

**Customer and Corporate Services Scrutiny
Management Committee**

25 October 2021

Report of the Corporate Director of Place
Portfolio of the Executive Member for Transport

City Centre, Vision, Accessibility and Traffic Regulation

Summary

1. At the meeting on November 18 Executive will consider a suite of reports that cover the future vision of the city centre and ongoing accessibility and regulation of vehicles for the city centre. Reports for this decision session are in development and non-statutory consultation is still ongoing and due to conclude on 25 October 2021.
2. This report elaborates on:
 - 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
3. None of the Executive reports are complete and a significant amount of analysis in particular of consultation response and impacts is being undertaken therefore further work is ongoing in preparing the reports for Executive. This work includes detailed legal advice as to the Council's Duties and the degree to which the Executive is in a position to consider making a decision.
4. The Scrutiny process will offer an opportunity for Members to consider the key aspects of all four reports and the complex balances and obligations that the Executive are going to have to consider. This will

further inform the reports for Executive and recommendations can of course be made directly to Executive by each Scrutiny Committee.

Background

Pre Covid City

5. York's city centre has undergone many incarnations over the centuries. Cars are however a 20th Century phenomena and they can be seen filling the city centre in photographs of the 1950's and 1970's as the car became more prevalent. As the city centre has evolved the Council has taken responsibility for regulating this vehicular access to meet the evolving needs of the city over time. As the most valuable and intensely used land in the city this has always necessitated compromise and as recently reported in the Press often not without controversy, with Market Traders and Police involved in demonstrations in 1986 over the introduction of footstreets.
6. 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.

Ongoing Threats

7. Today York is one of the most visited places in the UK with over 7 million visitors and each year hosts a number of events and festivals that attract a growing number of people both locally and from across the world into the city for the benefit of its economy, jobs and residents. In addition the desirability of the city as a place to live, raise children and grow old is well documented. These factors of success are however vulnerable and precious and easily lost as they rely heavily on society's perceptions of the safety offered by a major Tourism city such as York. York can also boast one of the nation's most iconic sites in its boundaries, York Minster.
8. The Executive in February 2018 noted the changes above and recognised that keeping the residents and visitors safe by protecting the public and the economy of York is a key role and priority for the Council, noting that the consequences of an attack on the city would be severe. In light of the above and following the use of an Experimental order and a series of statutory and non-statutory consultations the Executive restricted vehicular access in the city centre and reduced the number of streets which Blue Badge Holders vehicles could access.

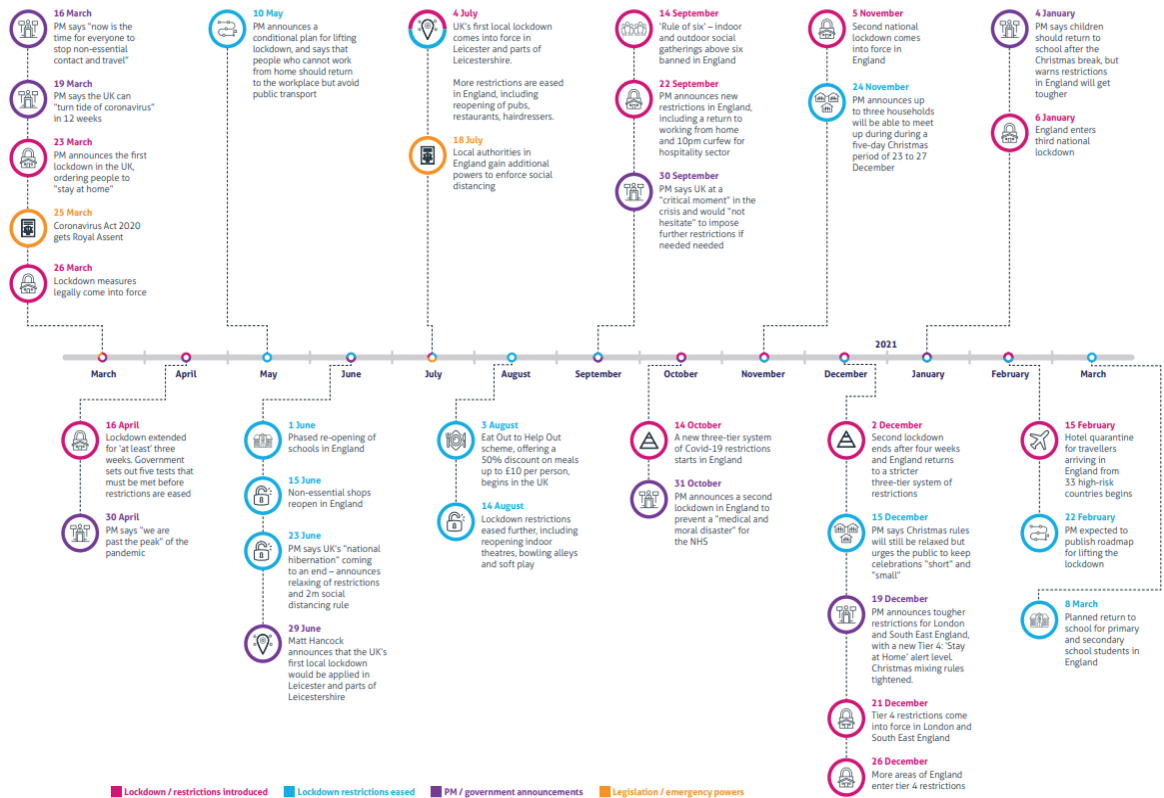
9. Unfortunately the terrorist threat has not subsided and the Government have recently consulted on proposals for Local Councils to have a “Duty to Protect” which will have wide reaching implications with regard the obligations on local Councils to respond to Counter Terrorism advice.

