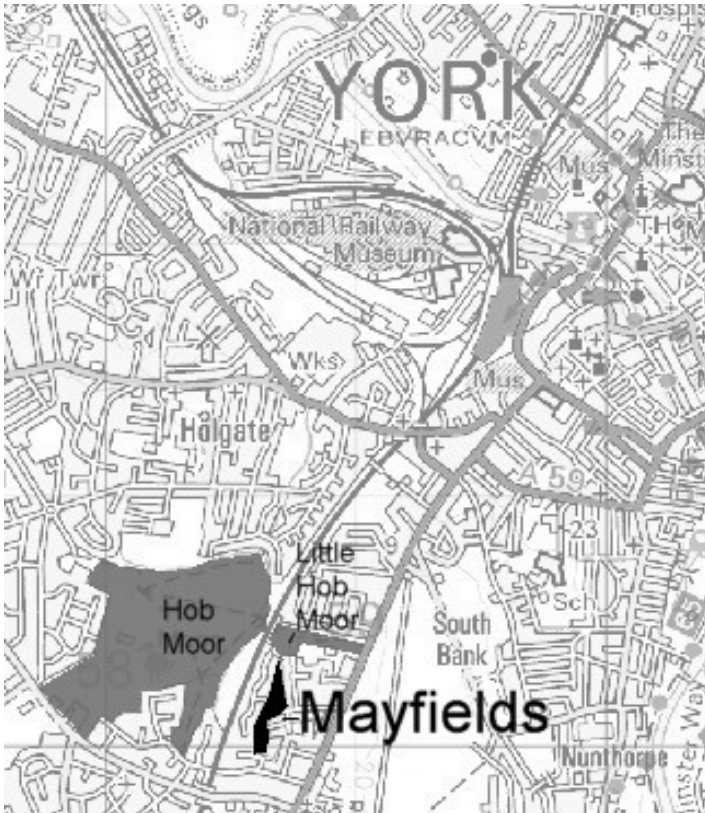
4 MONITORING REVIEW

This plan should be briefly reviewed annually to ensure that the work is being carried out and that it is having the desired effect. This management plan should be fully reviewed towards the end of this plan in 2022.

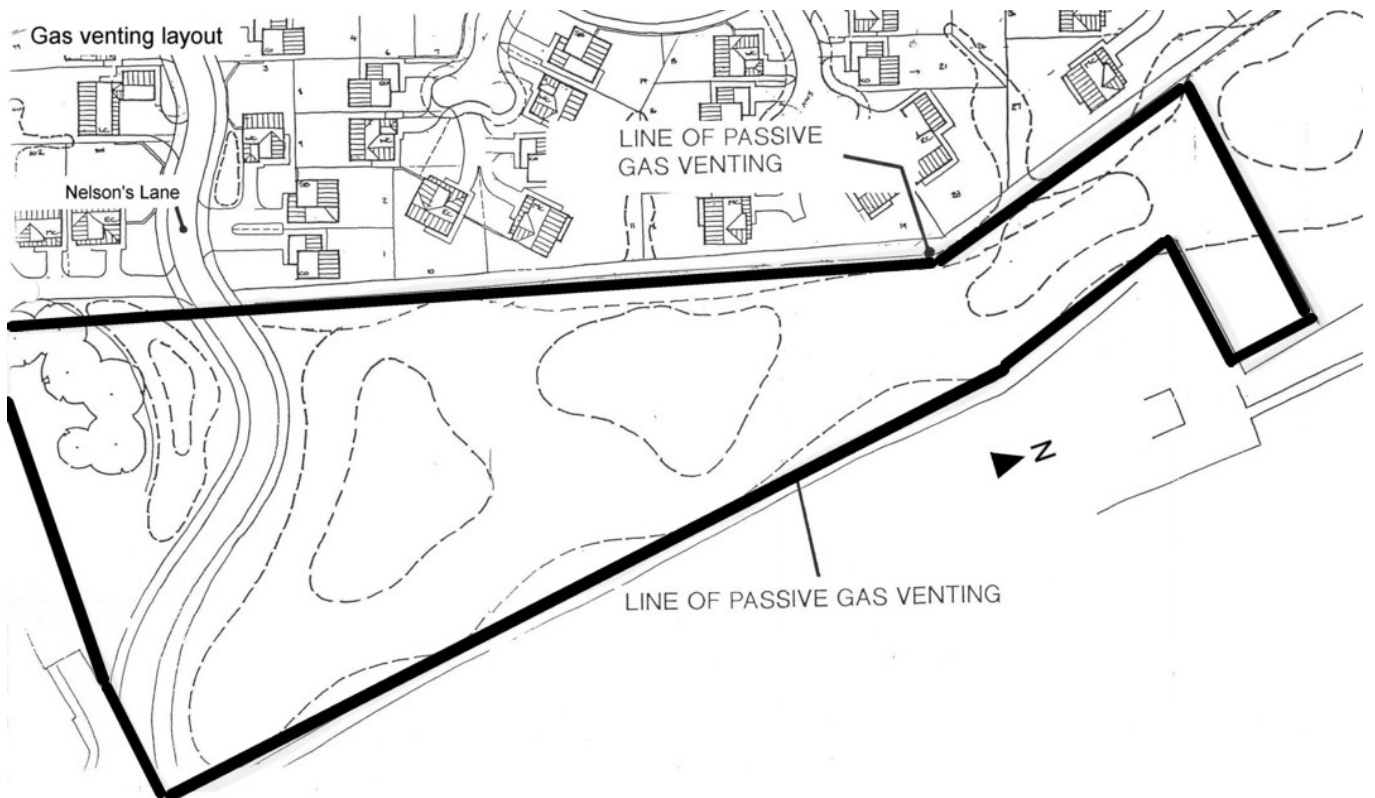
Management work carried out should be monitored with respect to the aims within this management plan. Biological records, including specific survey data, should be maintained and where practical the responses of the wildlife to management should be evaluated.

APPENDICES

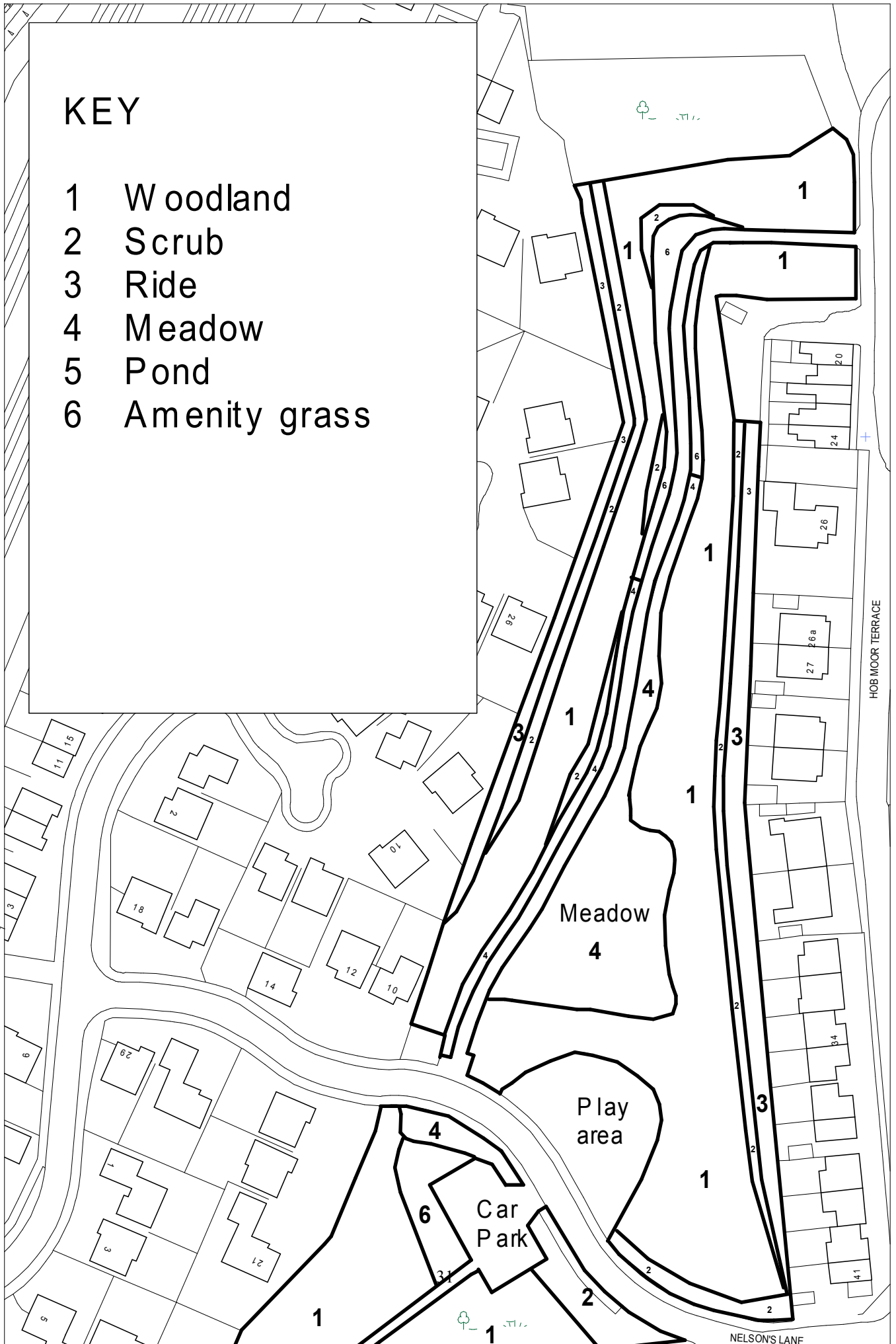
Appendix 1 Location Map



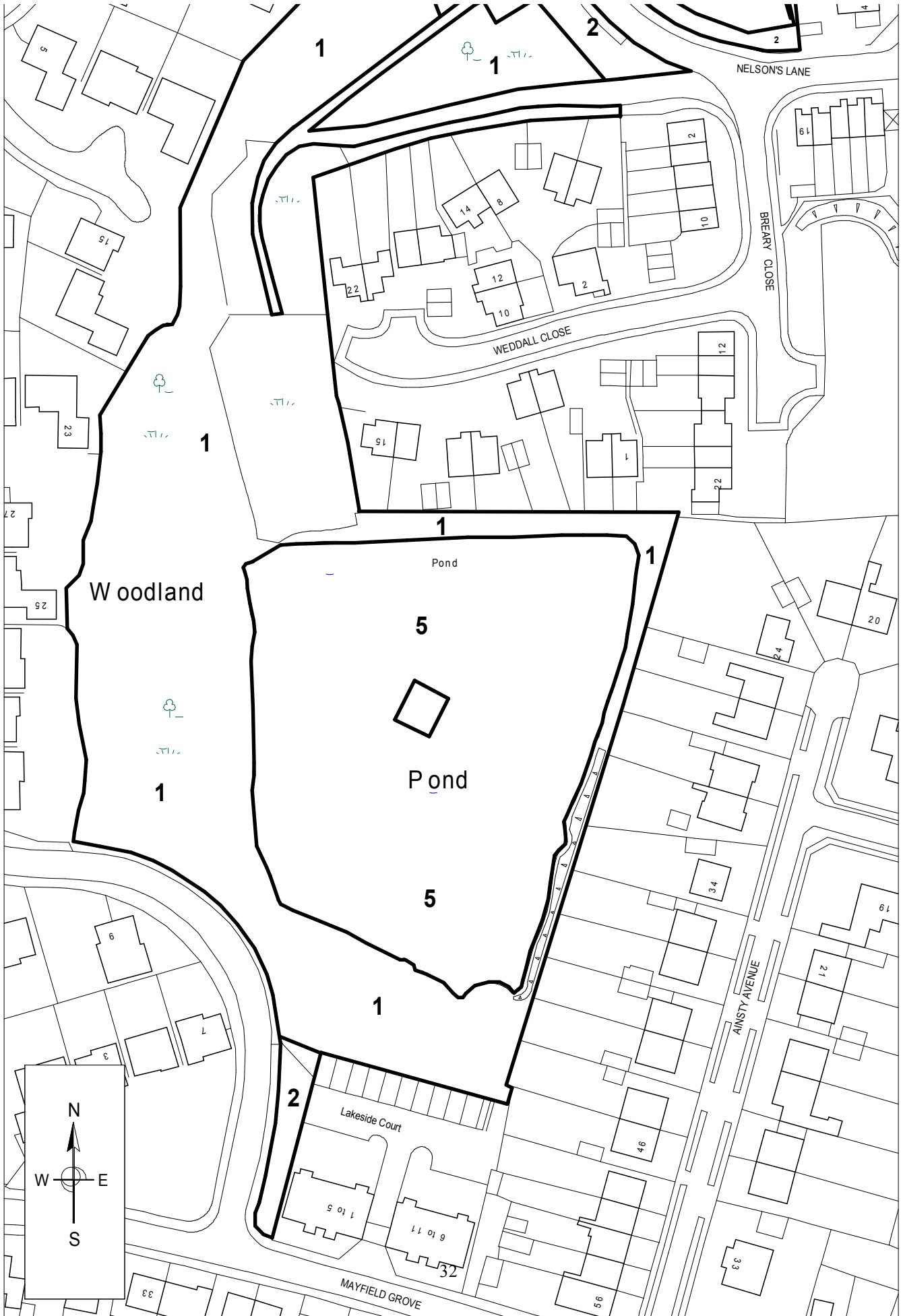
Appendix 2 Plan showing layout of the passive gas venting trench



