

Executive

26 November 2020

Report of the Director of Economy and Place
Portfolio of the Executive Member for Transport

The future of the extended city centre footstreets

Summary

1. This report considers the city centre footstreets that have been extended in response to Covid-19. It reviews the future of the temporary measures that are currently due to expire on 14 December 2020, the mitigations that are in place for those who have been affected by the revised footstreets, and whether any of the temporary measures should be made permanent given the feedback received and alignment with future strategic priorities. The proposals set out in this report are based on the outcome of in depth engagement with disabled groups and businesses. It should be noted that whilst the majority of respondents agree with the benefits of and the principles behind footstreet extensions - as are the majority of people who identify as disabled - there is a core group who have been affected by the revised footstreets and remain opposed to their introduction.
2. Due to the ongoing impact of the current pandemic it is proposed to continue the majority of the temporary footstreet extensions until the end of September 2021 in response to the Covid-19 restrictions and social distancing requirements. During that period it is proposed that the footstreet hours will run until 8pm in the evening, except for any period when hospitality venues are required to close due to Covid-19 restrictions when it will revert to 5pm. The end date corresponds with the conclusion of the temporary measures to support businesses set out in the government's Business and Planning Act 2020. The exception to the continuation of the footstreet restrictions will be the area from Monk Bar to College Green and Deangate. Removing this area from the temporary footstreet restrictions would reinstate parking capacity for Blue Badge Holders as close as possible to the edge of the footstreets. This is alongside a series of new measures to support those affected by the footstreet extensions.

3. Having considered the overall positive impact that the revisions to the footstreets has had it is also proposed to start the process to make a number of these changes permanent and identify measures to offset the access issues this would create. This would include the streets that are identified as part of the future phases of the City Centre Access project to protect from hostile vehicle attacks, allowing all phases to be delivered in one go. This would accelerate the project removing potentially abortive phases. It also includes Castlegate, which is earmarked to become a pedestrianised footstreet in the approved Castle Gateway masterplan. The final design, engagement and formal Traffic Regulation Order (TRO) consultation process will be undertaken during the ongoing temporary extensions and will be accompanied by a strategic review of the city's car parking and disabled access offer. This will ensure that changes are accompanied by appropriate measures to improve accessibility and deliveries to the city centre.

Recommendations

4. The Executive is asked to:

- 1) Continue the temporary Traffic Regulation Order for the phase one footstreet extensions until the end of September 2021 in response to Covid-19, with a staffing cost of £20k

Reason: To allow social distancing and the use of pavement café licences on major footfall routes through the city centre during the ongoing pandemic in response to the government's Safer Public Places guidance.

- 2) Continue the temporary Traffic Regulation Order for Castlegate and Fossgate until the end of September 2021 in response to Covid-19, with a staffing cost of £80k for Fossgate

Reason: To allow the continued operation of the 22 pavement café licences that the temporary footstreets have facilitated, and have enabled businesses to continue to operate under the social distancing measures required by Covid-19

- 3) Agree to fund the costs of these measures from Transport Recovery Budgets in 2020/21 (£40k) including Reopening the High Street Funding

- 4) Accept that the ongoing costs relating to 2021/22 £60k will need to be identified as a one off cost pressure in the 2021/22 revenue budget.

Reason: *to ensure that cost proposals are funded within council budgets*

- 5) End the temporary Traffic Regulation Order from Monk Bar through to College Green and Deangate from the date of the Executive meeting

Reason: *To remove temporary access restrictions and reinstate parking capacity for Blue Badge Holders on double yellow lines and loading on the very edge of the footstreet area*

- 6) Continue the temporary extension of the footstreet hours to 8pm until September 2021, except for when hospitality venues are required to close due to Covid-19 restrictions, when the hours will revert to 10.30am to 5pm.

Reason: *To allow pavement café licences to operate in to the early evening when hospitality venues are open, and to facilitate the increased demand for food and takeaways when they are required to close*

- 7) Agree to the mitigation measures set out in this report (paragraph 44) for Blue Badge Holders and businesses that are affected by the temporary footstreet extensions

Reason: *To reduce the impact on those groups that have been affected by the temporary footstreet extensions*

- 8) Initiate the process to make Castlegate and the phase one temporary footstreets permanent, with decisions on the final proposals, mitigations, and process delegated to the Executive Member for Transport

Reason: *To reduce the vehicle/pedestrian conflict on the high footfall phase one streets and ensure the permanent footstreet areas correspond with the full extent of the City Centre Access project to allow hostile vehicle attack measures to be brought forward in a single stage; and make permanent the temporary measures on Castlegate in accordance with the Castle Gateway masterplan*

- 9) Undertake a full strategic review of the city's parking and disabled access offer as set out in this report, to be completed by Summer 2021 at a cost of up to £40k from the existing footstreet engagement and Local Transport Plan 4 budgets

Reason: *To ensure the permanent footstreet extensions set out above are accompanied by appropriate mitigations for those who have been affected by the revised footstreets and to improve city centre accessibility*

- 10) To note the independent review of York's disabled access offer (annex 6) and for the issues raised to be given due consideration through the strategic review of the city's parking and disabled access offer

Reason: *To ensure the issues raised are considered in the ongoing engagement and strategic responses*

- 11) To bring forward the design of the hostile vehicle mitigation measures that would protect the potential new permanent extended footstreet area at a cost of £50k from existing budgets to mitigate any delay caused by changing footstreets

Reason: To speed up the full extent of the delivery of the City Centre Access project and give the best possible opportunity of avoiding the need for temporary measures for events.