Changing City

10. The city centre has also continued to evolve since 2018 and, whilst the city continued to outperform other Cities in respect of retail decline thanks to our diverse independent trade offer, visitor economy and vibrant hospitality sector, the city has seen many national retailers collapsing, leaving large vacancies on Coney Street, Parliament Street and across the city centre.
11. Recognising the changing nature of the city centre and the slow but constant decline of high street retail, the My City Centre project was commissioned by Executive in August 2019, with the aim:

“To engage the public and stakeholders to develop a long term social, environmental and economic strategic vision for a sustainable future for York city centre”

12. Before the My City Centre project could get into full consultation and reporting on 23 March 2020 the country was closed down due to Covid and the national timeline over the following year is shown below.



Source: Institute for Government analysis.

Covid Response

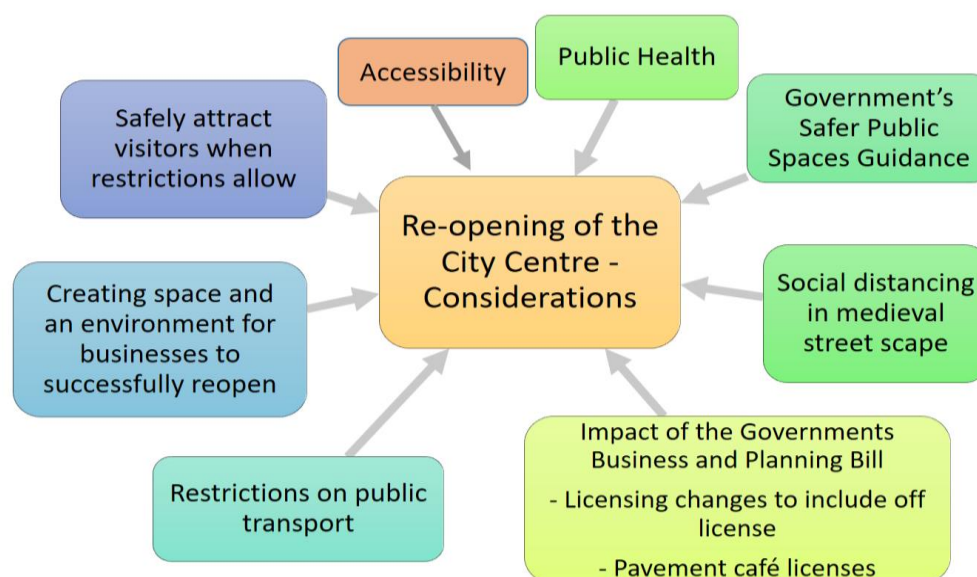
13. Covid necessitated the implementation of a number of significant emergency measures in the city centre that were set out in the One Year Transport and Place Strategy, which was approved by the council's Executive in June 2020. The strategy was a direct response to the government's Safer Public Places 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, and Government changes in the Business and Planning Act to licensing laws and pavement café licence to make it easier for business to have outdoor seating through the introduction of a fixed fee of £100, removal of the requirement for planning permission, and requiring authorities to determine applications within 5 working days.