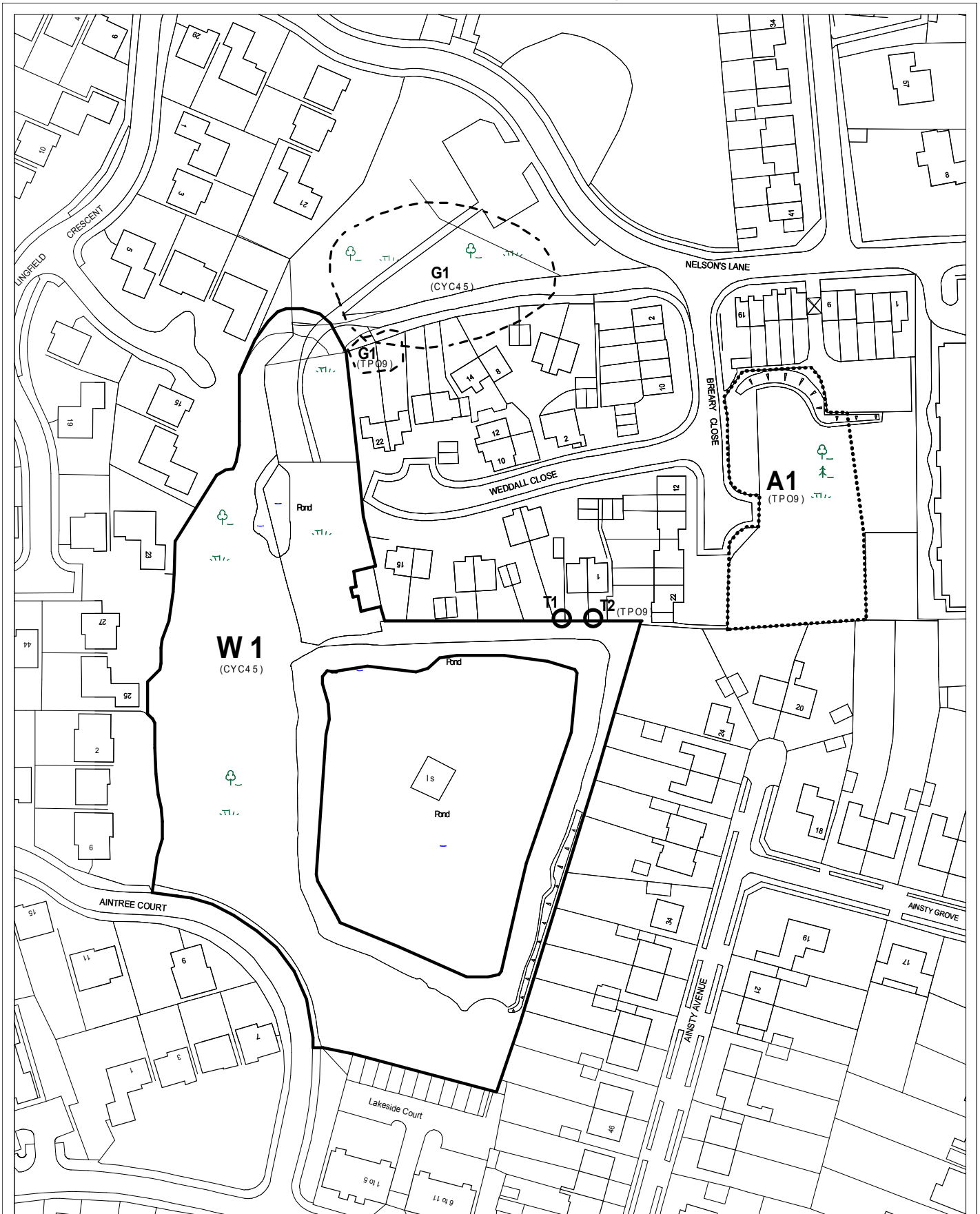
Appendix 3 Distribution of habitats – north section



Appendix 3 Distribution of habitats –south section



Appendix 4 Tree Preservation Order summary plan



Tree Preservation Orders

TPO No.: CYC45

G1 - Group of 10 willows

W1 - Mixed deciduous trees consisting of birch, willow, alder, beech, laburnum, hawthorn, polar, apple & cherry

TPO No.: 9

T1 - Lime

T2 - Lime

G1 - Group of Alder trees



Appendix 5 Public Rights of Way (PRoW) under investigation at Mayfields



Definitions:

Public Rights of Way

A public right of way, like a road, is a highway that can be used by the public at all times. Highways can be footpaths, bridleways and byways.

Definitive Map Modification Orders

Modification orders can be used to legally record existing public rights of way which are not shown on the Definitive Map, or to delete a route from the Definitive Map where evidence proves that it does not exist. They can also be used to correct the status of a route (from footpath to bridleway, for example) or to record specific details such as the legal width of a route.

Permissive Access

A permissive path is a path where the owner has given permission to the public to use the path. Although permission is usually granted on a long-term basis, it can be withdrawn at any time, and some permissive paths are closed for one day a year on a token basis.

Appendix 6 Mayfields Action Plan 2012 onwards

Aim 1

Enhance biodiversity by managing the meadow, woodland, scrub and pond for wildlife

To manage the site as a dynamic mosaic of habitats and, in particular, maintain and enhance the diversity of structure, age and composition of the areas of woodland, pond, scrub and meadow. Although the site is split into a number of habitats, these are managed as a whole to contribute to the overall biodiversity of the site.

Woodland

	Action	Benefit	Timescale	Essential	Desirable	Notes
1.1	Assess tree condition and list works	Monitor tree condition	From 2012 Annual	✓		Priority
1.2	Removal of hazardous limbs/trees	Safe use of site by visitors	From 2012 Annual	✓		Priority
1.3	Selective thin of landscape belts, remove unsuitable species	To remove competition and ensure long-term suitability of trees to their location	From 2012 Annual	✓		Priority
1.4	Maintain vegetation to give statutory clearance above the highway and footpath and to ensure sight lines are clear to vehicles leaving/entering the car park	Highway safety	From 2012 Annual	✓		Priority

1.5	Keep woody vegetation/trees from establishing at least 2.5m clear of passive gas vents	Prevent damage to structures	From 2012 Annual	✓		Priority
1.6	Remove non-native trees and replant with appropriate native tree	Enhance the wildlife habitat	October to February		✓	As resources allow
1.7	Plant understorey species such as hazel, holly	Enhance the wildlife habitat	November to February		✓	As resources allow
1.8	Leave small discrete log piles when carrying out management. Ensure these are not placed close to pathways	Provides habitats for small mammals and invertebrates	Annual/ ongoing		✓	As resources allow
1.9	Construct alternative habitat piles – ivytat, dead-hedging	Provides habitats for birds, small mammals and invertebrates	Ongoing		✓	As resources allow
1.10	Use arboricultural techniques for sympathetic management of the trees e.g. coronet cutting/natural fractures	Mimic natural processes that will enhance habitat, prolong lifespan of over-mature trees	October to February		✓	As resources allow
1.11	Coppice different Hazel trees on a 8 to 10 year rotational basis	Enhance habitat for flora and fauna	January		✓	As resources allow
1.12	Plant native woodland	Enhance floral	October to		✓	As resources allow

	bulbs, e.g. Bluebell, Ramsons, Wood Anemone	diversity	December			
1.13	Erect bird/bat boxes	Provides nesting habitats for birds and bats	September to January		✓	As resources allow

Scrub

	Action	Benefit	Timescale	Essential	Desirable	Notes
1.1	Prevent encroachment into grassland	Prevent meadow species loss	From 2012 Annual	✓		Priority
1.2	Remove tree species	Prevent succession thereby maintain habitat diversity	From 2012 Annual	✓		Priority

Rides

	Action	Benefit	Timescale	Essential	Desirable	Notes
1.1	Cut rides	Maintain habitat	From 2012 August	✓		Priority
1.2	Plant teasel in patches	Winter food source for birds	September		✓	

Meadow

	Action	Benefit	Timescale	Essential	Desirable	Notes
1.1	Introduce annual mowing regime	Habitat and food source. Areas of shorter grass can benefit some species.	From 2012 Annual, August	✓		Priority Remove cuttings
1.2	Mow in Spring	Knock back vigorous grasses/undesirable plant species	From 2012 As appropriate Early April		✓	As needed Remove cuttings. If meadow stabilises with good species diversity change to a single, annual cut in August
1.3	Retain rotational long grass strips	Longer grass provides a valuable habitat/food source for a wide range of invertebrates and other animals encouraging a greater diversity of species (including flowers) in the meadow	From 2012 August		✓	As resources allow Cut the edges of meadow in rotation on a 4 year cycle leaving a different side uncut each year.

1.4	Carry out biodiversity survey	To inform future management	From 2012 Annual		✓	As resources allow
1.5	Investigate feasibility of establishing plug/pot-grown wildflowers (local seed source)	Increase biodiversity within the meadow	From 2014 September to October		✓	Monitor, establish more if successful

Pond

	Action	Benefit	Timescale	Essential	Desirable	Notes
1.1	Plant trees/appropriate understory shrubs around periphery	Maintain screening, preserving rural character of pond	From 2012 November	✓		Priority
1.2	Maintain and manage fishery	Controlled provision of leisure activity	Ongoing	✓		Priority
1.3	Introduce shallows, by adding stable material into pond edges	Increase the variety of pond depths and their associated habitat provision			✓	
1.4	Plant emergent, submerged and marginal plants	Increase floral diversity benefitting wildlife and fishery	September		✓	

1.5	Monitor fish numbers, check for successful fish reproduction	Ensure fish health and continuity of population			✓	As resources allow
1.6	Maintain clearance to fishing points	Enable angling	Ongoing		✓	As necessary
1.7	Carry out biodiversity surveys	To inform future management	From 2012 Annual		✓	As resources allow
1.8	Introduce pond dipping platform	To aid educational access			✓	As resources allow
1.9	Discourage feeding waterfowl	To reduce nutrients in pond and damage to plants			✓	
1.10	Discourage the use of excessive amounts of fish bait	To reduce nutrients in pond			✓	

Aim 2

To include local communities in all aspects of site work to promote greater knowledge and understanding of Mayfields

It is important that the community feels a sense of ownership, pride and responsibility towards the site. Keeping the community informed about the site and management activities promotes a greater knowledge and understanding.