Background

5. There are a number of historic and upcoming issues that have over a period of time shaped the nature of York's pedestrianised area and discussions on their future. York's current permanent footstreet areas were introduced in the 1980s. Traditionally the footstreet hours have run from 10.30am to 5pm, although in recent years the hours have been extended on a temporary basis until 6pm Sunday – Wednesday and 8:00pm Thursday – Saturday during the festive period to accommodate the large numbers of people visiting the city at that time.
6. The conflict between pedestrians and vehicle on some of the footstreets has been an ongoing concern for a number of years leading to the core vehicle free area being extended and protected with removable bollards. Improvements to signs and the highway layout have also been

introduced to reduce the number of vehicles entering the high pedestrian flow streets.

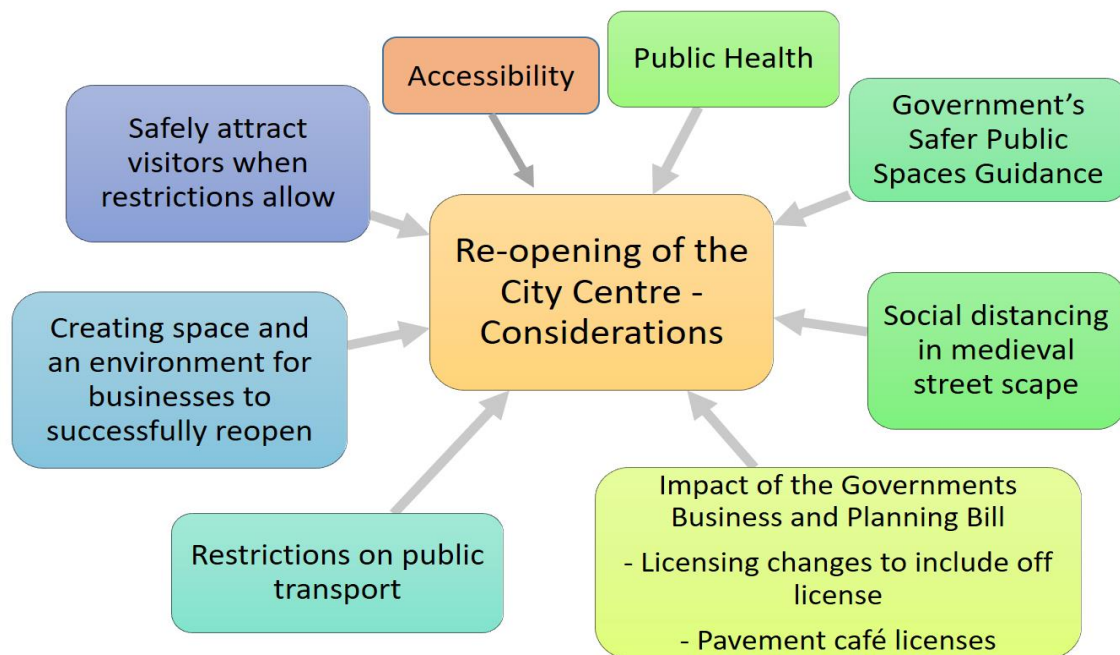
7. The extent of the footstreet areas has been subject to ongoing discussions for a number of years as part of the City Centre Access project in response to the threat of terrorism, and particularly the use of hostile vehicles as a potential mode of attack. This had led to the approval of a first phase of anti-hostile vehicle measures for the existing permanent footstreet area, but with potential future phases to expand the area of protection.
8. In recent years there has also been the council's commitment to becoming Carbon Neutral by 2030 and the council motion to explore options to become car free by 2023. Both of these projects will require further consideration of how, where and when vehicles are able to access the city centre.

Covid-19 Economic Recovery Transport and Place Strategy

9. However, whilst these remain future issues to resolve, the impact of Covid-19 has necessitated the implementation of a number of significant emergency measures in the city centre that were set out in the Covid-19 Transport and Place Strategy, which was approved by the council's Executive in June 2020 (annex 1). The strategy was a direct response to the government's Safer Public Places guidance, which was issued in May 2020 in preparation for the reopening of city centres, and aimed to create sufficient space for safe social distancing, queueing, and businesses to safely reopen and operate. The council's Transport and Place Strategy focused on five key strands:
 - Creating ***a people focused city centre***
 - ***Prioritising active transport***
 - Promoting ***a complimentary park > walk > visit strategy*** using council car parks outside the people focused city centre
 - ***Maintaining confidence in public transport***
 - ***Supporting the city's secondary centres***

The strategy had to consider and balance a significant number of issues - with public health being the absolute priority:

Figure 1 – safely re-opening the city centre following lockdown



Extending the footstreets

10. One of the key interventions that was implemented in response to the government's Safer Public Places guidance was a number of changes to temporarily extend the city's footstreets. There were broadly two phases to these extensions. Phase one was in direct response to the need to create social distancing on key city centre routes that have narrow pavements and experience high levels of footfall that often necessitate the use of the carriageway for pedestrians. These were implemented first so as to be in place in advance of the reopening of non-essential retail on 17th June 2020.
11. Phase two was in response to the reopening of the hospitality industry on 3rd July 2020 and was focused on specific streets where businesses would be unable to reopen without the creation of outdoor spaces for queuing and outdoor seating on the highway. The second phase was also accompanied by a blanket extension of the footstreet hours to 8pm every day to allow outdoor seating to remain later in to the evening.

