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**Meeting of Decisions Session - Executive  
Member for City Strategy**

2<sup>nd</sup> June 2009

Report of the Director of City Strategy

**PETITION FROM LOCAL RESIDENTS REQUESTING THE COUNCIL  
TO ENSURE COMPLETION OF THE JAMES STEET LINK ROAD**

**Summary**

1. This report advises the Decisions Session - Executive Member for City Strategy of the receipt of a petition from residents in the Heworth area of the city, calling on the City of York Council to ensure that the link road between James Street and Heworth Green is completed.

**Recommendations**

2. The Executive Member for City Strategy is recommended to:
  - i. Note the content of the petition, and ask officers to pursue negotiations with the developer.
  - ii. When the outcomes of the negotiations are known, a further report on the financial and legal implications is submitted to a future meeting with the Executive Member for a decision to be considered on:
    - Pursuing the developer's signing of the Agreement requiring him to construct the remaining southern section of Phase 2 (P2S).
    - Authorising the commissioning of the remaining stages of the design programme to enable P2S to be considered for inclusion in the 2009/10 capital programme.
  - iii. Reply to the lead petitioner.

**Background**

3. An 11 page petition, containing 26 signatures was received by the city's Transport Planning Unit in February 2009, from Councillor Ruth Potter. A two page extract of the petition, containing five signatures was presented to Council on 2<sup>nd</sup> April 2009, by Councillor Ruth Potter.

4. The wording of the petition is as follows;

“We, the undersigned, call on City of York Council to ensure that the link road between James Street and Heworth Green is completed.” A copy of the front sheet of the petition is included as Annex A.

5. In the preparation of the council’s latest Local Transport Plan, which was submitted to the Department for Transport in March 2006, one of the five-year actions was to implement ‘Transport Schemes Linked to New Developments’, which included ‘Foss Basin developments. The Foss Basin developments incorporate the new Morrisons supermarket and the New Homebase DIY superstore on the site of the former Council Depot/household waste site off Foss Islands Road. The Council recognised that these developments would have a significant effect on traffic in the Foss Basin and the wider area encompassing Heworth Green, Melrosegate and Lawrence Street / Hull Road, so, it commissioned Jacobs Consultancy to undertake the ‘Foss Basin Transport Implications’ study.
6. The study report was received in August 2003. It stated that the modelling indicated that James Street Link Road (JSLR), linking Lawrence Street to Heworth Green could play a significant role in alleviating congestion [arising from the development] on the Inner Ring Road. This link road comprises two distinct sections (phases). Phase 1 (already constructed) runs from the existing James Street (which connects to Lawrence Street at its southern end) to Layerthorpe. Phase 2 is intended to run from Layerthorpe to Heworth Green. The Jacobs report went on to add that constructing both Phase 1 and Phase 2 of the link would yield the maximum benefit, as Phase 1 alone had only limited impact.
7. Further to this report and the subsequent completion of JSLR Phase 1, on the 27th of November 2006, a report entitled ‘James Street Link Road Phase 2 Stage 1 – Traffic Forecast Refresh’ was presented to EMAP on 20<sup>th</sup> October 2008. This report stated that the northernmost section (P2N), which forms the majority of JSLR Phase 2 is effectively provided by the access road currently being constructed by Persimmon Homes to its ‘The Forum’ residential development off Heworth Green, which is nearing completion. The remaining 90m (approximately) southern section of Phase 2 (P2S), which will run from the southern end of P2N through to a new traffic signal controlled junction with Layerthorpe, passes through land which is currently owned by a private developer and has Outline Planning Permission for residential development, subject to the signing of an Agreement (construction of this section of the link is one of the conditions attached to the Permission for the development). The EMAP report also stated that, at that time, the agreement had not been signed, and it was not clear if and when a decision to grant permission (and hence the period within which the development will need to be realised) will be made. Negotiations were (and are still) ongoing between the developer and Officers to ascertain if, when and how the site is intended to be developed.

8. In view of this, the EMAP report presented the two following options to the Council:

- Option 1 - Pursue the developer's signing of the Agreement requiring him to construct the remaining southern section of Phase 2 (P2S). Under this option, the Council is expected to make a contribution from the Local Transport Plan allocation for enhancing the minor access road, that would have otherwise been constructed, to the desired standard for the link road.

If the developer decides not to proceed with the development (and the Council revokes the Planning Permission) then proceed with Option 2.

- Option 2 - When the outcome of negotiations with the developer is known a further report on the financial implications is submitted to EMAP for a decision to progress the commissioning of the remaining stages of the design programme so that P2S can be considered for inclusion in the 2009/10 capital programme.