	Action	Benefit	Timescale	Essential	Desirable	Notes
1.1	Hold meetings with community and other interested parties	Encourage a sense of local ownership and	Twice a year	✓		

		understanding				
1.2	Erect information panels reflecting the site's history and wildlife	Increase public awareness and understanding of wildlife			✓	As resources allow
1.3	Produce a site leaflet	Increase public awareness and understanding of wildlife			✓	As resources allow
1.4	Produce newsletter and program of activities	Increase public awareness	Annually		✓	
1.5	Encourage educational use by schools	Increase awareness and understanding of wildlife			✓	
1.6	Encourage educational and practical use by colleges	Increase awareness and understanding of wildlife; ecological monitoring; practical maintenance			✓	

Aim 3

To manage access and opportunities for recreation, so that people continue to enjoy Mayfields

The site should be managed for the safe and quiet enjoyment of members of the public.

General maintenance

	Action	Benefit	Timescale	Essential	Desirable	Notes
1.1	Remove litter and throughout the site	Health & safety, aesthetics	From 2012	✓		As necessary
1.2	Control invasive species	Prevent degradation of flora and fauna		✓		As necessary
1.3	Maintain and repair paths	Continued safe access		✓		As necessary
1.4	Keep encroaching vegetation cut back from paths	Continued safe access		✓		As necessary
1.5	Install floatation device by the pond	Health & safety	2012	✓		
1.6	Remove foot rail at Aintree Court access point, install gate	Improve access			✓	As resources allow

Appendix 7 Mayfields Tree Works Management Policy - adjacent resident requests

Policies Governing the Management of Trees adjacent to property

Introduction

These policies are intended as guidelines for determining whether or not requests from adjacent residents for pruning or felling of trees in Mayfields should lead to action.

It is not possible to anticipate every situation and it is therefore important that whilst these policies guide decisions they should not be considered absolutely prescriptive. Furthermore, no one policy should be considered in isolation, but all relevant policies should be taken into account when reaching a decision.

As trees are individual living biological structures each case will be taken on its own merit and these policies should further be considered in the context of wider strategic aims relating to the management plan for the whole site.

As a general guideline trees will not be removed or be subjected to inappropriate Arboricultural management simply for the requirements of their biological function, such as dropping leaves, seeds and fruit.

Safety

Where there is a clear and foreseeable threat to the personal safety of residents or visitors, or to property, that is directly related to the condition of a tree, action will be taken to control that risk.

Risk that is an indirect consequence of a tree (e.g. slippery leaves on the pavement in autumn) will be dealt with through pruning only in unusual circumstances where other options are not available.

Unfounded or perceived fear of a tree or trees will not normally result in action to prune the tree.

Obstruction of the highway

The responsible body will seek to ensure that adequate clearance of the highway for the type of traffic using that highway is maintained at all times. Complaints about low branches over the highway and footpath will be considered and acted upon promptly.

Obstruction of street lights and road signs

The responsible body will endeavor to ensure that trees/vegetation do not obscure road signs or prevent street lamps from illuminating the highway.

Daylight loss

Action will normally only be considered where the separation between the tree and the window of the nearest habitable room is less than 6m for trees with a height of over 12m, or less than half the height of the tree for smaller trees, or where the separation between the edge of the canopy and a vertical line through that window is less than 2m.

A 'habitable room' means a dining room, lounge, kitchen, study or bedroom but specifically excludes WCs, bathrooms, utility rooms, landings and hallways.

Where a situation falls within these guidelines cases will be prioritised according to proximity and account will also be taken of the orientation of the affected window.

Television and other radio equipment

There is no right to good reception and in many cases it is possible to resolve issues of poor reception involving trees by finding an engineering solution. We will only consider requests to prune trees to improve reception where all the following conditions are true:

- Efforts have been made to find an engineering solution to the problem and have not been successful
- The work required is consistent with good Arboricultural practice and will not unduly affect the amenity or health of the tree
- The work required can be executed within current financial constraints (see below)

Leaves, seeds and fruit

Leaves and seeds are carried freely on the wind and are largely outside our scope of control. Clearing of leaves from gutters and pathways and weeding of set seeds are considered to be normal routine seasonal maintenance which adjacent property owners are expected to carry out. Pruning will not normally be undertaken to attempt to reduce the fall of leaves, seeds or fruit.

Honeydew

As with leaves, honeydew is not readily controllable by pruning and cleaning of affected surfaces can be considered to be routine maintenance. Pruning will not normally be considered solely as a way of alleviating problems with honeydew.

Wildlife

As with leaves and honeydew, the actions of the trees associated wildlife, such as birds, squirrels and insects etc. is considered to be beyond reasonable control. Pruning or other works will not normally be considered as a means of controlling such nuisance.

Subsidence

Tree related subsidence damage is a complex issue and each case will need to be considered on an individual basis.

Where damage has occurred the responsible body will require that adequate assessment and monitoring is undertaken to demonstrate that the tree(s) is involved and that such evidence be submitted in support of any request for action.

Requests for action based on an un-quantified possibility of damage occurring at an unspecified point in the future will not be considered unless there are other overriding reasons to take action.

Direct root damage

As with subsidence, cases of direct root damage will be considered on an individual basis. A balance will be struck between the nuisance experienced by individuals and the benefits offered by the tree to wildlife and the wider community.

Drain blockage

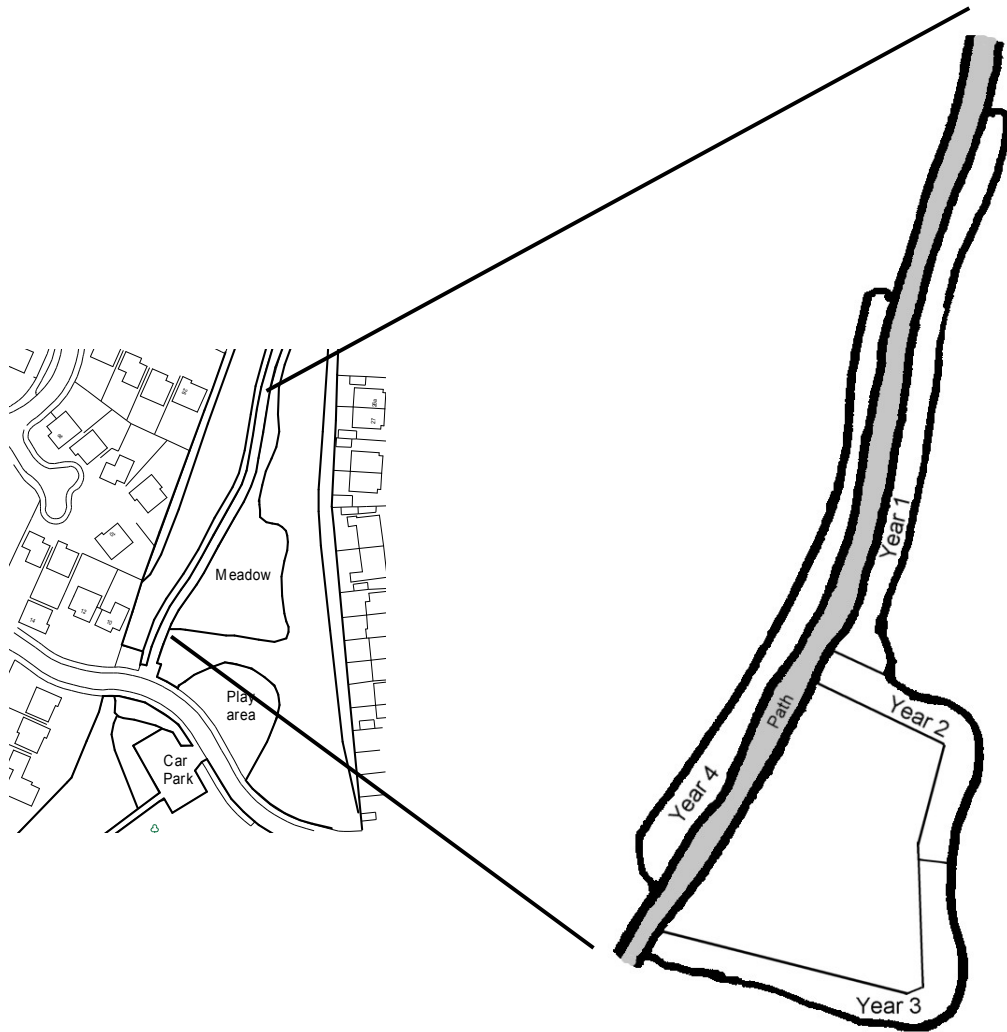
Trees do not usually have the capacity to break into a sound drain, but they will exploit any existing fault. The removal of one tree will not prevent other vegetation from exploiting the same opportunity.

The presumption is that the appropriate way to deal with tree root blockage of drains is to ensure that the drains are watertight. Accordingly, the responsible body will not normally take action in response to complaints that the trees are blocking drains.

Financial constraints

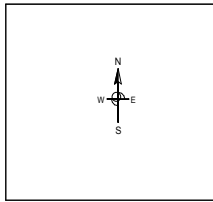
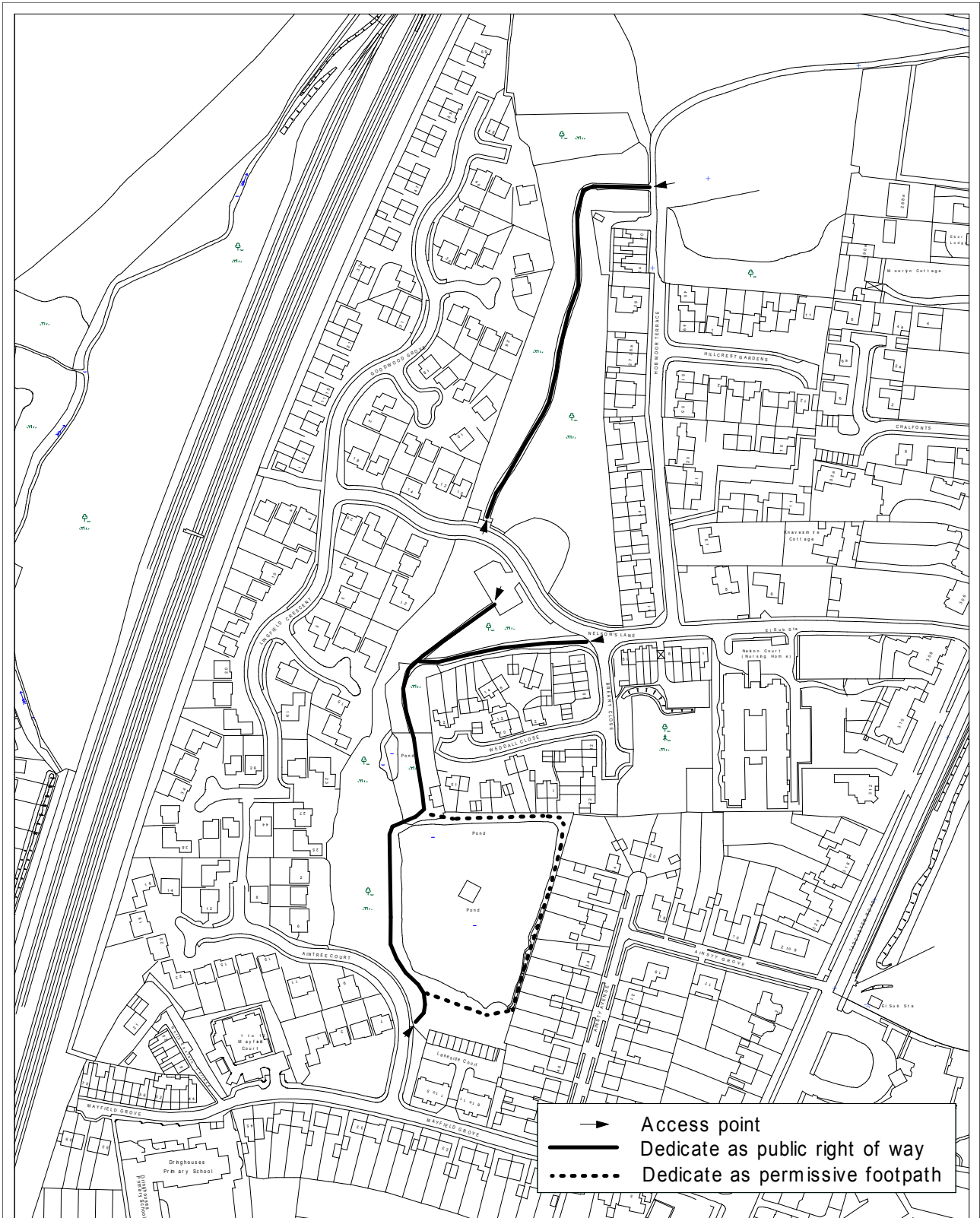
Unfortunately there are limited resources with which to manage the tree stock at Mayfields. The resource available has to be used holistically in keeping with the management policies and in some cases work simply cannot be justified on the grounds of priority. It is however realised that in many cases the problems of nuisance brought to the fore are of a real concern to the complainant, and in such cases certain works will be permitted to be undertaken at the complainant's expense if they so wish using insured, qualified contractors.