Figure 2 – map of the current city centre footstreets and restricted access areas



Yellow – permanent footstreets area

Green - Phase one temporary extension

Blue - Phase two temporary extension

Extended all footstreet hours until 8pm

Implementing the revisions to the footstreets

12. Although some of the above required different types of restrictions that were specific to each street's circumstances (set out in annex 2), they were all enacted through an initial 6 month temporary Traffic Regulation Order (TRO) which will run until 14th December. The decisions to implement the revisions to the footstreets were made under the emergency powers of delegation that are in place to allow local authorities to quickly implement the decisions required to respond to COVID-19. These emergency powers do not require the usual public consultation or formal Equalities Impact Assessments (EIA) that would ordinarily be required in revising the footstreets. This is because they are temporary and for purposes connected to the current pandemic.
13. However, due to the concern of the impact of the changes an EIA was undertaken (annex 4). The only way to create the space for social distancing and for on street cafes was to remove vehicles from the area. In the main the only vehicles that could access these new streets were Blue Badge Holders. Therefore, significant consideration was given to all affected parties, and the impact on residents, businesses and Blue Badge Holders was taken in to account in implementing all of the temporary measures. They were also considered in advance with a number of key stakeholders and representative groups, including the York BiD, Retail Forum, and hospitality representatives.

14. In recognition of the speed at which the revisions to the footstreets had to be implemented, and to ensure their successful operation, a number of measures were introduced to manage the area. Staffing arrangements were implemented as follows:
 - a. Blake Street and Goodramgate staffed from 15th June 2020, to cover the footstreet hours of 10.30am to 5pm (at a weekly cost of £2,000);
 - b. From 20th July, this was changed to include the following (at a weekly cost of £4,700):
 - i. Extended staffing until 8pm at Blake Street and Goodramgate; and
 - ii. A staffed closure on Fossgate between 10.30am and 8pm (restrictions were revised on 25th July);
 - c. From 14th September, this was changed to reduce staffing level (weekly cost of £2,800), with officers in place at the Fossgate closure (10.30am to 8pm) and the Goodramgate closure (from 4pm to enable market trader access).

This has been funded to date through the government's Reopening High Street Fund.

Benefits of the revised footstreets

15. The revised footstreets have been and remain an important measure in creating an ongoing Covid-19 secure environment and complying with the government's Safer Public Places guidance. There has been 80 pavement café licence applications since the revised footstreets were put in place. Of the 21 licence holders who have responded to our survey, the vast majority considered the footstreets extension very or extremely important to continue trading (76%). The economic impact of Covid-19 on the city centre economy has been unprecedented, requiring long periods of closure with no income generation, reduced capacity and increased running costs to become Covid secure once allowed to reopen, and causing many businesses to close. The restrictions to businesses imposed in response to the global pandemic has not hit all sectors in the same way. Indeed some have benefited whilst others have failed as a result. Therefore, any decisions need to consider the economy as a whole. The full economic impact is only just beginning to be understood, and there will continue to be a period of fundamental

restructuring of high street economies way beyond the end of the pandemic.

16. One of the key benefits of the revised footstreets and extended operating hours is that it has allowed the promotion of a family friendly early evening economy. Due to current restrictions requiring home-working and anticipated future home-working trends there are and will be significantly less people in the city centre providing custom at lunchtimes and on the way home from work. Consequently the ability to boost the early evening economy and attract families in to the city centre after school and work will be a vital tool to support the whole economic resilience of the city centre. Extending the footstreet hours later into the evening is a key tool in being able to do this. Not only does this allow pavement café licences to use footways and carriageways for outdoor seating, but it changes the nature and feel of the city. Once the footstreet hours end vehicles immediately enter the area and add to the feeling that the city has shut down for the evening. The York Retail Forum has long argued for much more extensive footstreet hours on this basis.
17. A further advantage is that the temporary changes to footstreets remove the conflict between vehicles and pedestrians in high footfall areas, and create an improved environment for residents and visitors to enjoy the city centre. Areas such as Goodramgate are regularly busy enough to require pedestrians to walk in the carriageway, and on weekends and holiday periods can be densely populated creating significant risks of accidents when vehicles entering the area are trying to navigate the crowds of people. Meanwhile places like King's Square often had multiple parked cars for crowds to contend with, which also changed the nature of the public space.
18. The above also highlights the other major risk associated with densely populated pedestrian areas that are open to access by vehicles. The rise in the threat of terrorism and particularly the use of vehicles as modes of attack has led to all cities having to try and protect those areas. In York this is through the City Centre Access project, which divided the city in to a series of phases for the implementation of Hostile Vehicle Measures. The first phase in the core of the city centre has been approved and designed and is currently being procured, however if these temporary footstreets changes are made permanent the full extent of the City Centre Access programme could be put in place in one stage, creating an overall budget and programme time saving by delivering in one single phase and ensuring the city has a full set of protection measures in place.

Those negatively affected by the revised footstreets

19. Despite these positives, the revised footstreets area has however had a negative impact on certain groups. Access to city centre properties by private car, taxi and for deliveries has been restricted until 8pm instead of 5pm previously. The use of staffed closure points and bollards has also resulted in the stricter enforcement of restrictions which were already in place but not always respected.
20. Although overall the footstreet extensions and longer hours have been welcomed by most businesses and were supported by York Retail Forum and the York BiD on behalf of their members, there have been some notable exceptions, particularly retail and service businesses who rely on frequent deliveries throughout the day and some hospitality venues that had adapted to lockdown and were providing food takeaway deliveries by vehicles. The most significant issues were raised by a number of businesses at Fossgate, which have ultimately resulted in the barrier remaining staffed throughout to facilitate safe access during the day.
21. For Blue Badge Holders who regularly access the city centre by vehicle the measures in effect removed on street parking on double yellow lined areas for approximately 40 vehicles, particularly on Goodramgate and Deangate but also on Blake Street and Lendal from 10.30am in the morning until 8pm. The option for Blue Badge Holders to park on Fossgate and Castlegate was also removed between 10.30am and 8pm.