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



14. As part of this strategy the city's response to meet these challenges included an amendment to the existing footstreets to remove vehicular access to create the additional safe space set out in government guidance. This was implemented through the following timeline of actions and decisions:

Timeline of decisions

June 2020 – Temporary removal of the Blue Badge access exemption in the footstreets in response to Covid 19 under emergency powers (<https://democracy.york.gov.uk/ieDecisionDetails.aspx?ID=5829>)

July 2020 – Extension of footstreet hours to 8pm and introduction of additional mitigations to reduce the impact of the temporary changes on Blue Badge holders (<https://democracy.york.gov.uk/ieDecisionDetails.aspx?ID=5853>)

September 2020 – Extensive public engagement on the impacts of the extended footstreets

November 2020 – Executive

[Issue - items at meetings - The future of the extended city centre footstreets \(york.gov.uk\)](#)

- Approved new blue badge parking spaces on the edge of the footstreets
- Reinstated motorised vehicle access to Monkgate, Deangate and College Green to increase blue badge parking.
- Approved the statutory consultation to consider making the temporary changes to the remaining footstreets permanent.
- Commissioned a Strategic Review of City Centre Access and Parking to makes recommendations on improving access for disabled users, deliveries, cyclists and residents

Consideration of making the temporary footstreets permanent following November 2020 Exec

November 2020 – Executive decision to begin the formal process to consider making the temporary changes permanent (except Fossgate, Monkgate, Deangate, College Green) based on the outcome of September 2020 public engagement and Equalities Impact Assessment

February 2021 – statutory consultation delayed as officers identified further improvements to blue badge parking

Spring 2021 – public engagement on further blue badge improvements to mitigate impact of the proposed changes in the footstreets

July/August 2021 – Statutory consultation launched
[Issue - items at meetings - Footstreets Traffic Regulation Order Proposals \(york.gov.uk\)](https://www.york.gov.uk/issue-items-at-meetings-footstreets-traffic-regulation-order-proposals)

The parking mitigation measures that were associated with these decisions and current status is included at **Annex 1**.

Next Steps Reports to Executive November 2021

15. In response to the above issues officers are bringing a suite of interrelated reports to the Executive in November 2021 for consideration. In order to aid the Scrutiny of the City Centre Regulation highlights of the reports and **draft** working recommendations are as follows, with the forward plan entries being detailed at **Annex 2**.
 - a. **My City Centre:** Approve the My City Centre Strategic Vision and adopt as a guide to investment in the centre, and consideration of relevant changes to planning policy to compliment the Vision (where relevant).

Reason: To establish a long term social, environmental and economic strategic vision for a sustainable future for York city centre, and ensure that decisions are made in accordance with this vision.

- b. **City Centre Access:** Approve the Strategic Review of City Centre Access and associated Action Plan.

Reason: To agree a clear strategy for access to and through the city centre footstreets and approve the action plan to implement the improvements to access that have been developed through public and stakeholder engagement.

- c. **Consideration of changes to the City Centre Traffic regulation order:** To note the consultation responses to the statutory consultation as detailed in paragraphs X, this will help the Executive to understand the impacts reported by the Blue Badge holder and disabled community, whilst also considering the risks of pedestrian and vehicle conflict, and the impact of changing the TRO on implementing the counter terrorism measures that Executive have previously approved.

Reason: To ensure Executive considers the Council's equalities duties and the wider context of this decision and the additional information that has been provided as a result of the wider consultations with residents, businesses and stakeholders on the future of the City Centre.

In light of the above considerations and specifically the Council's equalities duties, Executive are asked to determine if they wish to proceed with Option x,y,z etc

- d. **Dial a Ride:** To consider arrangements for the Council's financial relationship with York Wheels service and potential additional service investment in Dial & Ride.

Reason: To regularise the Council's arrangements with York Wheels providing greater clarity of roles and responsibilities, whilst considering opportunities to enhance the service for users in particular city centre accessibility.

16. Each of these reports are separate decisions but the sequencing will allow Executive to consider the impacts and necessity of their decisions when considering the subsequent report and thereby better inform the decision making process.

Engagement and Consultation approach

17. The development of these reports has taken into consideration the extensive consultation that has and is taking place over the last year and

the following is a summary of the key elements of the process and feedback:

The city centre reopening following COVID-19 prompted the most extensive engagement with disabled residents and review of access to York's city centre in living memory. Ideally, the engagement would have taken place prior to the development of the One Year Transport and Place strategy, but the timescales between receiving government regulations and guidance left no room for any meaningful engagement or co-design ahead of the implementation. The engagement that followed was therefore designed to make sure the Council truly understood the impact of its decisions, both positive and negative, and inform potential solutions to barriers to access. Ultimately, the engagement provides Executive with a detailed evidence base on which to consider recommendations for the future arrangements and access accommodations.

The ongoing conversation regarding the extent of the Footstreets can be considered in three distinct phases:

1. Capturing the impact of the emergency measures introduced for Covid reopening and informing changes made in November Executive.