Appendix 8 Tall vegetation sections to be left when cutting the main meadow area



Alternating the location of long grass in this way will reduce the build up of thatch (a build-up of organic matter which can include, dead grass leaves, stems) and nutrients in one patch of grass, but still provide over wintering and egg-laying habitat for insects, and foraging areas for wildlife.

Appendix 9 Suggested path dedication



Mayfield Grove / Nelsons Lane woodland, pond, meadow - public access/footpaths

SCALE: 1:2500

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Decision Session – Cabinet Member for City Strategy**8 March 2012**

Report of the Director of City Strategy

City Strategy Capital Programme – 2012/13 Budget Report**Summary**

1. This report sets out the funding sources for the City Strategy Capital Programme and the proposed schemes to be delivered in 2012/13. The report covers the Integrated Transport and City Walls Restoration allocations.
2. Progress on the Accommodation Report and Community Stadium projects are presented in separate reports.

Background

3. Subject to approval at Full Council on 23 February 2012, the City Strategy Capital Programme budget for 2012/13 is anticipated to be £7,354k, which includes £1,910k of Local Transport Plan (LTP) funding, plus other funding from the Local Sustainable Transport Fund (LSTF) grant, developer contributions, council resources, and funding from the Department for Transport (DfT) for Access York Phase 1.
4. This is a significantly higher level of funding than was available in 2011/12 (£3,243k budget at Monitor 2), due to the provision of funding from the DfT for the Access York scheme and the LSTF grant funding.
5. The Access York Phase 1 funding is dependent on the receipt of Full Approval from the Department for Transport. This cannot be confirmed until tenders are received for the main works, which is not expected before October/November 2012.
6. The Economic Infrastructure Fund will provide additional opportunity to deliver schemes that will improve the transport network in the city.

An increased allocation has been provided to Access York from the Economic Infrastructure Fund (£2.2m increased to £2.5m), enabling additional LTP funding to be used on other projects across the city. It is anticipated that a joint approach will be taken using Transport and Reinvigorate York budgets (from the Economic Infrastructure Fund) to maximise the impact of improvement schemes within the city centre.

7. The LTP settlement confirmed in December is in line with expectations at a level approx. 50% below grants before 2010. An additional grant of £258k for 2011/12 was provided by the DfT for the LTP in the Autumn Statement. It is proposed to carry this forward for use in 2012/13.

Proposed Planning & Transport Programme

8. The proposed budgets have been split into a number of main blocks, which summarise the strategic aims of the third Local Transport Plan (LTP3) and the Council Plan. More details of the proposed allocations are included in the following paragraphs and in Annex 1 to this report. The allocations included in the table below include schemes committed in previous years and an allowance for overprogramming.
9. Overprogramming is used in the capital programme to ensure that the funding allocation is fully spent within the year. It allows additional schemes to be developed and delivered if other schemes are delayed due to unforeseen circumstances.
10. From the start of the LTP3 period, the level of overprogramming has been kept to a much lower proportion than in previous years, due to the reduced budget allocation. Overprogramming was set at £406k at the start of 2011/12 (representing 26% of the LTP allocation), compared to £1,167k at the start of 2010/11 (representing 40% of the LTP allocation).

Proposed Planning & Transport 2012/13 Programme	£000s
Access York Phase 1 (inc. bus priorities on A59)	4,673
Public Transport Improvements	250
Traffic Management	335
City Centre Improvements	60
Cycling & Walking Network	1,292
Safety Schemes	525
Previous Years Schemes	50
City Walls	267
Total Planning & Transport Programme	7,452
Over Programming	98
Total Planning & Transport Budget	7,354

11. The proposed programme for 2012/13 has been developed to support the five strategic aims of LTP3, and the priorities identified in the Council Plan. The programme takes account of the anticipated progress delivering schemes in 2011/12, including those schemes that may carry over into 2012/13, and includes schemes that were developed in 2011/12 for implementation in future years.
12. Owing to the low LTP budget settlement (50% of pre-2010 value), and the large specific match funding requirements for Access York and the Local Sustainable Transport Fund, options for other significant new schemes is extremely limited. The relatively high Cycling and Walking Network improvements block is principally due to projects in the Local Sustainable Transport Fund programme.
13. The Access York Phase 1 allocation will allow the development and commencement of construction of the main elements of the Access York Project. It is proposed to complete the design and deliver the bus priority measures along Boroughbridge Road in advance of the main contract for the A59 Roundabout and Poppleton Bar Park & Ride site commencing. The detailed design of the two sites (Askham Bar and Poppleton Bar) and the A59/A1237 roundabout will be

completed early in 2012/13, and tendered with commencement on site expected in early 2013. An allocation has also been included for upgrades to existing Park & Ride sites.

14. In the Public Transport block, it is proposed to provide funding for a review of bus priorities in the city centre and bus stop upgrades across the city. There are also a number of LSTF schemes to be progressed in 2012/13, including the provision of real-time information displays and bus stop improvement works.
15. The Traffic Management block includes funding for the development of the James Street Link Road Phase 2 scheme, which is dependent on a Growing Places bid and the developer programme. The Urban Traffic Management & Control (UTMC) and Bus Location & Information Sub-System (BLISS) schemes will include funding for equipment upgrades for the move to West Offices.
16. The City Centre Improvements block will allow the extended Footstreets hours to be implemented, and the preparation of options for the extension of the Footstreets, which it is anticipated will be implemented with funding from Reinvigorate York. An allocation is also included to address air quality issues in the city centre.
17. The Cycling and Walking Network block includes a number of schemes from the LSTF programme, which have been developed in 2011/12 for implementation in 2012/13:
 - Haxby to Clifton Moor Cycle Route: provision of off-road cycling facilities parallel to the A1237 Outer Ring Road.
 - Foss Islands Route Upgrade: Contribution to Sustrans for major repairs to the Foss Islands route between Nestle and Melrosegate Bridge.
 - Improvements to pedestrian facilities in Clifton Moor and Monks Cross.
 - New link from Sustrans Route 65 to Clifton Moor Business Park.
 - New Earswick to Huntington Link: Improvements to the existing Public Right of Way between Haxby Road and Huntington Road.
18. LSTF grant funding is also available for a number of smaller schemes, including infrastructure improvements identified in the cycle route audit, and match-funding to employers towards the cost of providing cycle parking.

19. Funding has been allocated for pedestrian improvements in the Fishergate area to improve links to the Barbican Centre, and improvements to the pedestrian route between York Station and Rougier Street.
20. Allocations have also been included for improvements to strategic cycle routes to the city centre and the route over the A1237 Rawcliffe Bridge; minor pedestrian and cycle schemes, including the installation of dropped kerbs following requests from residents; and a contribution to the Howden Dike crossing scheme.
21. Funding has been allocated for the implementation of the city-wide 20mph limit scheme in 2012/13, which will be progressed following a report to the April Decision Session to gain approval for the proposed policy.
22. An allocation has been included to continue the Safe Routes to Schools programme to improve walking and cycling routes to schools.
23. Funding has also been provided for schemes to improve safety, including local safety schemes, danger reduction schemes, and speed management schemes.
24. As in previous years, an allocation of £50k has been included to fund retentions, final completion works, and items identified during the safety audits of schemes completed in previous years.
25. The City Walls allocation will be used to carry out maintenance work at Walmgate Bar, which was slipped from the 2011/12 capital programme at the Monitor 2 report.

Consultation

26. The capital programme was developed under the Capital Resource Allocation Model (CRAM) framework, and is subject to approval at Full Council on 23 February 2012. While consultation is not undertaken for the Integrated Transport capital programme on an annual basis, the programme follows the principles of the Local Transport Plan, and consultation is undertaken on individual schemes as they are progressed.

Options

27. The Cabinet Member has been presented with a proposed programme of schemes, which have been developed to implement the priorities of the Local Transport Plan and the Council Plan.

Analysis

28. The programme has been prepared to meet the objectives of the LTP3, implement the schemes identified in the LSTF bid, and contribute the match funding required for the Access York scheme.

Council Plan

29. The City Strategy Capital Programme supports the following corporate priorities:
 - Get York moving: improvements to the city's transport network, through the schemes included in the capital programme, will contribute to the aim of providing an effective transport system that lets people and vehicles move efficiently around the city.
 - Protect the environment: encouraging the use of public transport and other sustainable modes of transport will contribute to cutting carbon emissions and improving air quality.

Implications

30. The report has the following implications:
 - **Financial** – see below
 - **Human Resources (HR)** – There are no HR implications
 - **Equalities** – There are no Equalities implications
 - **Legal** – There are no Legal implications
 - **Crime and Disorder** – There are no Crime & Disorder implications
 - **Information Technology (IT)** – There are no IT implications
 - **Property** – There are no Property implications
 - **Other** – There are no other implications

Financial Implications

31. The LTP allocation for 2012/13 was confirmed by the Department for Transport on 22 December 2011. Subject to full approval at Full Council on 23 February 2012, the full City Strategy Capital Programme budget for 2012/13 is anticipated to be **£7,354k**. The programme will be amended to include carryovers from the 2011/12

Capital Programme in the City Strategy Capital Programme
Consolidated Report to the July Decision Session.

32. The programme is funded as follows:

Funding	2012/13
	£000s
Local Transport Plan	1,910
Section 106	300
Access York – CYC Funding	491
Access York – EIF	300
Access York – Section 106 Funding	213
Access York – DfT Funding	2,969
Local Sustainable Transport Fund	904
CYC Funding (City Walls)	267
Total Budget	7,354

33. If the allocations proposed in this report are accepted, the total value of the City Strategy Planning & Transport Capital Programme for 2012/13 would be **£7,452k** including overprogramming. The overprogramming level of £98k is felt to be appropriate for the level of funding available in 2012/13.

Risk Management

34. The Capital Programme has been prepared to assist in the delivery of the objectives of the Local Transport Plan. Owing to the lower availability of funding there is a risk that the targets identified within the plan will not be achievable.

35. The funding from the DfT for the Access York scheme is dependent on final approval of the scheme, anticipated to be in November/December 2012.

Recommendations

36. The Cabinet Member is requested to:

- i) Approve the proposed 2012/13 City Strategy Capital Programme as set out in this report and Annex 1.