Initial mitigations for Blue Badge Holders

22. In response to the above impact on Blue Badge Holders 40 additional free disabled parking bays were created at Monk Bar Car Park, the closest car park to the majority of the displaced on street parking capacity in Goodramgate area. In recognition of the added distance to the very centre of the city a free shuttle taxi service has also been provided from the car park, initially stopping on St Andrewgate and then revised to take customers at a point of their choice on the edge of the footstreet area. In addition to this service 16 new dedicated parking spaces for Blue Badge Holders were created as close as possible to the footstreet area, with capacity for seven vehicles on Duncombe Place, two on St Saviourgate, five on Dundas Street, and two on Carmelite Street.

In depth engagement with those affected by the revised footstreets

23. Due to the scale and impact of the footstreet changes, and to aid future decision making, Members asked officers to undertake a comprehensive engagement with those who had been affected by the revised footstreets, using the “My” approach to public engagement that has been successfully pioneered on other projects and issues in the city. The purpose of this approach was to fully understand the impact on those affected as individuals; improve the temporary mitigations to meet people’s needs; understand what further mitigations should be included should any of the temporary measures become permanent; and understand how York can continue to improve its overall disabled access offer.
24. The engagement followed an open conversation approach, both online and offline, including direct conversations with individuals and advocacy groups and an open invite zoom workshop which was jointly facilitated by the York Disability Rights Forum. This allowed detailed discussions to take place with those who wished to engage in depth, and captured general views through Our Big Conversation with online surveys, targeted emails to city centre businesses, and paper based questionnaires distributed across the city as part of Our City. In addition, Disabled Motoring UK, a charity and advocacy group for disabled people, were commissioned to produce an independent review of York’s disabled access offer (annex 6).
25. In total there were 1,900 responses, whilst detailed work with Blue Badge Holders and disabled groups engaged with 421 people, including the advocacy groups that represent thousands of members. Overall there was broad support for the extensions of the footstreets, with 67% overall in favour and 61% of respondents who identified as having a disability also in favour. The issues that sit behind these figures were drawn out in detail in an open brief that set out all the in depth discussions that have taken place and was published online and refined based on public feedback (annex 7).
26. The principles of the footstreets extension is broadly supported by a majority of respondents to the citywide survey, which is also reflected in the support from residents identifying as disabled. In the follow-up survey targeting disabled residents, twice as many respondents (168) agreed rather than disagreed (81) that extra room increased their safety, while more (151) agreed that fewer vehicles increases their safety than disagreed (115).

27. There are tangible benefits for many, in particular blind and partially sighted and older people. However, the desire from many for footstreets and spaces to be vehicle free, while other Blue Badge holders request access to the otherwise pedestrianised roads, appear incompatible.
28. Many respondents feel the existing mitigation measures are inadequate to offset the negative impact on accessibility. A petition signed by 1093 people, including 486 York residents, calls for the reversal of the extensions until a comprehensive Equalities Impact Assessment and full public consultation has been completed. The petition and signatories can be viewed at [change.org](https://www.change.org) .
29. The shuttle service meets the needs of around 20 regular users but is viewed as an inflexible and inappropriate replacement for parking, given that users would be required to wait at both ends of the journey without toilets, cover or seating. The extra Blue Badge parking at five locations on the edge of the footstreets is welcomed but not seen a substitute for what has been lost – either in location or volume. The result is that 62% of those who responded to the question (198 of 318) believed the footstreets extension made them less or far less likely to visit the city centre.
30. Several other key accessibility issues have been highlighted, including types of parking space, quality of footways and dropped kerbs, issues with the design of multi-storey car parks, a lack of restpoints and accessible toilets. The availability of accurate and in-depth information is also essential to aid journey. While these wider issues pre-date the footstreet extension, this process offers an opportunity to address them.
31. The business community also broadly supports the footstreets extensions, especially to maximise the shorter Christmas retail window and to give hospitality businesses the space to keep trading. While the extension is clearly allowing some hospitality businesses to remain viable, it is negatively impacting some retailers which desire regular access to support a business model increasingly reliant on frequent deliveries.
32. The tension is evident in areas where these business models exist side by side. This is represented most starkly on Fossgate, where a survey carried out by one business found a majority of businesses and residents in favour of returning to the pre-COVID arrangements, whereas those with pavement café licences have stressed that without the footstreet

enabling outdoor seating they would not be able to operate as a business with social distancing. A York BID survey carried out last month suggests that refinements had appeased some businesses. While a majority of respondents favour continued pedestrianisation, there is much less support for the 8pm finish.

33. The 8pm finish time is a source of debate across the city's businesses. The city's business representative groups, including the York Retail Forum, support the extension as many national retailers are preparing to trade up to 8 or 9pm every day once national restrictions are lifted. The York BiD on balance have proposed a flexible approach to the remaining winter months, and consideration of other initiatives to create the conditions to attract residents to the city centre. For pavement café licence holders, the extension is considered crucial to continuing in business. Of the 21 responding to our survey (of 80 license holders), 76% consider the evening operation very or extremely important to their business, while 85% intend to use their license all year round.

Consultation

34. In addition to the engagement set out above the recommendations in this report have been tested with the My City Centre steering group that includes key city centre stakeholders such as the York BiD, Retail Forum, Property Forum, and Indie York, and disabled advocacy groups that were involved in developing the open brief.