This engagement phase included two surveys available online and through consecutive issues of the Council's magazine, Our City. Coupled with a freepost address for return, the first survey was an all-resident pulse survey containing several questions relating to the reopening's. The second survey was targeted specifically at blue badge holders.

Those 165 respondents identifying as disabled expressed broadly the same levels of support as the wider population for the principles behind the extended pedestrianisation. 61% of disabled respondents agreed or strongly agreed with extending the footstreets, compared with 67% across the whole survey. On prioritising extra space for cafes and restaurants, the 'agree' and 'strongly agree' figures are 70.8% for the whole survey, and 70.3% for those identifying as disabled.

In the follow-up survey targeting disabled residents in September's Our City, 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). The 177 Blue Badge Holders were less positive in their responses, with 45% disagreeing or strongly disagreeing that fewer vehicles increase their safety. Respondents

noted that the parking provision and mitigation is not seen as adequate, (201) or close enough (213). 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.

The surveys were complemented by workshops, co-facilitated by the York Disability Rights Forum and attended by 30 individuals. We also held targeted meetings and insight meetings with disabled groups with a combined membership/representing several thousands of York's residents. Forum members offered feedback and guidance on inclusive engagement practice and also signed off the community brief published to capture all the themes raised within the engagement. This working relationship has supported increased accessibility of the engagement process, including the use of British Sign Language translators, Easy Read versions of some key documents, more accessible structures and consultation material within workshops, and a lived experience focus for the accessible routes workshops held by external consultants.

While the footstreets have advantages from an accessibility and – at the time a key concern – public health perspective, a number of disabled residents feel the removal of blue badge parking makes the city centre less accessible, or indeed completely inaccessible, to them.

While the community brief focuses on restrictions and accompanying accommodations which were removed following November 2020's Executive, it captures and reflects the impacts felt by those Blue Badge Holders while also reflecting the increased accessibility and sense of safety of pedestrianisation of the wide road surfaces. The advantages are caveated by the need to improve accessibility in other key areas, such as navigation around new street furniture and access to pavements and units through improved dropped kerbs and pavement surfaces.

Overall the removal of the Blue Badge access exemption and longer hours were welcomed by most businesses, with many identifying them as essential to keep trading, and were supported by York Retail Forum and the York BiD on behalf of their members. However, there were 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 recommendations to November 2020 Executive reflected the extensive and diverse nature of the opinions captured. The

engagement and community brief informed changes made to the temporary order, including the removal of the temporary access restrictions on Deangate and College Green. It also directly informed a programme of work and further engagement to place disabled residents' views at the heart of plans to shape a more accessible city centre.

2. Pre Consultations ahead of Statutory traffic regulation order consultation

There have been two periods of consultation relating directly to the future decision in November relating to the footstreets traffic regulation orders. In Spring 2021, the council held two online workshops, again backed up by a survey available online, as well as being posted to several individuals by request. The consultation explored the value of specific locations where additional blue badge parking could be provided on the edge of the footstreets, and the nature of that parking.

In total there were 540 survey responses completed, of the completed surveys 270 were completed by Residents who are Blue Badge holders, 65 by residents who are not Blue Badge Holders, 69 by a carer of a Blue Badge Holder, 7 from businesses (including taxi drivers) and 129 skipped the question. Transport officers also considered the 12 emails received in response to the consultation, and the views of 20 people attending the two open invitation zoom sessions.

Workshop participants and many survey respondents repeated the desire for a return to pre-COVID access arrangements and the harm that removing exemptions would cause. The consultation also revealed that many of the new disabled bay locations would be welcomed and useful to some people in some situations, including access to services, shops and cultural activities close to proposed new bays.

3. Statutory Consultation on Extent of Footstreets

This was followed by a statutory consultation on the removal of the blue badge exemption on several streets to confirm the current arrangements for the long term. Again, every Blue Badge Holder in York received details of the proposals and information on how to make a representation. The results of this will be shared ahead of the Executive decision in November.

4. Strategic Review of City Centre Access and Vision

The ongoing conversation regarding the accessibility and vision of the city centre has also undertaken significant consultations

Part 1 – shaping the strategic review

A summer of engagement activity centred on the future of the city centre, both from a wider vision perspective (the My City Centre programme) and the strategic review of city centre access was agreed by Executive in November 2020.

1,346 people responded to the My City Centre resident survey, which was advertised online and in the council publication *Our City*, delivered to every household in York. A section of all three versions of the My City Centre survey focused on access to York city centre, with people identifying as disabled routed to these questions. 16% of respondents consider themselves to have a disability. 70 respondents said they had a blue badge, or 41% of those who said they had a disability (169 respondents).