Reason: To implement the council's transport strategy identified in York's third Local Transport Plan and deliver schemes identified in the council's Capital Programme

Contact Details

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Chief Officer Responsible for the report:

Richard Wood
Assistant Director Strategic Planning and Transport

Report **Date** *Insert Date*
Approved

Chief Officer's name
Title

Report **Date** *Insert Date*
Approved

Specialist Implications Officer(s): N/A

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

For further information please contact the author of the report

Background Papers:

City Strategy Capital Programme: 2011/12 Monitor 2 Report – 5 January 2012

Annexes

Annex 1: Proposed 2012/13 City Strategy Capital Programme

Scheme Ref	12/13 City Strategy Capital Programme	12/13 Programme (Total)	Comments
		£1,000s	

Access York Phase 1			
New	Access York Phase 1 Bus Priorities	1,050.00	Plantation Drive, Water End and Holgate Park/ The Fox sections
New	Access York Phase 1 Main Sites	3,573.00	Askham Bar & A59 sites - construction to start in Jan 2013
New	Park & Ride Upgrades	50.00	Upgrade and structural maintenance at existing P&R sites

Access York Phase 1 Programme Total	4,673.00
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Public Transport Improvements			
Various	Public Transport Improvements	50.00	City centre bus priority study; city-wide bus stop upgrades
Various	LSTF - Public Transport	200.00	Real Time Passenger Information bus fits & displays at stops; Traffic signal priority; bus stop upgrades

Public Transport Improvements Programme Total	250.00
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Traffic Management			
JS01/09	James Street Link Road Phase 2	175.00	Delivery dependent on Growing Places Fund bid and developer programme
New	Urban Traffic Management & Control (UTMC)/ Bus Location & Information Sub-System (BLISS)	160.00	Upgrade of equipment and move to new control room

Traffic Management Programme Total	335.00
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City Centre Improvements			
PE04/11	Footstreets Enhancements	10.00	Delivery of extended hours and preparation of options for extension to Footstreets zone
New	Air Quality/Charging Points	50.00	Purchase of air quality monitoring equipment; provision of charging points for electric vehicles

City Centre Improvements Programme Total	60.00
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Scheme Ref	12/13 City Strategy Capital Programme	12/13 Programme (Total)	Comments
		£1,000s	

Cycling & Walking Network			
MM02/11	Fishergate (Pedestrian Route to Barbican)	200.00	Delivery of Phase 1 (Paragon Street crossings) and completion of design of Phase 2 proposals
PE04/11	Station to Rougier Street (Ped Scheme)	10.00	Funding from Reinvigorate York and LSTF in 2013/14 anticipated for implementation of scheme
CY10/11	LSTF - Haxby to Clifton Moor Cycle Route	300.00	Off-road route parallel to A1237 to be constructed over two years. Full allocation £700k (2012/13 + 2013/14)
New	LSTF - Foss Islands Route Upgrade	100.00	Grant to Sustrans for major repairs along route
PE06/11 & PE07/11	LSTF - Clifton Moor/ Monks Cross Ped Links	170.00	Various minor schemes to improve pedestrian facilities
CY11/11	LSTF - Link from Sustrans Route 65 to Clifton Business Park	65.00	New off-road link to business park from Route 65
PE05/11	LSTF - New Earswick to Huntington Link (PROW)	70.00	Improvements to existing Public Right of Way by Huntington Church
Various	LSTF - Other Capital Schemes inc LTP Match Funding	152.00	Match funding for cycle parking at schools, colleges, and businesses; cycle infrastructure improvements; improvements to route along River Foss under A1237
New	Cycling Network Priority Schemes	150.00	Improving routes to/from city centre including access to new Council offices e.g. Bar Lane/Toft Green/Tanner Row Route; A1237 Rawcliffe Bridge
Various	Cycling/Pedestrian Minor Works	75.00	Minor cycle and pedestrian improvements, including dropped crossings programme and 50% contribution to Howden Dike scheme

Cycling & Walking Network Programme Total	1,292.00
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Scheme Ref	12/13 City Strategy Capital Programme	12/13 Programme (Total)	Comments
		£1,000s	

Safety Schemes			
Various	20mph Programme	250.00	Implementation of city-wide scheme following approval of 20mph policy
Various	Safe Routes to School - LSTF Match Funding	100.00	Continuation of Safe Routes to Schools programme; implementation of schemes developed in 2011/12
Various	Safety & Danger Reduction	175.00	Local Safety Schemes; Danger Reduction schemes; Speed Management process; Traffic calming measures on distributor routes; Street Declutter; Minor signing & lining

Safety Schemes Programme Total	525.00
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Previous Years Schemes			
-	Previous Years Schemes	50.00	Budget required for minor completion works and retention payments

Previous Years Schemes Total	50.00
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Total Integrated Transport Programme	7,185.00
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City Strategy Maintenance Budgets

City Walls			
CW01/12	City Walls Restoration	267.00	Restoration of Walmgate Bar

Total City Walls	267.00
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Total City Strategy Maintenance Programme	267.00
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Total City Strategy Programme	7,452.00
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Total Overprogramming	98.00
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Total City Strategy Budget	7,354.00
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**Decision Session –
Cabinet Member for City Strategy**

8th March 2012

Report of the Director of City Strategy

City Centre Footstreets TRO Amendments (part 1) Objections

Summary

1. The purpose of this report is to consider the representations made following the advertising of amendments to various Traffic Regulation Orders in and around the city centre footstreets and makes recommendations on how to progress the proposals.

Recommendations

2. It is recommended that the Cabinet Member approves the following:
 - Ongoing improvement of disabled parking provision,
 - implementation of the Traffic Regulation Order to remove the Pay and Display parking bays in (see also Annex A):
 - Goodramgate (13 spaces),
 - Duncombe Place (8 spaces),
 - Blake Street (9 spaces),
 - Lendal (9 spaces).and replace them with double yellow lines (no parking at any time)
 - implement the Traffic Regulation Order to make access into the Newgate Market area for loading only by permit holders (see Annex B).
 - Implement the Traffic Regulation order to permit cyclists to use High Petergate between Bootham Bar and Duncombe Place. However this is to be for a 12 month trial period and is to be the subject of a further report in due course.

Reason:

- to provide some improvement for disabled parking,

- to remove intrusive parking in, and excessive travel by motor vehicles through the central area seeking the very limited on street parking,
- allow the removal of street furniture, some of which is very expensive to maintain, repair or replace, in areas of historic importance, and
- begin the simplifying of the traffic regulations in the central area whilst reasserting the special nature of the pedestrian zone.
- trial measures to better inform future decisions on the operation of the footstreets

Background

3. At the 1st December meeting of this Decision Session approval was given to initiate some changes and advertise several amendments to the Traffic Regulation Orders governing traffic movement and parking in and around the footstreet area:
 - Increase the number of dedicated disabled parking bays in Castle, Piccadilly, Bootham Row and Monk Bar car parks (no legal notice required and plans have moved forward for implementation)
 - Replacing city centre on street pay and display bays with no waiting at any time double yellow lines (see Annex A). The aim of this is to reduce the volume of through traffic in the central area at night to improve the environment and encourage a continued growth in the evening economy. An additional affect of this action is that those with Blue badges would have greater opportunity than at present to park on an evening and Sunday morning.
 - Unifying the Newgate Market area vehicle access / loading restriction (see Annex B). This is aimed at removing current problems relating to parking.
 - Simplifying the vehicle access restrictions through Bootham Bar. The purpose of this proposal is to improve the cross town cycle route facilities and allow the removal of the large sign from the front of Bootham Bar (see Annex C).
 - Closing off the slip road from Duncombe Place to Blake Street (no objections received and the scheme has moved forward for implementation – see Annex D)

- Installing advisory max speed 10 signs at key entry points (no legal notice required and are currently being implemented)
4. The additional benefits of taking forward these proposals are the reduction in street furniture and removal of equipment that is expensive to maintain, repair and/or replace. Hence there will be ongoing cost savings for the City.
 5. The proposals were formally advertised before Christmas on street and in the local press in line with the legal requirements. In keeping with current City of York Council practise, details were delivered to properties adjacent to where the proposed changes would be and in addition was further extended to include all properties in the streets where the proposals would take effect.
 6. Although the legal consultation period required of 3 weeks for objections was published it was acknowledged because this would include the Christmas period and the start of the January sales, both of which are very busy times for many in the city centre, hence any representations received in the 2 weeks after the closing date have also been included in this report for consideration.

Discussion and Options

7. There have been 10 representations made regarding the:
 - Replacement of pay and display parking with double yellow lines
 - Changes to the market area access and loading restrictions, and
 - Allowing cyclists to travel through Bootham Bar throughout the day

A précis of each representation along with officer comments are outlined in Annex E and the key issues are highlighted below together with recommended options:

On Street Pay and Display Parking Bays

8. The key issues raised are:
 - The impact the loss of parking will have on some members of the community; and

- The adverse impact on the evening economy.

9. Officers response:

At present drivers are drawn into the city centre seeking potential empty parking spaces but because these are quite limited in number drivers then have to travel through the central area to park elsewhere. Importantly, there is no scope to limit use of, or reserve these spaces for those who could be considered to have the greatest need of the closest parking availability to the central area. Whilst clearly further from the central area, Bootham Row and Monk Bar car parks are only around 400m further out from Blake Street and Goodramgate respectively. It should also be noted that whilst drivers generally would be unable to continue parking in these areas blue badge holders would still be able to park for up to 3 hours on the yellow lines, hence those with reduced mobility will to some degree have improved access conditions. Although this does appear contrary to the intentions stated initially of removing traffic from the central area because the ability to park is for a much reduced proportion of drivers than the current free for all the overall aims of the proposals should be achieved. However, it would be preferable to maximise this, hence the better disabled parking provision plans for the off street car parks being taken forward.

It is very doubtful the existing parking provision has made a significant contribution to the aspirations of improving the evening economy of the central area. People come to the city centre on an evening because of the pubs, clubs, cafes, cinema, etc not because of slim chance of being able to park in one of the few parking spaces. By improving the environment (in this case by removing through vehicles and their associated noise, pollution, intimidating speed, etc) there is increased scope for the streets to be used for other more attractive uses such as pavement cafes, festivals and events more geared up to pedestrians who stop and take part in what's on offer rather than simply passing through. Businesses are then able to determine if the services they have to offer can be tailored to take advantage of the changes. For example, a cafe or restaurant may be able to expand their business into the street.

10. Options

- a) Implement the proposals as advertised, this is the recommended option.

- b) Implement part of the proposals (for example allow parking to continue on one or more of the streets), a restriction of reduced severity or re-advertise alternative proposals. This is not the recommended option because it would not achieve the aim of reducing traffic movements in the city centre.
- c) Drop the proposals and take no further action. This is not the recommended option because it would not achieve the aim of reducing traffic movements in the city centre.

Newgate Market Area Vehicle Access / Loading Restriction

11. The key issue here relates to placing further restrictions on the ability of businesses to get their deliveries.

12. Officers response:

The main aim of these proposals is to prevent the use of the market area as a car park in the evening or overnight. Complications surrounding the ability to carry out enforcement depending on where the vehicles are left have lead to the proposal to allow bollards to be put in place at the ends of the streets into the area to prevent its use. However, because it is fully appreciated that there are lots of businesses that require their deliveries to be made using this area (outside the footstreet hours) the concept is that these businesses will have a permit that allows them to have deliveries through the bollards; hence there should be no detriment to the businesses.

13. Options

- a) Implement the proposals as advertised. This is the recommended option.
- b) Implement a restriction of reduced severity or re-advertise alternative proposals. This option would not overcome the concerns raised by the objector and is not therefore the recommended option.
- c) Drop the proposals and take no further action. This is not the recommended option because it would not achieve the aim of removing parking from the area.

Vehicle Access Restriction through Bootham Bar

14. The issue raised here is with regards to the safety of mixing pedestrians with cyclists.

15. Officers response:

There is often quite heated debate on the pros and cons of allowing pedestrians and cyclist to share the same space and much could be said on the very low level of reported injury accidents involving the two. Equally however there are strong feelings on what are more common events of the two “exchanging words and views” following an unexpected close encounter or difference of opinion. These instances whilst not dangerous or likely to cause injury are not at all pleasant. Rather than try to balance these two opposing views a wider look at the area is needed to appreciate the benefits and potential accident savings. The route across the front of the Minster has been used ever since the road was closed to motor traffic and is part of an important link cyclists are able to use west to east (and vice versa) across the city centre. By extending west to east section of the route along this section of High Petergate cyclists journeys are reduced by 150m, but more importantly they are able to remove themselves from a very busy section of the inner ring road and a traffic signal junction. Because the instances of conflicts between cyclists and drivers is many times (100’s) more frequent than between pedestrians and cyclists there should be some (though difficult to measure) contribution to safety in the city.