Options

35. There are four key issues that this report addresses:
- Do any of the temporary revisions need to continue due to Covid-19, and if so what temporary mitigations are needed?
 - Should the footstreet hours remain at 10.30am to 8pm?
 - Should any of the temporary revisions be made permanent?
 - What future actions are required to improve York's disabled access offer and mitigate the impact on affected businesses and residents?

Analysis

Do any of the temporary revisions need to continue due to Covid-19?

36. As set out in the background section of the report there were two phases to the temporary revisions to the footstreets, which were put in place for an initial 6 month period and are due to expire on 14th December. The first phase was a direct response to allow social distancing in high footfall routes and the second phase to allow business to have outdoor queuing and seating for constrained businesses on Fossgate and Castlegate. In addition the area from Monk Bar to Deangate was prohibited to motorised vehicles except for access (although without a barrier) and a loading ban was introduced. This reduced the number of vehicles entering the city walls in a busy bottleneck area where vehicles were likely to enter in conflict with queuing customers and people using the temporary managed outdoor seating venue on College Green.
37. The impact of Covid-19 continues to dominate daily life. The ongoing spread of the virus has led to a second period of national lockdown, and a local tier approach of varying restrictions based on local infection rates at other times. All of the local tiers require social distancing which puts pressure on public spaces and places significant restrictions on the ability of businesses to open and operate.

Phase one footstreets

38. On this basis it is recommended that the phase one temporary footstreets continues to reflect the government's Safer Public Place guidance. This will restrict vehicular access to the busy footstreet areas of Blake Street, St Helen's Square, and Lendal, and Goodramgate, Church Street, King's Square and Colliergate, and allow the use of the carriageway for pedestrians to social distance when moving through the city. It will also allow the continued operation of 18 temporary pavement cafe licences (granted under the provisions of the Business and Planning Act). The barriers will not be staffed, except for at Goodramgate in the evening to allow access to market traders to close up at Shambles market. It is proposed to make amendments to the Temporary TRO to allow authorised Market Traders access from 4pm during the darker winter months after the Christmas period. Potential permanent changes will be considered as part of the process to progress the changes to the existing TRO.
39. It is proposed that the phase one footstreets implemented in response to Covid-19 are extended until the end of September 2021. This is in line with the measures set out in the government's Business and Planning Act 2020, which implemented a raft of changes designed to support the

response to Covid-19. One of the key changes was the amendments to the pavement café licence process, which streamlined the application and removed the need for planning permission. The licences that have been issued under this legislation will run no later than the end of September 2021 and so it is logical to link the footstreet extensions to these timescales, and to allow a reasonable time in which hopefully the pandemic will be brought under control.

Castlegate

40. The phase two temporary footstreets need to be considered on a case by case basis. Castlegate does not require a staffed barrier. The temporary restrictions have allowed 9 businesses to apply for temporary pavement café licences, and they have worked collaboratively on the use of the street. The need to maintain access to residential parking spaces, the Friends Meeting House, and for emergency vehicles has meant that only a partial road closure has been possible and has restricted the trader's wider ambitions, but they have been able to trial four parklets (decked areas covering the footway and part of the carriageway) which provide attractive outdoor seating areas. It should be noted that the closure has removed on street capacity for Blue Badge Holders - although Castle Car Park is adjacent and has 27 disabled parking bays - and there has been some opposition from residents regarding deliveries and taxi access. However, given the long term proposal for Castlegate is for it to become a fully pedestrianised footstreet under the approved Castle Gateway masterplan, and that it has allowed 9 businesses to continue to operate under social distancing, it is recommended to also temporarily extend until September 2021.

Fossgate

41. Fossgate has also had many of the same benefits, enabling 13 new pavement café licences. However, the nature of the street has meant that it is has not been possible to fully pedestrianise with vehicles able to access properties on the street during pedestrianised hours. This has required the barrier to be staffed at all times, and there has been some ongoing criticism from some residents and businesses who are not supportive due to the impact on access. To try and remedy this issue, options were explored during the summer, including the consideration of changes to allow two way access to Franklin's Yard, with a bollard restricting further access to the remainder of Fossgate. However, the creation of a required turning head was challenging, and would not solve all access issues as a number of properties along Fossgate have

expressed a desire for vehicular access during footstreet hours to remain. The cost of staffing the barrier is £1,900 per week, which has been funded to date through the government's Reopening High Street Fund.

42. Whilst continuing with the current arrangements would have a cost implication, not extending it beyond December would result in the pavement café licences having to be reconsidered and some of them revoked. This would be particularly challenging whenever the local Covid-19 response is in tier 2 or above, as outdoor seating is the only place mixed households can meet which would significantly restrict the number of indoor customers. Even in tier 1 it may result in some businesses not being able to operate due to the internal space restrictions that mean they are reliant on outdoor space. It may also be perceived to be inconsistent by those businesses with pavement café licences on Fossgate when Castlegate temporary restrictions would continue. Consequently it is proposed that the temporary restrictions should continue until September 2021, although noting that there is a £80k revenue cost to facilitate the ongoing staffed barrier. The staffing of the barrier will be stood down during any periods when hospitality is required to close due to Covid-19 to reflect that the pavement café licences won't be in operation, footfall reduced and the need to facilitate replacement takeaway operations, and will be reviewed should the Covid-19 pandemic be brought under control earlier.