The results from this consultation reinforced the conclusions which informed the Strategic Review's focal points, including:

- Quality of pavements ranks highly in disabled access priorities, but scores poorly when rating the city's current provisions
- Overall, the bus is the number one method of transport into the city centre for those that responded.
- For those who drive, a car park's proximity to a desired location is the most important consideration for our residents
- Multi-storey car parks remain unpopular due to unreliability of lifts
- Awareness and demand for Shopmobility both scored poorly.

We also held the following workshops to look at different aspects of access identified in Summer 2020's Open Brief, collectively attracting over 100 attendees (although many of these were individuals attending multiple workshops).

- York City Centre Deliveries Focus Group took place on 20 May with cycle couriers, delivery drivers and the businesses that depend on them.
- 2 x Accessible Routes in York City Centre Workshops took place on 11 and 16 June with users with specialist mobility requirements.
- 2 x Cycling in York City Centre Workshops took place on 11 and 17 June with cyclists and potential cyclists.
- A York Shop mobility Focus Group took place on 14 June with users and potential users of the service.
- A meeting with York Hackney Carriage & Private Hire Associations took place on 2 June

The minutes of each of these workshops were shared with participants to check for accuracy before being published on the Council's website. They can be viewed, along with a wider summary of the emerging themes and further questions as part of the latest City Centre Access engagement at www.york.gov.uk/AccessConsultation

Part 2 testing the vision and exploring further questions

We have recently shared both the draft My City Centre vision and the emerging ideas and key questions relating to the strategic review of City Centre Access.

- The My City Centre survey revealed wider resident sentiment relating to a number of areas with direct implications for the footstreets and city centre management, including:

Improve accessibility through a wide range of further measures including more dropped kerbs, improved surfaces and seating and better facilities for disabled people.

- Almost 9 out of 10 residents agree with this statement, while the majority, 57%, strongly agree
- Residents most likely to say they strongly agree are those who look after someone with a condition or problems related to old age (77%), residents with a physical or mental health condition (70%), and females (77%).

Support outdoor eating and cafe culture in the city centre.

- Around 4 in 5 residents agree with this statement, while 45% strongly agree
- Over 60s are least likely to say they strongly agree (only 34% strongly agree vs. 53% aged 16-39)
- While outdoor seating has been a popular response to the Covid pandemic, outdoor café culture should only occur where there is enough space, i.e. not block pavements or accessible routes.

Create a family friendly environment in the early evening, particularly midweek.

- Just over two thirds of residents agree with this statement, with almost a third saying they strongly agree
- Agreement is similar across demographics
- The majority of comments were around creating a family friendly environment at weekends too, as this is more likely to be family time, outside of work and school commitments.

Supporting businesses and family-friendly activity in the early evening

- 4 in 5 residents agree with this statement, while over one third strongly agree
- Agreement is similar across demographics
- The highest number of comments were around the difficulty of York being family-friendly in the evenings due to the amount of drunken behaviour

At the time of writing, we have not completed the analysis of the views of the 23% of the disabled residents or carers who are part of the 909 online responses.

Draft Report Content

My City Centre and the future vision for York

18. The My City Centre vision has been shaped through extensive stakeholder and public engagement and establishes a long term vision for the social, economic and environmental sustainability of the city centre, underpinning jobs, services and our economy. The core premise is that a vibrant city centre, which a wide range of people want to spend time in across the day and evening, will create the right conditions for responsive businesses to grow and adapt, for city living to develop, and for cultural and social activity to flourish. York is an amazing place that people want to visit, and tourism is a key component of our economy. But first and foremost our city centre exists to serve the needs of our residents. By focusing our vision on ensuring the city centre is in the best place it can be for our residents and communities that live here, the visitors that support the economy and sustain our shops, markets, restaurant and jobs that are used by our residents, will follow.
19. The My City Centre Vision will create the environment for all of this to happen through:
 - Creating a supportive, place specific policy & regulatory framework
 - Seeking investment for our public realm and spaces
 - Ensuring events & experiences attract a wide range of people
 - Providing more for residents and families
 - Encouraging people into the city when it was traditionally quieter
 - Ensuring a safe, happy environment when it is busier
20. This draft vision was tested with the public in September 2021 as noted above in the consultation summary. There are a number of long term aspirations for the city centre in the vision that relate to the operation of

the footstreets, particularly the ambition for continued outdoor seating and a café culture to drive a family friendly city centre, events spread more widely across the city's squares and streets, and the footstreets running later in to the evening. These have all received positive feedback from the key stakeholders on the My City Centre steering group and had high approval ratings in the public feedback on the vision.