As is mentioned above, this matter will be of considerable interest and subject of much opinion. It is therefore considered appropriate that this measure if implemented should be for an initial trial period of 12 months in which time the practical outworking of such a move can be assessed and used as an informative guide for future discussion

16. Options

- a) Implement the proposals as advertised. This is the recommended option, but review after a period of 12 months.
- b) Re-advertise alternative proposals.
- c) Drop the proposals and take no further action. This is not the recommended option because it does not achieve the aim of improving cross town cycle route facilities, nor does it allow

the removal of the large sign from the front of Bootham Bar (see picture in Annex C).

Consultation

17. As mentioned above changes to Traffic Regulation Orders have to go through a formal legal process before they can be implemented and York exceeds the minimum legal requirements. If these objections are overturned the proposed Traffic Regulation Order amendments will be made and the necessary works will be implemented.

Corporate Strategy

18. Considering this matter contributes to the corporate strategies of Thriving City, Inclusive City and City of Culture.

Implications

19. There are no legal, financial, HR, crime and disorder, sustainability, equalities or property implications associated with the recommendations in this report.

Risk Management

20. In compliance with the Council's risk management strategy there are no risks associated with the recommendations in this report.

Contact Details:

Author

Alistair Briggs
Traffic Network Manager
Tel No. (01904) 551368

Chief Officer Responsible for the Report

Richard Wood
Assistant Director City Strategy

**Report
Approved**



Date 23/2/2012

Wards Affected: Guildhall

All

For further information please contact the author of the report

Annex A - City Centre Night Time Pay and Display Parking Bays

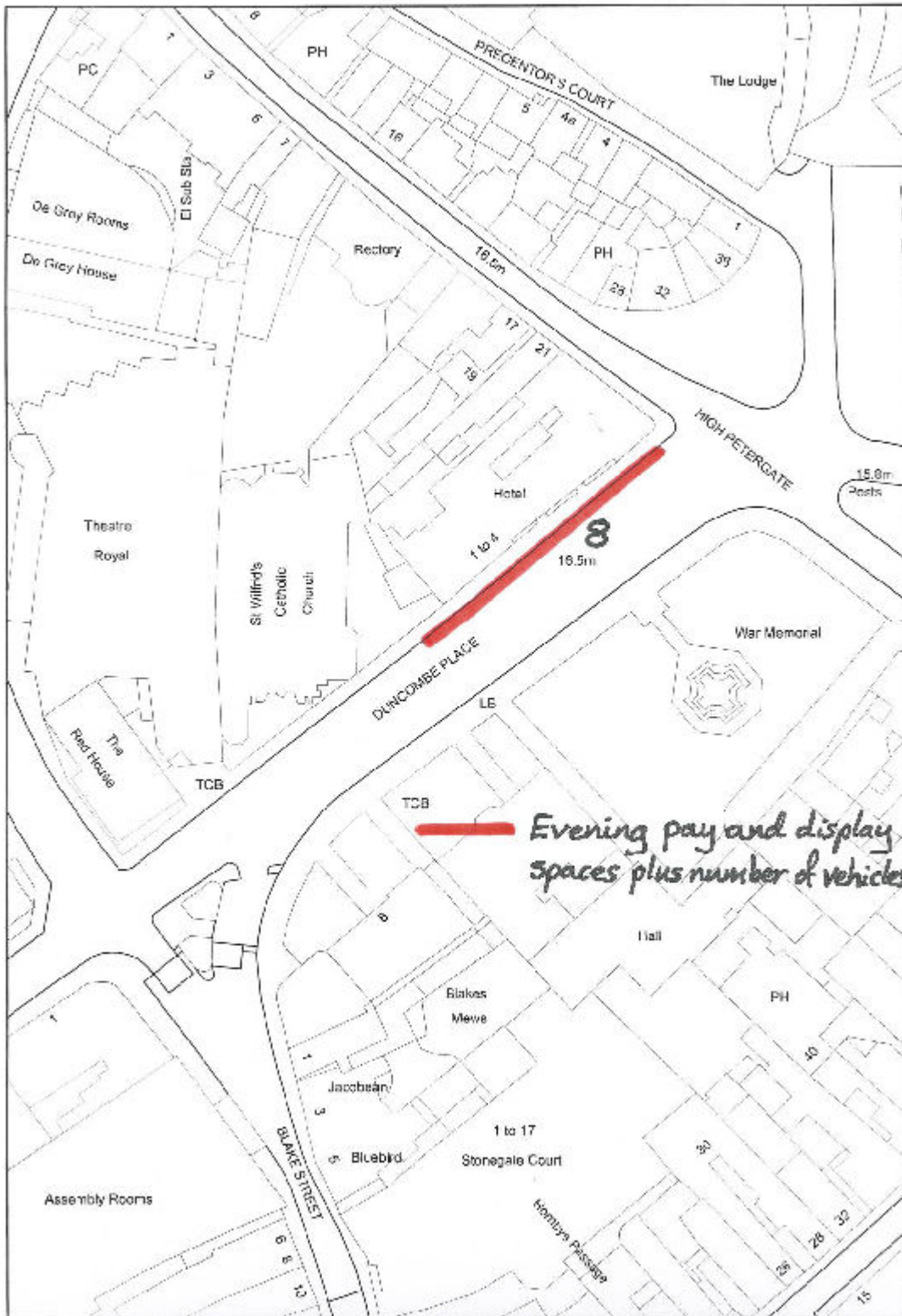
Annex B – Newgate Market Area Vehicle Access / Loading Restriction

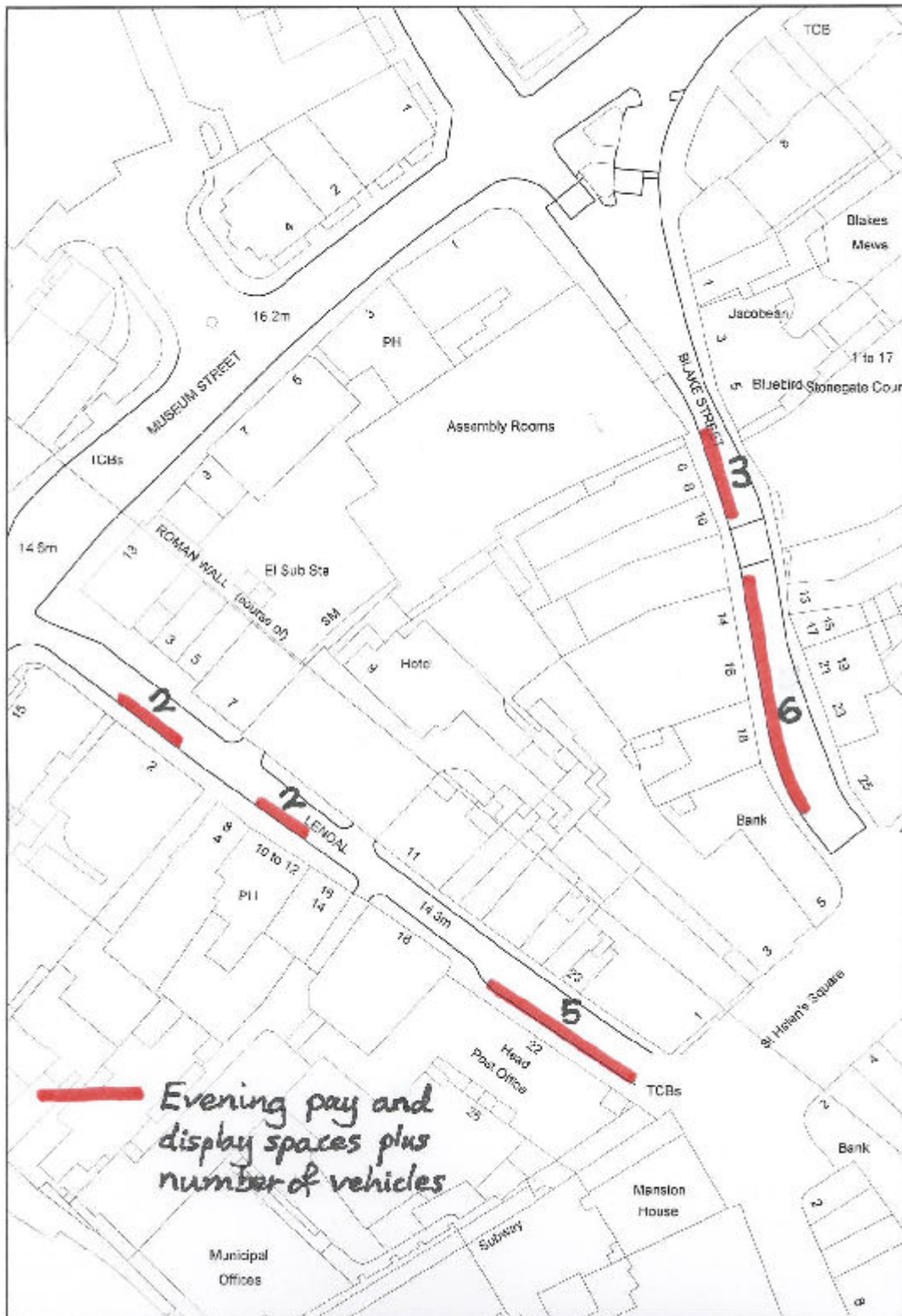
Annex C – Photo of variable message sign in front of Bootham Bar

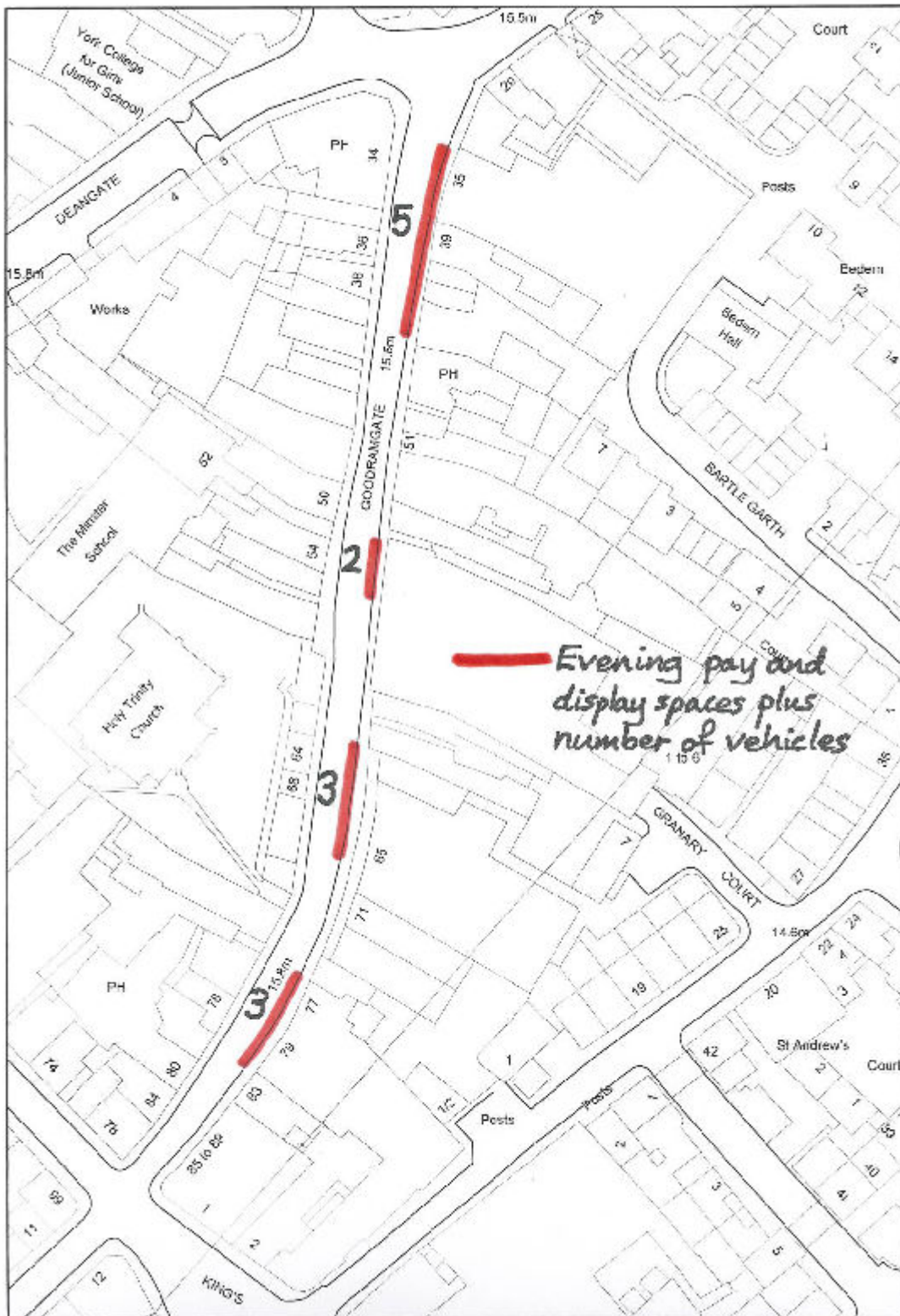
Annex D - Details of Duncombe Place to Blake Street slip road closure