Monk Bar to College Green and Deangate

43. It is however proposed that the temporary footstreet restrictions implemented on the section of Goodramgate from Monk Bar and up to and including Deangate and College Green are ended immediately. The inability to place barriers across the street due to the lack of a turning point and access requirements has resulted in significant number of vehicles continuing to access the area. It has also led to issues relating to drop off and pick up at Minster Nursery and the operation of the Stonemason's Yard. Due to the continuing volumes of traffic, there has been no opportunity for any new pavement café licences and lifting the loading ban would reinstate significant capacity for Blue Badge Holders to park on Deangate and College Green at the very edge of the footstreet area, helping to mitigate one of the primary issues raised by those affected by the revisions to the footstreets.

Mitigations to accompany the ongoing temporary footstreet revisions

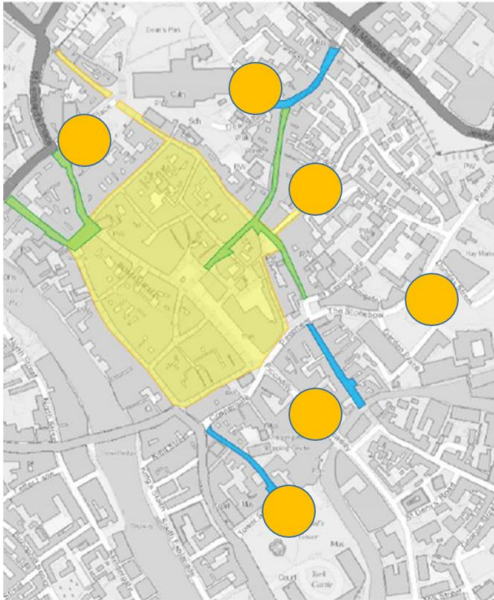
44. As set out in paragraphs 23 to 33 the engagement on the temporary revised footstreets has identified that although the majority of users have benefited from the measures, a core group of people have also been adversely affected. In continuing the footstreet extensions until September 2021 it is important that some immediate measures are introduced to reduce that impact, and to improve the previous mitigations where they have not been viewed as successful. As a consequence the following interventions are proposed to accompany the above:

- Based on engagement feedback and use data, remove 30 of the additional 40 disabled spaces at Monk Bar Car Park and end the taxi shuttle service at the end of December
- In addition to the 16 new dedicated disabled spaces already created on the edge of the footstreets:
 - i. Create 4 additional disabled parking spaces at Bootham Row Car Park (to remain under review based on usage)
 - ii. Advertise availability of space for Blue Badge parking created by the removal of the temporary restrictions on Goodramgate, Deangate and College Street
 - iii. Ensure awareness of the availability of small amount of space for Blue Badge parking on St Andrewgate
- Review potential locations for new disabled and loading bays close to the footstreets area
- Consider options for allowing disabled people who use their cycles as a mobility aid to access the footstreets, with a report to be brought back to the Executive Member for Transport for consideration
- Creation of a single information point/app with details of each car park, access routes, locations of benches, disabled toilets etc

45. Whilst there are no simple solutions for those with limited mobility that do not use a mobility aid but want to be able to park within the city centre footstreets, the above measures improve the existing situation. It will increase on the current on street Blue Badge car parking capacity significantly on the very edge of the footstreet areas, and at Bootham Row Car Park which was identified by disabled groups as a more useful car park than Monk Bar Car Park. It should be noted that these measures only relate to the temporary revisions to the footstreets –

should any be made permanent there are a number of long term mitigations proposed in paragraph 56 to 58.

Figure 3 – indicative locations of Blue Badge parking on the edge of the footstreet area



Footstreet hours

46. In response to Covid the footstreet hours were also temporarily extended to 10.30am to 8pm. This was to allow pavement cafés to operate in to the early evening in response to the restrictions placed on businesses by social distancing. Although it was anticipated that this may be a seasonal approach, the introduction of local tiers, which from tier 2 restricts households from meeting up indoors, has meant that outdoor seating areas are of increased importance all year round, and of the 21 pavement café licence holders who have been surveyed 85% intend to continue to use outdoor seating during the winter. This has been reflected in the amendment of the council's pavement café guidance to also allow energy efficient electric patio heaters during the winter months.
47. Later times have impacted on the way that residents and business use the area, reducing the time available for direct access to the footstreets area which has impacted on the operation of some of the businesses which rely on deliveries in the early evening. In addition the cross city routes which would usually be available for cyclists from 5pm are not

open until 8pm, particularly impacting on commuter cyclists although noting there are less people working in city centre offices.

48. It is proposed that the temporary extension to city-wide footstreet hours is also retained at 10.30am to 8pm until the end of September 2021. This will allow businesses to continue to operate pavement cafés in line with the Business and Planning Act 2020, and help to continue to promote the city's early evening economy and encourage people working from home to come in to the city once work has finished to support city centre businesses. However, should any change to regulations require hospitality venues to close then the hours will be amended to 5pm. This is in response to requests from businesses as they will no longer need outdoor seating, but may repurpose their premises to operate as takeaways in the evenings which would be easier to administer with vehicular access from 5pm. Should hospitality venues then be allowed to reopen the hours will revert to 8pm.
49. It is important to note that this remains a temporary change to the footstreet hours in response to Covid-19. The long term permanent footstreet hours remain 10.30am to 5pm at this stage. However, these will be reviewed and considered under the ongoing My City Centre project which will shape the long term vision for the city centre through stakeholder and public engagement, considering the needs of deliveries, disabled groups and the city's future economy. This project has been delayed due to Covid-19 but will recommence in the new year and start to define the future of the city centre. This is the most appropriate format to understand what the footstreet hours should be in the long term to support this vision. Any changes to the substantive footstreet hours will be subject to a further formal process and consultation, and would be timed to respond to the end of the temporary hours in September 2021.