City Centre Access

21. In November 2020, Executive commissioned officers to undertake a strategic review of the city centre access and parking, to be completed by summer 2021. The review was commissioned at the same time as the Executive's decision to commence the statutory consultation on extending the geography of the pedestrianised footstreet area in line with the temporary measures introduced in response to Covid.
22. The main purpose of the access element of the review was to explore through public and stakeholder engagement how access could be improved to and through the footstreets - regardless of their geographical extent – with a particular focus on disabled people, cycling and e-scooters, deliveries, taxis and residents who live within the footstreets.
23. The review followed the council's 'My' approach to public engagement that has been successfully pioneered on other projects and issues in the city. This involved placing the public and stakeholders at the heart of understanding and defining the challenges, producing an open brief, establishing a draft vision, and then testing and refining that vision through further engagement.
24. During the engagement period the council ran and facilitated online workshops and events which are detailed above in the consultation summary.
25. All of these events went in to producing an open brief on the issues raised, capturing the wide range of views and feedback that were received. The final engagement on the draft recommendations is ongoing.
26. The guiding principle developed through the review is a city centre access model based on three key principles – that the footstreets is an area in which people can walk or use mobility aids; that cyclist, e-scooters, buses and blue badge holders are encouraged to be within the city centre but to pass around or park on the edge of the footstreets; and cars and vehicles are encouraged where possible to park outside the inner ring road.
27. The elements that make up the vision are currently being tested through public engagement which runs until the 25th October. The issues that are

being tested through that engagement, to allow the final strategic review recommendations to be tested, are as follows:

- whether the footstreet hours should run until 7pm in the evening
- whether the footstreet hours should start at 12 noon to during weekdays in the less busy period of the year to allow longer period of access for blue badge holders
- creating further disabled bays in Duncombe Place/Blake Street
- investing in the shopmobility and dial-a-ride service, identifying users and additional locations, and the intention to expanded provision of mobility aids
- a feasibility study for a dedicated shuttle service for disabled people and those with mobility issues
- providing additional seating at key points across the city centre, improving the availability and quality of disabled toilets, and improving poor quality pavements
- the aim for all city centre business deliveries being undertaken by ultra-low emission vehicles or cargo bikes by 2030
- In principle cycling should not be permitted in the footstreets
- But whether there should be exemptions for people who use a cycle as a mobility aid or for cycle couriers
- improving existing city centre cycle routes, and investing in more secure cycle parking spaces

The response to this engagement will be reported to November Executive alongside the final strategy.

Changes to City Centre Traffic Regulation Order

28. The Council's response to the Covid-19 restrictions and social distancing requirements to help aid the economic recovery of the city removed the exemption for vehicles displaying a Blue Badge to access the pedestrian area during the times of operation and extended the hours of operation till 8pm all week on a temporary basis.
29. To help mitigate the removal of the exemption on vehicles displaying a Blue Badge, Blue Badge parking bays were introduced at the outskirts of the pedestrian area.
30. The conflict between pedestrians and vehicle movements 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.

31. 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 core footstreet area, but with potential future phases to expand the area of protection.
32. The Executive decided to start the process of making some of the temporary Covid related changes permanent in November 2020. The decision to undertake the statutory consultation to remove the Blue Badge access exemption and introduce dedicated Blue Badge bays on the outskirts of the pedestrian area was taken in June 2021.

TRO Consultation

33. The statutory consultation for the amendment of the TRO was advertised on 9th July 2021, with an original end date of 6th August 2021, which was extended until 13th August 2021. The statutory consultation for the proposed amendments to the TRO was advertised to amend The York Parking, Stopping and Waiting Traffic Order 2014 and The York Traffic Management Order 2014.
34. The York Parking, Stopping and Waiting Traffic Order 2014 was proposed to be amended to introduce:
 - i) Dedicated Blue Badge parking bays on Carmelite Street, Deangate, Duncombe Place, Dundas Street, St Andrewgate and St Saviourgate;
 - ii) shared Blue Badge Parking/loading bay on Duncombe Place and;
 - iii) No Loading' at any time restriction on Aldwark.
35. The York Traffic Management Order 2014 was proposed to be amended to revoke the exemption on vehicles displaying a Blue Badge from accessing Blake Street, Castlegate, Church Street, Colliergate, Goodramgate between Deangate and Church Street, King's Square, Lendal, St Andrewgate between its junction with King's Square and a point 50 metres north east and St Helen's Square during the pedestrian hours (10.30am and 5.00pm).
36. With over 200 responses to the consultation, detailed analysis is being undertaken with nearly all respondents detailing their objections to the proposals.