Annex E – Précis of Representations

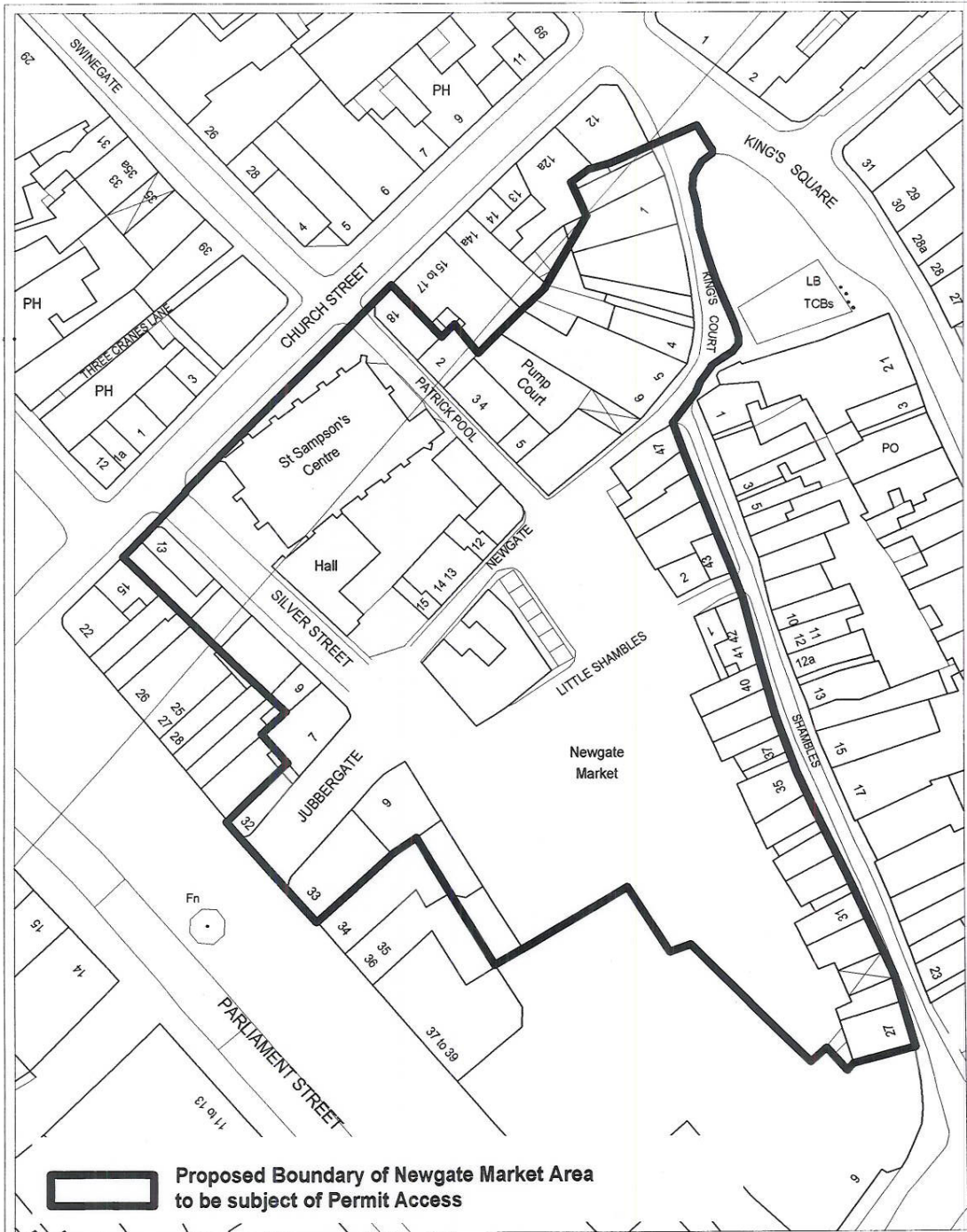
City Centre Night Time Pay and Display Parking Bays







Newgate Market Area Vehicle Access / Loading Restriction



ROADS WITHIN PROPOSED NEWGATE MARKET AREA, YORK

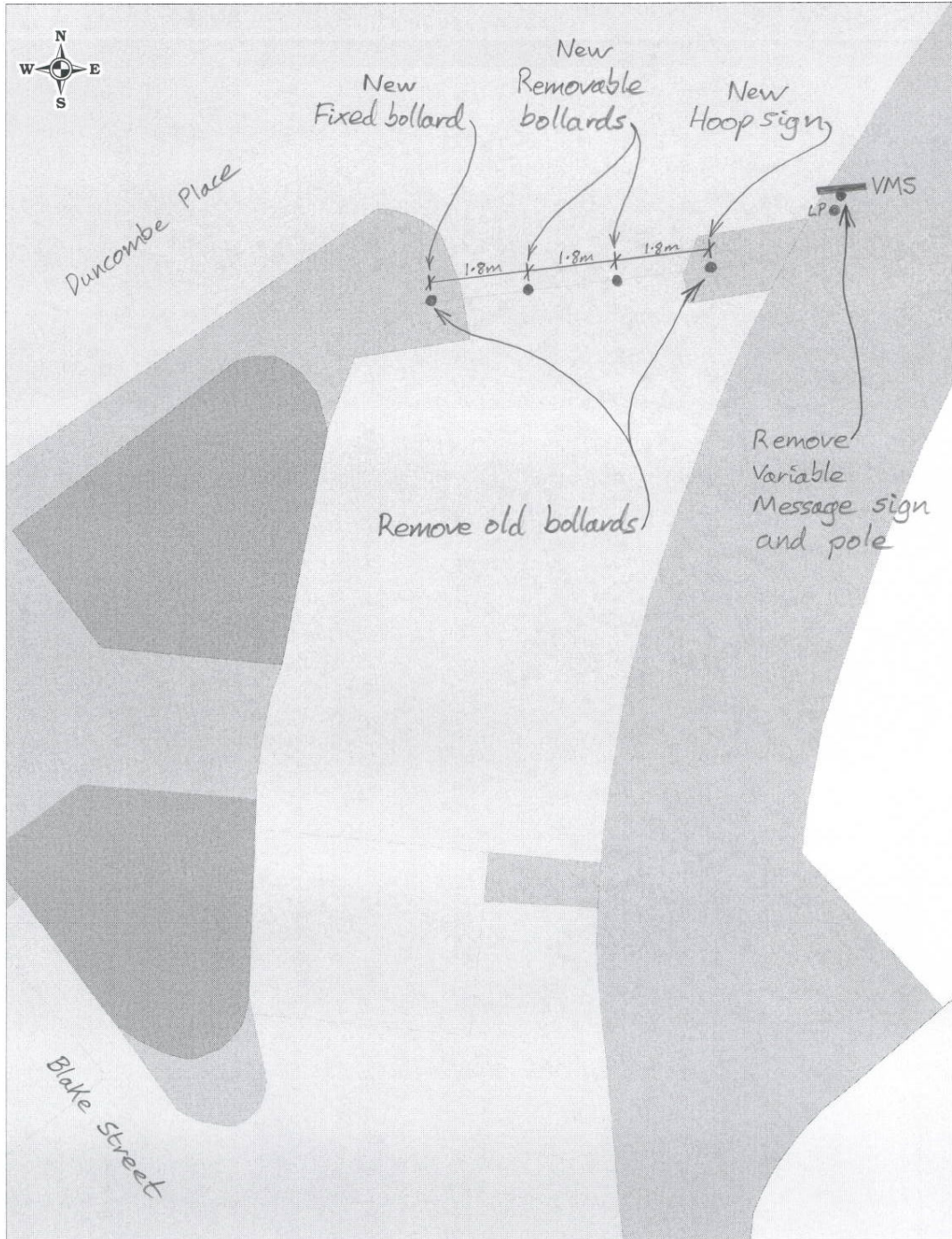
SCALE: 1:750 Originating Group	DRAWN BY: PSL Project	DATE: 13/12/2011 Drawing No. NMPA
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City of York Council LA 1000 20818

Bootham Bar Vehicle Prohibition Sign



Duncombe Place / Blake Street Slip Road Closure



	<p>Duncombe Place to Blake St. Slip Road - Closure</p>	SCALE	1 : 100
		DATE	10/02/2012
		DRAWING No.	
		DRAWN BY	AB
		<small>* Crown copyright. All rights reserved Licence No. 2003</small>	

Précis of Representations

Night Time On Street Pay & Display Parking		
Who / where from	Representation	Officers comments
Betty's	<p>We urge the Highways Department to be mindful of the challenges that city centre retailers and caterers are facing and the harmful impact that the changes could have on businesses and the local economy.</p> <p>We are also very concerned by the lack of awareness and promotion of the proposed parking changes which has left insufficient time for a thorough consultation with businesses and the York community.</p> <p>The following is feedback from Betty's customers.</p> <p>Our customers, who are very loyal to Betty's, are informing us that they would be dissuaded from coming to the tea rooms at night if they can't park close by. They do not wish to travel in using the Park and Ride service.</p>	<p>The number of on street parking bays for the whole of the city centre is very low and are very unlikely to have a noticeable impact on any individual business. The aim of significantly reducing the intrusion of through traffic from the city centre is to improve the local environment to aid further the growth of the early evening economy.</p> <p>Understand these concerns, but the consultation process has exceeded the legal requirements and additional time to make representation has also been allowed.</p> <p>These views are noted, however as there are around 25 spaces available at this side of the city centre which are available to all the premises operating in the evening the actual loss of parking for customers is likely to be quite low. On the other hand, because</p>

	<p>This response increases our fears that these proposals will have a negative impact on our trade in the evenings – currently open until 9pm, 7 days a week.</p> <p>We feel the evening economy of the City should be encouraged and built up.</p>	<p>able bodied drivers would not be able to park in this area there is increased scope for parking by those with blue badges.</p>
<p>Mark Rance St Michael le Belfrey Church</p>	<p>We are a large city centre worshipping community with services at St Michael le Belfrey at 9am, 11am, 5pm and 7pm on Sundays. It is extremely important to our congregation members that the (very little) Sunday on-street parking which is left in York remains available. We have a general concern about eroding life for city centre church-goers. It's good that the disabled spaces remain - but we have a number of people for whom some free on-street parking was very important when coming to worship (not shop) on Sundays.</p>	<p>The number of spaces available locally is very low. The large congregations increase the likelihood of drivers seeking parking spaces that have already been taken up, adding to the city centre through traffic. Additionally, there is no way of ensuring the spaces are used by those considered to have the greatest need. However, by removing the spaces there will be greater opportunity for those with blue badges to park which although may then lead to some unnecessary through traffic it will be at a much reduced level.</p>
<p>Caroline Comito La Piazza Restaurant, Goodramgate York</p>	<p>As we run a restaurant we value the parking facility at the front of our restaurant, and so do our customers. To remove it seems unreasonable. We object strongly to the waste of money involved. Council tax monies have</p>	<p>See comments above.</p> <p>These parking bays and meters were put in quite a few years ago and as circumstances / aims</p>