Should any of the temporary revised footstreets become permanent?

50. In addition to extending the temporary footstreet revisions until September 2021, the understanding of the impact they have had and the overall positive reaction and support offers the opportunity to consider whether any should be made permanent. As with the process above the differing nature of the temporary footstreets mean that they must be considered on their individual merits.

Phase one footstreets

51. The inclusion of Blake Street, St Helen's Square, Lendal, Goodramgate, King's Square, Church Street and Colliergate in the permanent footstreet area would have significant benefits. These are all high footfall areas with narrow pavements that lead to significant conflict between vehicles and pedestrians, particularly in busy periods. The large volumes of people who use these streets often result in people using the full width of the carriageway to walk, and any vehicle that enters the area has to navigate through the crowds, with a risk on accidents occurring. It also removes parked vehicles from the historically important St Helen's Square and King's Square, the latter of which underwent significant investment and improvements in 2013, which improve their setting and amenity quality.
52. It was also the high volumes of people in these areas that resulted in their identification by the Police and Counter Terrorism Unit as requiring protection from a hostile vehicle attack. These areas are currently identified as a future phase of the project, requiring a future extension of the hostile vehicle measures. If the current temporary arrangements were made permanent there is an opportunity to review the Hostile Vehicle Mitigation measures with the wider area protective measures being put in place as a single project, with the potential for associated overall budget savings and shortening of the overall programme. Therefore it is proposed to bring forward the early design work for the new locations and undertaken in advance of a decision on a final decision whether the footstreet revisions should be made permanent, at a cost of £50k from the project budget.
53. A change to the permanent Traffic Regulation Order would be required to enable the inclusion of these streets in the permanent footstreet area by removing the existing vehicular access exemptions for these streets. It is therefore proposed that the process commences, with decisions on the final proposals, mitigations, EIA, and process delegated to the Executive Member for Transport. It is anticipated that this will enable a decision to progress the statutory consultation be made in February 2021, which will then allow the formal statutory process to commence, and for the change to these footstreets to become permanent on the expiration of the temporary extension in September 2021. All of the permanent footstreets proposals will be based on the existing substantive footstreet hours of 10.30am to 5pm, not the current temporary hours of 10.30am to 8pm. However, as noted earlier in this report those hours will be reviewed through the My City Centre project but any changes would also be subject to a separate statutory process.

Castlegate

54. In addition to the phase one footstreets it is also proposed that the principle of Castlegate becoming a permanent footstreet through the removal of existing vehicular access exemptions is agreed. Castlegate was identified in the 2018 Castle Gateway masterplan as becoming completely pedestrianised as part of the redevelopment of Castle Car Park to create new public realm. This public realm design work has commenced, with the expectation of planning permission being secured in summer 2021. Whilst there is currently no plans to close Castle Car Park until the replacement car parking is in place through a new multi-storey car park at St George’s Field it would be possible to implement the Castlegate element of the project in the summer, with a permanent footstreet running on from the end of the temporary TRO in September 2021. Consequently, it is proposed the design and consultation on Castlegate becoming a permanent footstreet is undertaken through the My Castle Gateway engagement exercise that will be shaping the design of the area over the coming months, with a final decision from the Executive Member for Transport, and any budget required to form a future Executive decision as part of the Castle Gateway project.

Fossgate

55. Due to the ongoing unresolved issues regarding access to Fossgate that have necessitated a staff barrier it is not proposed that this should form part of the future permanent footstreets. Once the temporary footstreet measures in response to Covid-19 lapse when social distancing should no longer be required the need for outdoor seating will reduce and the street can return to its previous one way designation.

Figure 4 – summary of footstreet recommendations

Footstreet extensions	Street	Continue temporary extension until September 2021?	Begin formal process to become permanent?
Phase one	Blake Street		
	St Helen’s Square		
	Lendal		
	Goodramgate		
	King’s Square		
	Colliergate		
Phase two	Castlegate		
	Fossgate		
	Goodramgate (from Monk Bar)		
	College Green		

	Deangate		
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Actions to accompany the consideration of the new permanent footstreets

56. In response to the engagement with the disabled people, advocacy groups and businesses affected by the revised footstreets, and the recommendations in the independent review of York's access offer, a number of proposed measures have been identified to accompany the permanent footstreet changes proposed above which will aim to improve city centre accessibility. These will form part of a complete strategic review of the city's central area parking provision and access offer to be complete by Summer 2021, in advance of any new temporary revised footstreets becoming permanent.
57. The full terms of reference for the review will be scoped out and agreed with the Executive Member for Transport, but will include:
- A full review of the Shopmobility offer
 - A feasibility study for a city centre shuttle service for people with mobility issues
 - Undertake an audit to identify two car parks that are have an in principle gold standard for disabled users, with improved parking spaces and access routes in to the city centre
 - Undertake a feasibility study to explore options for a delivery hub model for the city centre
 - Consideration through engagement of the recommendations set out in the independent review of York's access offer

This will require a budget of up to £40k, which will be funded through £16k of unspent engagement budget and £24k from the existing Local Transport Plan 4 Parking Strategy budget.

58. The council remains fully committed to the ongoing dialogue and conversation with disabled residents on how we ensure that York continues to improve and enhance its access offer. The engagement work undertaken over the past few months has allowed a full and comprehensive understanding of the impact on individuals, and for the mitigations to be refined and improved in collaboration with disabled

people. By continuing the dialogue the council can be responsive in continually improving these mitigations and help explore solutions together that accompany any permanent changes.

