

Report of the Director of Transport, Environment and Planning

Removable bollards waiver policy and process

Summary

1. This report presents a proposal to implement a waiver policy and process to enable residents to apply for the removal of bollards and an access waiver, where this supports access to their property for large vehicles requiring access for removals or building works. This policy and process is focused on areas of York where removable bollards are in place to enable modal filtering and where access through surrounding streets without removing the bollards would not be possible or very difficult.

Recommendations

The Executive Member for Transport is asked to:

- 1) Approve the development and implementation of an access waiver policy and process, including the proposed fees and charges as outlined in option 2 of paragraph 8, for residents and businesses to apply for an exemption to enable vehicles to gain access through closure points where removable bollards are available. This would apply to large vehicles required for removals, construction/renovation and deliveries of very large items (Option 2).
- 2) Delegate the approval and implementation of the policy and process to the Director of Environment, Transport and Planning.

Reason: To enable residents and businesses to receive large deliveries in narrow, parked up streets, whilst ensuring that the costs associated with facilitating such access are recovered by the Council.

Background

2. There are many locations in York where bollards are used as a modal filter, to reduce motorised traffic in the street, whilst permitting cyclists and pedestrians to pass a closure point (see here for an indicative list: https://www.whatdotheyknow.com/request/schedule_of_roads_by_ward_that_a#incoming-1835934). In some locations, the nodal filters include removable bollards which are secured in place with a padlock. Occasional requests have been received for some of these locations over the years to remove the bollards to enable vehicles to get through the closure points.
3. Although it is generally not the intention that bollards acting as modal filters should be removed for residents to gain access, it is possible to implement a waiver process which will enable residents to apply for the bollards to be removed and for the permission to drive through the closure point in exceptional circumstances.
4. Requests previously received by the Council have generally been to enable large vehicle access, for example to deliver or remove skips, and to enable concrete deliveries or removal companies to access properties located on narrow streets.
5. This proposal aims to facilitate access in exceptional circumstances where no alternatives are possible or where alternatives would be very disruptive and/or costly (for example extensive parking suspensions or road closures).

Consultation

6. Within the Council, the options and recommendations presented in this paper have been developed in consultation with the Highway Regulation/Network Management team which will deal with applications for waivers and the Operational Highways team who will deal with the operational aspects of the process, attending site to unlock, remove, replace and lock the bollards.
7. Once the process is in place, the teams will take account of the feedback provided by residents and businesses applying for waivers to improve the process where possible.

Options

8. This section presents the options identified by officers for the management of requests for waivers and to take out removable bollards acting as modal filters in York.
 - a. **Option 1 – Emergency access only.** Waivers are not issued for the circumstances described above and bollards cannot be removed for non-emergency access. Not recommended.
 - b. **Option 2 – Implement an access waiver process** for residents and businesses to apply for an exemption to enable vehicles to gain access through the closure points (using the removable bollards) for large vehicles required for removals, construction/renovation and deliveries of very large items. Recommended option.

Analysis

9. This section presents an appraisal of the advantages and disadvantages of each option identified for the management of removable bollards.
 - a. **Option 1 – Emergency access only.** No waivers issued, bollards can only be removed for emergency access.

Residents and businesses will need to make sure that any deliveries they receive are able to use the roads as they are. This may result in higher delivery costs/charges for the residents and businesses. In some cases, it may mean that they have to abandon their project or purchase due to road space constraints and traffic restrictions in their area.

If access is required for larger vehicles, residents/businesses will have the option of applying for and paying for parking suspensions in areas where this would be relevant. As well as being resource intensive to implement for the Council, parking suspensions are disruptive for all residents and businesses in the area concerned. They are relatively costly to implement, costs are recharged to the applicants, adding to their costs, and they require significant advance notice.

- b. **Option 2 – Access waiver process.** Residents and businesses can apply for an exemption to enable vehicles to gain access through the closure points (using the removable bollards) for large vehicles required for removals, construction/renovation and deliveries of very large items.

This will need to be resourced within the Council to deal with requests within set timescales. Requests will need to be received at least 5 working days in advance of the closure point needing to be open. Approved requests will then need to be supported by operational staff locking and unlocking the bollards as required. Additional resources will also be required to respond to complaints when requests are refused or customers are dissatisfied with the service (for example, request not responded to within agreed timescales, operational issue with bollard unlocking, etc).

There will be a charge for this process which will need to cover administration costs as well as the cost of operatives having to attend to the closure point(s) on the day to unlock and remove the bollards and then secure the closures again once the permitted activity is completed. The proposed charge per request is £152, including a £52 admin charge (non-refundable – as the existing “authority to contravene a moving traffic order” charge) and £100 to cover operational staff call out costs (this will not be charged if the request is refused).

Additional parking/waiting restrictions waivers may also be required and will need to be requested, incurring additional charges where relevant.

Council Plan

10. The proposal for a process to be established to manage removable bollards acting as modal filters relates to the following Council outcomes as set out in the Council Plan 2019-2023: getting around sustainably, a greener and cleaner city, an open and effective council.

Implications

11. The following implications have been identified for the recommended options described above.
 - **Financial** - The recommended option, to implement an access waiver process, is to be designed on a cost recovery basis so there should be no additional budget requirement. The charges will be reviewed annually to ensure that this remains the case.
 - **Human Resources (HR)** – The access waiver process could result in additional workload for Council teams and the need to recruit additional staff. It is anticipated that this will be limited however as

there are a limited number of locations where this policy will be applicable.

- **Equalities** - There are no equalities implications identified for this proposal. All residents and businesses would be able to apply for waivers, with the options to submit applications on the phone for those who do not have internet access or are not able to use online forms. Any online information and forms will be designed with the Council Web Services team to ensure that they meet accessibility standards.
- **Legal** - The proposed policy for processing waiver requests will need to be assessed by Legal Services to ensure that it is suitably robust in the event of legal challenge to the authority's practice.
- **Crime and Disorder** - *no crime and disorder implications identified*
- **Information Technology (IT)** - no IT implications identified. Web forms may be required to support the access waiver process, but this is business as usual.
- **Property** - no property implications identified

Risk management

12. This section presents an assessment of risks associated with the recommended options described above.

Recommended options	Risk identified	Proposed mitigation
Option 2 – Implement an access waiver process for residents and businesses to apply for an exemption to enable vehicles to gain access through the closure points (using the removable bollards)	Application processing issues or delays resulting in delays/ additional costs for the customers	Clear information and form provided for customers applying for a waiver Clear process within the team to review, grant or refuse application
	Operational issues resulting in delays/ additional costs for the customers	Clear process within the teams to pass on granted applications to operational team to support
	Complaints and challenges against	Use of CYC complaints process

Recommended options	Risk identified	Proposed mitigation
	refused applications	

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Wards affected: All wards where the process may apply **All**

For further information please contact the author of the report

Background papers: None

Annexes - No annexes

List of abbreviations used in this report

CYC- City of York Council