	<p>only recently paid for the road makings and parking metres to be installed, and now you plan to use more monies to undo this and install new systems which as we have pointed out we feel will bring problems and probably have to be changed again</p>	<p>change it is reasonable to reflect on how things operate and make changes to achieve revised goals.</p>
<p>Hotel Manager Duncombe Place</p>	<p>Any removal of evening on street parking, flies in the face of views of CYC, City Centre Strategy Group, many Councillors and other similar organisations that have clearly stated their wish to grow the York Evening Economy My long-term view has always been that:- to create an evening economy (help regenerate the city after 5pm which would enhance the city's reputation, improve the "retail economy" – by encouraging shops to stay open later), on-street evening parking (after 6pm) should be expanded – albeit with modest meter parking charges – similar to those currently in Duncombe Place. Wall mounted/recessed meters would avoid sign-clutter and allow all streets to be used- excluding those too narrow for Emergency vehicle access. The public perception of York as a safe city after dark would be greatly enhanced- by the increased number and</p>	<p>Bearing in mind the low level of on street parking available in the city centre, the aims of growing the evening economy and removing excessive through traffic in the city centre are complementary rather than at odds with each other.</p> <p>See comments above regarding aims to improve the evening economy.</p>

	varied demographic	
I Anderson	<p>I am a member of St. Michael-le-Belfrey Church. When the current arrangement for free parking on a Sunday came in we were of course pleased that consideration had been given to churchgoers' interests. The current proposal will entirely negate that and cause inconvenience to churchgoers – as well as others; As you mentioned there are only limited spaces anyway but this will take away what few there are.</p> <p>Some members of our church are elderly but without disabled permits yet nevertheless find it difficult to walk from the nearest car parks. This applies equally to parents with very young children.</p> <p>Churches make a very worthwhile contribution to the life of the City with activities such as Street Angels and Chaplaincy to the shops in our area. We are not asking for special treatment but merely consideration of the needs of our large and varied congregation.</p> <p>I find it hard to accept that the current arrangements</p>	<p>Please see comments above.</p> <p>Please see comments above.</p> <p>These contributions to the life of the city are appreciated but don't rely on the ability to park on street if there are spaces available.</p> <p>Please see comments above regarding through traffic movements as this isn't primarily an issue about congestion.</p>

	<p>with their fairly limited spaces cause any congestion on a Sunday, but if so why not make it a noon to 4pm restriction as in other streets? Similarly if it is street clutter which is an issue, surely a sign saying “No waiting Monday-Saturday” will not take up any more room than one saying “No waiting at any time”?</p>	<p>Double yellow lines do not require any upright signs.</p>
R and B Law	<p>We have been regular members of St. Michael le Belfrey Church for the past 38 years and enjoy attending the 9am Worship service. Since we have to be in York around 8.45 am we have regularly been able to park in Goodramgate which has been very helpful, especially as we are now in our mid 70's and walking from a car park is just too far especially as my wife has recently had a hip replaced. In fact she has had four joint replacements in recent years but does not qualify for a disabled parking badge as joint replacements are not considered a long term disability. However her walking is not good and it has been wonderful to be able to park reasonably near the church for worship on a Sunday.</p>	<p>Mobility considerations are a factor in traffic management schemes that need to be considered when balancing the aims and objectives against the consequences of changes.</p> <p>The distance from the mid point of Goodramgate to St. Michael's is around 320m and this compares reasonably favourably with the 370m distance from the mid point of Bootham Row car park – a 50m increase. It is appreciated that this change in parking position would also likely result in a change of vehicle route as well. Monk Bar car park on the other hand would be approximately twice the walking distance.</p>

	<p>Can we urge the Council to reconsider this decision for people like ourselves. There are many of us, elderly and with disability in St. Michael le Belfrey coming for that service and we do not want to find a more accessible church if parking proves to be too difficult. St. Michael's which holds such a prominent place in the City and actively serves the City by its ministry.</p> <p>Would it be possible to allow parking in the morning only....say up to 12 noon. That would suit most of us regular churchgoers</p>	<p>Whilst this would be legally possible it would be only marginally different to the present situation which we are seeking to change.</p>
<p>R & M Williamson</p>	<p>Object to the proposed removal of free parking on Sundays in Goodramgate, Blake Street etc. This concession was given a few years ago, to enable people attending church to park for free. Many people attend city centre churches. We attend a 9am service. There are no buses at that time. The park and ride do not start until later. We pay our council tax and we feel we are being discriminated against. The revenue from this parking will be minimal, but the inconvenience will be great for us. We urgently request you reconsider</p>	<p>The limited number of parking bays in the central area attract drivers to seek these spaces initially before heading off to alternative parking elsewhere. This leads to unnecessary traffic in the city centre and these proposals aim to reduce this.</p>

	this action.	
I Watson	I strongly object to this proposal and feel that people who worship at city centre churches would be severely penalised. It is sad that people would be restricted and possibly in some cases prevented from worshipping at their church, many older people rely on the city centre parking in order to be able to attend their church. I would ask that you seriously reconsider this proposal.	Please see previous comments.

Newgate Market Area		
Who / where from	Representation	Officers comments
Business in Patrick Pool	This business takes deliveries from numerous suppliers and it would be impossible to provide permits to all of them to access the premises. The logistics of manually handling supplies is a significant health and safety risk to the public. Delivery vehicles require full and unrestricted access to the premises.	The intention here is to be able to place bollards in the street to prevent the area being used for parking overnight. There is no intention to reduce the current ability of businesses to take deliveries. Hence this business, and others in the area, would be provided with a permit that would be able to

	<p>There has been damage done to their premises and hanging sign by vehicles accessing the market but this has improved since the bollard was put in at the market end of Patrick Pool.</p> <p>Agrees the permit scheme is a solution for the Market area but considers Patrick Pool should be removed from the area and the bollard relocated to half way along the street.</p>	<p>apply to any vehicle delivering to their premises outside the footstreet hours.</p> <p>By relocating the bollard to the Church Street end of Patrick Pool this should help prevent further damage to their premises.</p>
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High Petergate (part) Vehicle Prohibition Amendment		
Who / where from	Representation	Officers comments
<p>Hotel manager Duncombe Place</p>	<p>I feel allowing cyclists to mix with pedestrians – when traffic is restricted in High Petergate (bollard is up) will place cyclists' and pedestrians' safety in serious jeopardy /creates a serious potential for accidents. (Cyclists should dismount and walk the 100yds)</p> <p>It's worth noting that until recently Deangate had a central cycle lane through it- which has now been removed. Are my concerns about High Petergate the reasons for its removal?</p>	<p>This proposal seeks to formalise what to some extent is currently taking place which does not appear to have reduced pedestrian safety. The proposal also aids the cross city (W to E) cycle route by shortening it and takes cyclists off a busy section of the inner ring road.</p> <p>These two issues are not connected, but do demonstrate that pedestrians and cycling can mix in the same space.</p>

Representation in Support of the Proposals		
Who / where from	Representation	Officers comments
R. Pierce	<p>I am writing to express support for the proposed TROs.</p> <p>Would like further consideration of the following issues:</p> <ol style="list-style-type: none"> 1. That the proposals are limited to Mon-Sat only. Sundays in the city centre are now no different from other days since the introduction of Sunday trading; 2. The absence of proposals to introduce core-time bollarding in Davygate; 3. Castlegate has very narrow footways. The wing mirrors of parked vehicles prevent the use of the footways on the north side by push-chairs or wheel-chairs. The proposed TROs do not include the necessary prohibition of loading/unloading to preclude any on-street parking in core periods. 	<p>Support noted.</p> <p>These are important issues that will be considered further in forthcoming consultation.</p>

DECISION SESSION – CABINET MEMBER FOR CITY STRATEGY

THURSDAY 8TH MARCH 2012

Annex of Additional Comments received from Members and the Public since the agenda was published.

ITEM	REPORT	RECEIVED FROM	COMMENTS
4	Mayfield Grove.	Councillor Keith Hyman Liberal Democrat Spokesman for City Strategy	<p>We are pleased to see progress finally being made on this issue. We support the proposal that the site be transferred to the ownership of the Council with an interested party managing the site in the long term. Given the time that has elapsed since planning permission was first granted it is right that the process is open to any group to submit proposals to manage the site. We strongly believe that, whilst recognising the value of the site for nature conservation, it should be available for use by the local community all year round.</p> <p>We are however, surprised at the detail in Annex 4, the Management Framework, and feel that it appears overly proscriptive at this time. It appears to be a Management Plan rather than a Framework. For example, it is very explicit about community involvement but makes no mention of improving access to those with mobility problems. Within the bid criteria we hope that there will be an opportunity for interested parties to show some imagination as to how the site will be developed in the future and it will not just be a tick list process.</p>

ITEM	REPORT	RECEIVED FROM	COMMENTS
5	Capital Programme.	Councillor Keith Hyman Liberal Democrat Spokesperson for City Strategy	The report is noted.

ITEM	REPORT	RECEIVED FROM	COMMENTS
6	Footstreets Review TRO's.	Councillor Keith Hyman Liberal Democrat Spokesperson for City Strategy	<p>We welcome the improvements that are being made enhance the public realm and to encourage a night time economy. The removal of the parking spaces, 39 in total, should have little effect on the economic vitality of the city as many of these are already used by Blue Badge holders and this will no doubt continue in those areas.</p> <p>Of the TROs that are in the report the most welcome is that of stopping cars parking in the Market in the evening and at night as this was identified during last year's Market Scrutiny report. The report makes it appear that 2 of the bollards will be removable without the use of keys and I am unsure how this will not become evident to members of the public, thus still allowing access to the area.</p>

ITEM	REPORT	RECEIVED FROM	COMMENTS
			<p>Disabled parking provision needs a greater emphasis than that shown in the report. Additional spaces in the car parks are fine but not indicating very clearly where holders are able to park means that some park in areas that cause obstruction to through traffic. The removal of the spaces in Library Square was heavily criticised by some Cabinet members when they were in opposition and said the alternatives in Blake Street were too far away. These objections now appear to have been overcome.</p> <p>Removing the parking in Duncombe Place should allow a more open view to The Minster but if this is replaced by those with Blue Badges the impact will be lost. Also, the NRM Road Train is now using the taxi rank to allow passengers on and off despite objection from the taxi trade and horse drawn carriage trade. If the parking spaces are removed then the road train should recommence using that side of the road and the taxi rank reinstated.</p> <p>Although no objections appear to have been raised about the closure of the slip street to Blake Street from Duncombe Place I have concerns that the Horse Drawn Carriage Drivers appear unaware that it was being proposed. I was approached by one of them 2 weeks ago and when I pointed this out he was shocked. This was too late for the consultation process but he pointed out that for the carriages to turn left into Blake Street at the traffic lights would require a manoeuvre involving pulling out to the right first, thus putting them into conflict with traffic coming from Museum Street. He also said that</p>

ITEM	REPORT	RECEIVED FROM	COMMENTS
			<p>a sharp turn has been known to cause carriages to topple over. Therefore, before implementing this order I strongly advise officers to take advice first.</p> <p>Cyclist provision using High Petergate on a trial basis is welcomed. Our concern is that currently many cyclists use that road in the wrong direction travelling from The Minster to Bootham Bar. Without enforcement this situation will certainly become worse thereby causing confusion to other cyclists and pedestrians. The removal of the sign at Bootham Bar is welcomed but we hope that the column is also removed even if it has to be reinstated later. That area is particularly crowded for pedestrians and any extra space is to be welcomed. Will the route be delineated on the road so that other users are aware that cyclists may be in the area?</p>