Council Plan

59. As well as meeting the immediate public health needs, the proposals will reduce the impact of the COVID pandemic on the city's economy. Creating the conditions for a strong city centre recovery responds to the key outcomes including % of the workforce in employment, the % of city centre units that are vacant compared to other cities and the income generated through business rates.
60. An attractive, safe and accessible city centre will contribute to the council's aims to support independence, promote the health and wellbeing of all its residents. In turn, city centre businesses will benefit from higher footfall. The proposals will reaffirm accessibility as a central outcome of the programme to deliver world-class infrastructure and public space.

Implications

61. The report must demonstrate that all relevant implications of the proposals have been considered. All the following sub-headings should be included. Where a sub-heading is not relevant, this should be indicated by a brief sentence under the title; e.g. "There are no legal implications". Report authors are advised to contact the relevant Head of Department at an early stage if their report is likely to have significant implications under any of these sub-headings.

- **Financial**

The report has identified costs and funding routes for the additional expenditure identified in the report. Annex 3 details them on a scheme by scheme basis. Much of the 2020/21 expenditure has been funded from the Economy Recovery Funding approved by Executive June 2020 which included Active Travel funding (Dft), Reopening the High Street Fund (EU) and CYC reallocated funding.

The recommendations do include commitments of £60k relating to staffing the footstreet barriers that continue into 2021/22 where

funding is not currently identified. If Members accept the recommendations it will be necessary to include the costs as one-off growth as part of the 2021/22 budget where the funding stream will be identified.

- **Human Resources (HR)** – considered to be no impact
- **One Planet Council / Equalities** – see annex 5 for the comprehensive Equalities Impact Assessment
- **Legal**

City of York Council is both the Highway Authority and Local Traffic Authority for the York District area and are the body responsible for the processes involved in making Traffic Regulation Orders.

Some of the recommendations will require changes in the Traffic Regulation Orders. Temporary arrangements require extensions to the Temporary Traffic Regulation Orders to support provisions under the Business and Planning Act 2020. The Road Traffic Regulation Act 1984 permits the introduction of the parking restrictions as set out in this report in accordance with a statutory consultation procedure set down in the Act and associated secondary legislation.

In preparing and determining the proposals set out in this report the Council is required to have regard to the provisions of Equalities legislation, the Human Rights Act 1988 and s.17 Crime and Disorder Act 1998 (the duty to have regard to the need to remove or reduce crime and disorder in the area). Section 149 of the Equality Act 2010 requires the Authority to have due regard to the need to: eliminate discrimination, harassment and victimisation and other prohibited conduct; advance equality of opportunity between those sharing a relevant protected characteristic such as age, sex, disability, and sexual orientation, and those who do not; foster good relations between those sharing a protected characteristic and those who do not. This requires the Authority, have regard to the need to remove or minimise disadvantages suffered by persons sharing a protected characteristic that are connected to that characteristic, to take steps to meet the needs of those sharing protected characteristics which are different to those who do not share it, and to encourage those sharing a protected characteristic to participate in public life or such other activity where the participation by such persons is disproportionately low.

The proposals are the result of extensive public consultation, strategic reviews and Environmental Impact Assessment. Alongside the standard consultation procedures under the Road Traffic Regulation Act 1984, the proposals will be subject to a number of strategic reviews and mitigation measures. It is therefore considered that the proposals set out in this report are proportionate having regard to the wider needs of the area.

- **Crime and Disorder** – considered to be no impact
- **Information Technology (IT)** – considered to be no impact
- **Property** – considered to be no impact

Risk Management

62. The delivery of the proposed changes to the TROs follows standard Highway Regulation procedures mitigating the risks involved however these processes are open to challenge and scrutiny.
63. There is a risk that the changes to Covid 19 restrictions will mean that the Temporary TROs will need further amendment at short notice. Delegated powers will be used, where necessary, to implement changes.
64. The progression of the proposed amendment to the permanent TRO arrangements is dependent on the consideration of any objections, which may be received, by the Executive Member. There is a risk that the benefits provided by introducing the restrictions and the mitigation measures proposed are not considered to be adequate to address the concerns raised by any objections, but the mitigations measures will be reviewed and refined through on going public and stakeholder engagement as outlined in the report.
65. There is a risk that the uncertainty of the future of footstreets delays the City Centre Security Project impacting on the layout of the layout of the Hostile Vehicle Mitigation measures and potentially leading to abortive design costs. These risks are considered to be manageable at this stage but will be subject to regular review.

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**Report
Approved**



Date 16/11/2020

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Financial

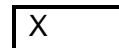
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Wards Affected: [List wards or tick box to indicate all]

All



For further information please contact the author of the report

Background Papers:

City of York Council Recovery and Renewal Strategy, Executive, June 2020

Annexes

Annex 1 – Covid-19 Economic Recovery - Transport and Place Strategy

Annex 2 - Detailed summary of each Traffic Regulation Order and restriction

Annex 3 - Summary of existing and future budgets related to this report

Annex 4 – Equalities Impact Assessment for the Covid-19 Economic Recovery - Transport and Place Strategy

Annex 5 – Equalities Impact Assessment for the recommendations set out in this report

Annex 6 - Independent review of York's access offer

Annex 7 - Open Brief based on the outcomes of the public and stakeholder engagement

Annex 8 - Summary of the responses to surveys and direct engagement

List of Abbreviations Used in this Report

TRO - Traffic Regulation Order

EIA – Equalities Impact Assessment