9. The EMAP decision was to accept and endorse the advice of the Advisory panel, which was to:

- i. Note this report (including, Annexes)
- ii. Await the outcome of negotiations with the developer and when they are known, a further report on the financial and legal implications is submitted to a future EMAP for a decision to be considered on:
  - Pursuing the developer's signing of the Agreement requiring him to construct the remaining southern section of Phase 2 (P2S)
  - Authorising the commissioning of the remaining stages of the design programme to enable P2S to be considered for inclusion in the 2009/10 capital programme.

10. Since the EMAP on 20<sup>th</sup> October 2008, negotiations have continued to take place between the Director of City Strategy and the developer. The developer's current position on the development is as follows:

'Legal implications for the sale of part of the site to LIDL Supermarket, on completion of which, LIDL will submit a Planning Application for a neighbourhood store. Subject to Planning Permission being granted, Tiger Developments [the developer] will construct the final part of the [James Street] Link Road.

## **Corporate Objectives**

11. Completion of Phase 2 would contribute to the following Corporate Priorities:

- **Sustainable City** - There is considerable scope for reducing vehicle congestion delay on the overall network and thereby reducing the associated adverse affects, such as air pollution. There is also considerable scope for encouraging a more walking, cycling and use of buses as Phase 2 will include new cycle routes (forming a strategic link in the city's cycle network) and provide the opportunity for new bus routes to be introduced, thereby helping to achieve the ambition of transforming York into a 'cycling city'.
  - **Thriving City** - The construction of Phase 2 will contribute to the opportunities for regenerating the Foss Islands area of the city..
  - **Healthy City** - There is considerable scope for encouraging a more walking, cycling and use of buses as Phase 2 will include new cycle routes and provide the opportunity for new bus routes to be introduced thereby encouraging more healthy lifestyles.
  - **Inclusive City** - There is considerable scope for encouraging more walking, cycling and use of buses as Phase 2 will include new cycle routes and provide the opportunity for new bus routes to be introduced thereby increasing access to opportunities and facilities by a wider (and cheaper) range of travel choices.
12. Local Transport Plan 2006-2011 (LTP2): The scheme would contribute to several of the aims of the recently submitted LTP2, namely:
- To tackle congestion
  - To improve economic performance in a sustainable manner;
  - To reduce the levels of actual and perceived safety problems;
  - To enhance opportunities for all community members, including disadvantaged groups, to play an active part in society;
  - To improve the health of those who live or work in, or visit, York, and
  - To reduce the impact of traffic and travel on the environment, including air quality, noise and the use of non-renewable resources.

## Implications

13. This report has the following implications:
- **Financial** - £10,000 is currently allocated in the 2009/10 Capital Programme for further studies. There are no other financial implications for the council at this stage. Once the outcome of ongoing negotiations with the developer of the site through which the last section Phase 2 is due to run are known and the feasibility study has reported the financial implications will be more certain.
  - **Human Resources (HR)** – There are no HR implications for the council.
  - **Equalities** - The potential improvements to the service on the York-Harrogate-Leeds line would enable people to reach job opportunities within

York and the wider Leeds City Region that would have otherwise been unreachable due to lack of available and affordable transport.

- **Legal** – *Comments awaited on implications for securing the developer's signature on the Section 106 Agreement or land purchase / revocation of Planning Permission, if the developer decides not to develop the site.*
- **Crime and Disorder** – There are no legal implications at present.
- **Information Technology (IT)** – There are no IT implications at present.
- **Property** – The land purchase and revocation of Planning Permission may have significant financial and legal implications. Once the outcome of ongoing negotiations with the developer of the site, through which the last section Phase 2 is due to run, are known these implications will be more certain.
- **Sustainability** – The facilities within this scheme to encourage greater use of more sustainable forms of travel are welcomed. More detailed environmental impact analyses will need to be undertaken as part of the detailed design.
- **Other** – No comments.

## **Risk Management**

14. In compliance with the Council's Risk Management Strategy the main risk that has been identified in this report could lead to the inability to meet the council's objectives (Strategic).
15. Measured in terms of impact and likelihood, the risk score for the recommendation is less than 16 and thus at this point the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.

## **Ward Member comments**

16. The Petition was presented to Council by Cllr. R Potter, being a Ward Member for Heworth. Cllr Potter has added, since, [she] 'would want to support any action that would push this to get as much work done as possible as the traffic is coming into Mill Lane and causing problems for residents. Many drivers also ignore the no right turn sign or do a U turn on Heworth Green which is dangerous for other drivers and anyone trying to cross the road.'
17. No other Ward member comments have been received to date.
18. This report will be updated to include any comments made by Group Spokespersons at the meeting.

## Contact Details

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City Strategy

Report Approved

Date 19.05.09

Wards Affected: Guildhall and Heworth

All

For further information please contact the author of the report

### Background Papers:

#### Annexes

Annex A Copy of front page of petition.