

Meeting	Customer and Corporate Services Scrutiny Management Committee & Health and Adult Social Care Policy and Scrutiny Committee - Commissioned Joint Committee meeting
Date	25 October 2021
Present	Councillors Baker, S Barnes, Crawshaw, Doughty, Douglas (Substitute), Fenton, Heaton, Hollyer, Hook, Looker (Substitute), Mason, Orrell, Vassie and Webb (Substitute)
Apologies	Councillors Pearson and Rowley

1. Declarations of Interest

Members were asked to declare, at this point in the meeting, any personal interest not included on the Register of Interests or any prejudicial or discloseable pecuniary interests that they might have in respect of the business on the agenda. The Chair declared a personal non prejudicial interest as his mother sat on the steering group of the Human Rights Equalities Board. There were no further declarations of interest.

2. Public Participation

Diane Roworth raised concerns regarding city centre access for current and future blue badge holders. She stated that access to the city centre had become increasingly restricted. She highlighted the reduced accessible hours of between 8pm and 10.30am which has made accessing shops, cinemas and restaurants impossible for blue badge holders. She also identified that the loss of pavement space and the blocking of public highway had made walking difficult in the city centre. She went on to urge members not to make the emergency measures permanent as she believed that they unlawfully discriminate against disabled people.

[Cllr Vassie joined the meeting at 14:15]

3. City Centre, Vision, Accessibility and Traffic Regulation

At their meeting on November 18 2021, the Executive were to consider a number of reports covering the future vision of the city centre and ongoing accessibility and regulation of vehicles for the city centre. In relation to this, Members considered a report that informed them of:

- The Council's emergency response to Covid

- The Council's Equality Duties
- The context of the four reports that Executive are going to consider,
- The structure of the work and consultations undertaken to date
- Emerging recommendations
- Emerging content of reports
- The latest context as to the city centre recovery
- The work undertaken to review Hostile Vehicle Mitigation measures

Following an introduction from the Director of Place, the Head of Regeneration Programmes gave a presentation on the four decisions in relation to My City Centre Vision, City Centre Access and Council Car Parking, the future of the Footstreets and the changes to Dial a Ride funding, that were to be made by the Executive on 18 November.

[Cllr Mason joined the meeting at 14:29]

The Chair thanked the Officers for the presentation and invited the external attendees to introduce themselves and give an overview of their experiences / involvement to date.

Representatives from the York Disability Rights Forum, York Accessibility Action, York Older People's Assembly, My Sight, York Human Rights City Network and York CVS all spoke on the issue of reduced access to the city centre, following the emergency response to Covid and the Hostile Vehicle Mitigation measures.

They highlighted concerns regarding the loss of rights for disabled people and that the people they were representing were being prevented from carrying out their usual daily activities within the city centre. Blue badge holders had been especially affected by the restrictions and were prevented from accessing the city centre and the amenities between 10:30am and 8pm. Concerns were also raised about the city's position as a Human Rights City and that the measures in place discriminated against already discriminated groups. The issue of isolation and loneliness was also raised with regard to mental health and wellbeing. The legality of the measures was also questioned.

[14:50 Cllr Barnes joined the meeting]

The Chair invited Members, Officers and the external attendees to discuss the issue of accessibility in the city centre, considering all aspects, not just the Footstreets proposal.

During the discussion relating to the public consultation, it was requested that the disabled community were acknowledged as a contributing part of the city. It was suggested that trust had broken down and concerns were raised that decisions had already been made. Officers sought to reassure the external attendees and Members that all citizens needs were being taken into account and that decisions had not already been made. Officers confirmed that following the emergency measures being put in place, the Executive allocated £25K to investigate the impact on blue badge holders and other disabled people. The Director of Transport, Environment and Planning explained Secretary of State approval had been applied for to ensure all options were available to the Executive on 18 November. The Director of Place explained that City centre Highway Regulation applies to all Blue Badge holders, nationally, and not just those in York.

The procedure for Equality Impact Assessments (EIA) was explained by the Director of Governance. She explained that CYC is piloting a new framework and that an EIA was a living document that was renewed throughout the process. She confirmed that the project group and the Officer who set up the EIA was responsible for updating the document. It was suggested that training for Members and Officers regarding EIA's would be beneficial.