Dial & Ride

37. Local community transport provider York Wheels has, for many years, operated the council's Dial & Ride service under a service level

agreement. As a York-based not-for-profit charity, with a high level of volunteer support, York Wheels are ideally placed to operate the service in a manner which, in comparison to alternatives, offers excellent value for money for the council and have a high level of understanding of local needs to travel through extensive links with the local community.

38. Prior to the Covid outbreak in March 2020, approximately 5,000 return journeys per year were made on Dial & Ride services, with around 500 users of the service in total of which around 200 are regular users travelling at least twice per month.
39. The report will consider this year's additional budget allocation to Dial & Ride and in particular the City Centre Services provided as the uniquely identifiable dial and ride bus has an exemption to the City Centre footstreets.

Current Economic Performance

40. As can be seen in **Annex 3**, the city centre is performing well, with footfall and spend both strong over the past quarter. There are plenty of customers for businesses, with that picture extending beyond the school holiday period and into early October. We have also heard from out-of-town locations that trading is strong in York in contrast to other locations, with the average high street footfall across the country being around 18% below what was seen in 2019.
41. Investor interest in York continues, both in terms of commercial property investment, and in acquisitions and expansions. The recent months have seen 20 recorded sales of such property, including two large hotels (Dean Court and Monk Bar), three offices and a dozen retail sites.

Terrorism and Highway Safety Risks from Vehicular access

42. **Annex 4** is a map showing the Existing Extent of Footstreets in the City Centre. **Annex 5** is a map that shows the footstreets, those marked blue have been car free. Those marked green had a specific exemption allowing blue badge holder, which was temporarily removed. If it is made permanent then the Hostile Vehicle Mitigations approved by the Executive will be reviewed. The current proposed extent of footstreets protected by the Hostile Vehicle Mitigation Measures is shown in **Annex 6**. **Annex 7** shows the extent possible if the car free element of the footstreets is extended.
43. In addition to the response to the Statutory Consultation response Officers are currently consulting with the Police as to their advice to Executive in respect of the current vehicle terrorism risks, noting that they have a power to request and CYC an obligation to implement an anti-terrorism traffic regulation order. In considering this matter Highways

officers have also been considering the HVM options implications of allowing vehicular access for parking on either the Goodramgate – King’s Square – Colliergate corridor, or the Blake Street – St Helen’s Square – Lendal corridor.

44. The 2018 Phase One HVM scheme is designed with both of these corridors being accessible but only protects the Parliament Street/St Sampson’s Square events space and Coney Street. There would be no protection for King’s Square, St Helen’s Square, the market and busy surrounding streets. Whilst specific vehicles may be the primary exemption to the restrictions, experience shows that the open access is exploited by many other drivers increasing the risks to pedestrian safety, including terrorist threat, whilst reducing pedestrian comfort. The cost of the Phase One installation is estimated to be similar to the installation of the Phase Three scheme currently being designed. However, this review considers the increased responsibility the Duty to Protect will put on the Council, particularly the protection of crowded spaces in the city centre.
45. If the Goodramgate – King’s Square – Colliergate corridor is open for vehicles, the cost of protecting King’s Square and the market as well as Petergate, Stonegate, Swinegate, and Church Street will require an additional £XXXK. This is based on the access control points moving from Goodramgate and Colliergate to Low Petergate and Church Street, close to King’s Square. An additional controlled access point will be necessary to allow access to King’s Square (to set up stalls, the carousel etc., and as an exit from the market and The Shambles). Approximately 30 bollards would be required to protect the Square.
46. If the Blake Street – St Helen’s Square – Lendal corridor is open for vehicular access, the cost of protecting St Helen’s Square and Stonegate (and therefore areas that could be accessed via Stonegate) will be an additional £XXXK This is based on access control points moving from Blake Street and Lendal to Davygate and Coney Street/St Helen’s Square. To protect St Helen’s Square a line from the Mansion House/Guildhall access would be most effective, this was the line used in the 2019 festive period. This will maximise protection of crowds associated with events based at the Mansion House (civic events, royal visits, political rallies) though crowds would inevitably spread beyond any bollard line as the event focus is generally the Mansion House front door. An additional access control point will be necessary in Stonegate, at a point away from the junction for access by larger turning vehicles. Approximately 32 bollards would be required to protect the Square.
47. Highways officers have also considered the wider implications of allowing vehicle access for parking on either Goodramgate – King’s Square – Colliergate, or Blake Street – St Helen’s Square – Lendal.