The Head of Regeneration Programmes described in more detail the access measures that have been adopted by Chester & Bath.

It was highlighted by Helen Jones from York Disability Rights forum that it would not be possible to come up with any single solution and that even a jigsaw of solutions would leave a gap in provision for some disabled residents

After a 10 minute adjournment during which Cllrs Runciman and Hollyer and Professor Paul Gready left the meeting, Members resumed their discussion.

During the debate it was noted that the council's use of language could be more carefully considered and that it was necessary to demonstrate a good reason to not allow access into the city centre.

Several Members identified co-design opportunities and questioned the feasibility of mitigation measures such as auto number plate recognition and movable barriers. Officers explained that a Blue Badge was not dedicated to a car but the person, this made it difficult but not impossible to manage. They were investigating how other authorities managed this and would provide analysis for the next meeting.

Cllr Vassie raised the issue of the right to access rather than the right to use a car in the city centre. He highlighted the electric shuttlebus in Dijon as a good example of offering carbon free transportation within the city centre. Officers confirmed that the shuttlebus was part of their investigation but acknowledged that the bus and the Dial a Ride solution are not suitable for all Blue Badge holders. As part of this section of the discussion, members heard that residents are going to other towns and cities to shop and use amenities increasing their own carbon footprint. The Corporate Director of Place noted that he would investigate the availability of wheelchair adapted electric vehicles.

[Cllr Heaton left the meeting at 16:05]

To contextualise the discussion it was noted that 78% Blue Badge holders are unable to access the city centre. To that, 69% of member of York Disability Rights Forum cannot access city centre, this has led to a poorer quality of life and increased isolation and loneliness.

Members who had recently experienced Chester's blue badge system noted that there were some difficulties with the system, although the barrier system worked well. It was suggested that this be investigated for Blake St parking/drop off area.

Some Members raised concerns regarding the Officer's report, noting that it lacked detail. There were several requests made for specific data which Officers confirmed would be brought to the next meeting on 08 November 2021. The lack of information led Members to question their ability to scrutinise effectively at this meeting. Concerns were also raised regarding the results of consultations where the style of communication was described as leading. The issue of trust was raised again and Members explained that residents believed that decisions had already been made. Officers noted that the meeting was part of the pre decision scrutiny and was taking place a month ahead of the decision making by the Executive. The Director of Place confirmed that no decision had been made, he later went on to note that there was no such thing as perfect decision making and perfect information.

Scott Jobson from My Sight, explained that a number of agencies had developed a Street Charter. The Chair agreed to consider how best to bring the Street Charter to Scrutiny, possibly through the Economy and Place scrutiny work plan.

Further to the earlier discussion on EIA's the Director of Governance confirmed that CYC is receiving external specialist legal advice on the specific issue of Equalities and Human Rights legislation. It was focussing

on the EIA and the barrister who was specialised in equalities issues, would receive the recordings of the meetings and all the information and material relating to this issue. A decision as to whether this advice would be made publically available was yet to be made.

Following input from Cllr Doughty, Chair of the Health and Adult Services Scrutiny Committee, Members from that Committee made a formal request to CCSMC to endorse the recommendations from the Human Rights City Network report at the pre-decision scrutiny meeting on 08 November 2021.

The Chair thanked all those that had attended and contributed to the meeting.

Resolved:

1. That the discussions held at the meeting be considered by the Customer and Corporate Services Scrutiny Management Committee at their pre-decision scrutiny meeting on 8 November 2021.
2. The following information be provided by Officers to the above meeting on 08 November 2021.
 - The data regarding pedestrian versus vehicle incidents, particularly blue badge holders.
 - The speed limit in the city centre.
 - The CYC analysis of the Human Rights City Network report.
 - The daily numbers of Blue Badge holders in city centre pre Covid.
 - Comparative data around the use of the Minster and Duncombe place parking, pre and post changes.
 - Data on the number of people who will not benefit from any of the mitigations on offer.
 - Out of the 7,500 Blue Badge holders in York, the number of people who would be completely excluded should the changes be made permanent.

Reason: In order to inform the Committee's consideration of all the factors relevant to the Executive on the 18 November 2021.

Cllr Crawshaw, Chair

[The meeting started at 2.00 pm and finished at 4.40 pm].