48. Pavement Cafes Licences – The following is based on the current pavement café licences that are in operation under the temporary legislation. This number may reduce naturally once the temporary legislation ends and the previous legislation is reinstated (higher cost, requires more rigorous approval process)

Blake Street – St Helen’s Square – Lendal:

- 8 pavement café licences may have to be removed completely
 - Blake Street - McDonalds, The Larder Club
 - Lendal - 23 Lendal, Middle Feast, Nola, Spring Espresso, The Old Bank, Trembling Madness
- 3 whose extent may have to decrease
 - Blake Street =1 (Mannion)
 - St Helen’s = 2 (Impossible, Harkers)

Realistic capacity of Blue Badge parking – 18 spaces maximum

Goodramgate – King’s Square - Colliergate (excluding Church Street)

- 9 pavement café licences that may have to be removed completely
 - Goodramgate: Odin’s Plate/The Hilt, Old White Swan, Snickleway Inn, The Block, The Habit, Vahe Bar, Coffee Culture, Happy Valley
 - Colliergate: Hop O’Clock
- 5 whose extent may have to decrease/location change
 - Kings Square: Thomas the Baker, Café Harlequin, Caffe Nero
 - Colliergate: Chloe’s of York, the Cornish Bakery

Council’s Equalities Duties

49. In preparing and determining proposals set out in the report the Council will be required to have regard to the Equality Act 2010 and Human Rights Act 1998. The Council’s legal team are considering equality duty in depth. Additionally, given the sensitive nature of the proposals in the report, external legal advice is being sought.
50. The Council must in the exercise of its functions have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Statutory

guidance issued in May 2020 reiterates that the duty continues to apply as Councils make changes (permanent and temporary) to their road networks in response to Covid-19, and the needs of disabled people and those with other protected characteristics must be considered. A fair and proportionate balance has to be found between the needs of people with protected characteristics and the interests of the community as a whole to ensure that the equality duty is met.

51. There is no prescriptive way to evidence due regard to those with protected characteristics under the Equalities Act.

Recommendations

52. Recommendations are contained in the covering report.

Council Plan

53. The information and issues included in this report demonstrate progress on achieving the priorities set out in the Council Plan.

Implications

54. As this is a Scrutiny report there is no decisions proposed however it is recognised there will be a number of significant implications that will need to be addressed in the final reports to Executive.
 - **Financial** are contained throughout the main body of the report.
 - **Human Resources (HR)** There are no HR implications related to the recommendations
 - **One Planet Council / Equalities** Whilst there are no specific implications within this report, services undertaken by the council make due consideration of these implications as a matter of course.
 - **Legal** The Council, as Highway Authority and Local Traffic Authority is responsible for making Traffic Regulation Orders (TRO). When making a TRO the authority must exercise its power in a way which secures the expeditious, convenient and safe movement of vehicular and other traffic and the provision of suitable and adequate parking facilities on and off the highway so far as practicable.

Where works involve a need to introduce or amend a Traffic Regulation Order, the relevant statutory procedures must be followed including the requirement for formal consultation and advertisement in the local press. Where objections are received, there is a duty on the Council to ensure that these objections are duly considered.

- **Crime and Disorder** There are no crime and disorder implications related to the recommendations
- **Information Technology (IT)** There are no IT implications related to the recommendations
- **Property** There are no property implications related to the recommendations
- **Other** There are no other implications related to the recommendations

Contact Details

Authors:

Neil Ferris

Andy Kerr

Dave Atkinson

James Gilchrist

Tracey Carter

Helene Vergereau

Chief Officer

Responsible for the report:

Neil Ferris, Corporate Director of Place

**Report
Approved**



Date 14.10.21

Specialist Officers:

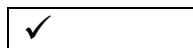
Janie Berry

Heidi Lehane

Gareth Wilce

Patrick Looker

Wards Affected: All



For further information please contact the authors of the report

Background Reports

As noted in the Summary a significant amount of analysis is being undertaken in respect of the Consultations that have taken place over the last year this work is incomplete but will form background papers for the Executive reports.

Consultation: Annexes

Annex 1 – Parking Mitigation Measures

Annex 2 – Forward Plan Entries

Annex 3 – York Bid – Summer Recovery

Annex 4 – Existing Extend of Footstreets

Annex 5 – Footstreets map showing blue badge exemption locations

Annex 6 – Current Proposals for Footstreets protected from Terrorism

Annex 7 – Extended terrorism protected footstreets

Glossary of Abbreviations used in the report:

CYC	City of York Council
HVM	Hostile Vehicle Mitigation