

Meeting	Decision Session - Executive Member for Transport and Planning
Date	17 January 2019
Present	Councillor Dew

61. Declarations of Interest

The Executive Member was asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests that he might have had in respect of business on the agenda. He confirmed he had none.

62. Minutes

Resolved: That the minutes of the Decision Session of the Executive Member for Transport and Planning held on 25 October 2018 be approved and signed by the Executive Member as a correct record.

63. Public Participation

It was reported that there had been 8 registrations to speak at the meeting under the Council's Public Participation Scheme.

Councillor Mercer, Ward Member for Wheldrake, addressed the Executive Member under general matters within his remit. She presented evidence in support of residents' concerns regarding the volume of HGVs travelling through Elvington and requested that consideration be given to introducing an HGV weight limit in the village. She explained that, along with parish councillors and community involvement officers, they had delivered questionnaires to 400 properties and received responses from 354 of them and had held a consultation session which was attended by 140 residents, and had spoken to parents of school children, some of whom refused to walk their children to school through fear of lorries in the village. She advised that a traffic survey had been undertaken which showed 265 large vehicles

travelling through the village in a 12 hour period. Acknowledging the unprecedented support received from residents and the Parish Council, she asked the Executive Member to investigate options to introduce a weight limit to remove the threat from HGVs. She passed the evidence she had gathered to the Head of Transport for consideration and the Executive Member acknowledged the concerns raised.

Five registrations to speak had been received in relation to agenda item 4 (Public Right of Way – Public Footpath, Askham Bryan No 9 (Askham Bryan College) Proposed Concurrent Extinguishment and Creation Order).

Robin Carr or Robin Carr Associates spoke on behalf of Askham Bryan College in support of the application. He advised that the alternative route would be of a better standard, more accessible to less able walkers than the current route as there would be no stile, and would mean no more than 5 minutes additional walking time. He advised that the college had no record of the alleged incidents which had been raised and confirmed that the college would actively engage with relevant parties to resolve any issues going forward.

Audrey Hollas, a local resident, spoke in objection to the proposed order. She expressed concern that the alternative footpath was only 2m wide, noting this was the minimum recommended width, but this did not take account of growth of hedges which would impinge on safe access, and advised that the path would need to be widened. She questioned the officer's view that the existing footpath was not needed and felt that this was not substantiated and expressed dismay that the temporary TRO had been extended several times.

Shirley Smith, another local resident, also spoke in objection to the proposed new route adjacent to the college access road. She informed the Executive Member of two traffic incidents involving dangerous driving by students on the site or exiting the site. She stated that buses did not show due attention to car drivers and that primary school children had to be met by their parents for their own safety rather than being allowed to walk home from school on their own.

David Nunns, Footpath Secretary for the York Group of The Ramblers addressed the Executive Member. He questioned the views of officers included in the analysis section of the report.

He supported the points made by others speaking in objection. He expressed his support for option 2: not to make the proposed order but to retain the existing footpath, with the addition of fencing for public safety.

Councillor Steward, Ward Member for Rural West York, spoke in response to issues raised by concerned residents, he expressed the view that the existing footpath had been used by a significant number of people and that the proposed new route was not better for a number of reasons which he set out. He advised that the route should not be significantly changed.

Councillor Gillies, Ward Member for Rural West York, then addressed the Executive Member in relation to agenda item 5 (Low Poppleton Lane Experimental Traffic Regulation Order (TRO) – Consideration of Options). He expressed the view that the road should be open to buses only except between the hours of 7pm and 7am when he felt it should be open to all forms of transport. He stressed that he was not proposing to open up the road to additional traffic during school hours but that opening it up in the evenings would be beneficial to Poppleton residents.

Councillor Richardson spoke in relation to agenda item 6 (York Road/Eastfield Avenue, Haxby – Local Safety Scheme). He expressed dismay that the safety scheme already in place had been left to deteriorate and raised concerns that there were more accidents since the roundabout had been put in, stating that this posed a particular danger for cyclists due to the visibility to the south from Eastfield Avenue. He asked that officers look again at the junction to develop an effective long term solution.

64. Public Rights of Way - Public Footpath, Askham Bryan No 9 (Askham Bryan College) Proposed Concurrent Extinguishment and Creation Order

The Executive Member considered a report which asked him to support an application from Askham Bryan College for concurrent extinguishment and creation orders under sections 118 and 26 of the Highways Act 1980, to extinguish the southern section of Public Footpath, Askham Bryan No 9 that currently runs through Askham Bryan College wildlife park and

create a new alternative footpath running along the college's private access road.

He acknowledged the written representations submitted on behalf of Askham Bryan Parish Council and the York Group of The Ramblers and from local residents and Julian Sturdy MP as well as comments made under public participation by agents on behalf of Askham Bryan College, the York Group of The Ramblers, local residents and a ward councillor.

He noted the concerns raised by residents in relation to the proposed extinguishment and creation orders and considered the 3 options listed in the report at paragraph 25. He expressed the view that agreeing to option 2 (to refuse the application and not authorise the making of any of the orders) would prolong a decision. He noted that, as objections had already been received, agreeing to option 1 would mean that the orders would be referred to the Planning Inspectorate for determination on behalf of the Secretary of State and this would mean the matter would be resolved more quickly by an independent inspector. Officers explained the process whereby the orders would be made and advertised and then a statement of case along with details of all the objections received would be sent for determination by the inspector.

Resolved: That option 1 be agreed, and the application be supported and the Assistant Director, Legal and Governance, be authorised to:

(a) make and advertise concurrent extinguishment and creation orders under sections 118 and 26 respectively of the Highways Act 1980 as shown on Annex 2: Proposed Order Plan;

(b) confirm the orders as unopposed orders if no objections are received or if objections are received and withdrawn, or, in the event that objections are received and not withdrawn, to refer the orders to the Planning Inspectorate for determination on behalf of the Secretary of State;

(c) make Definitive Map Modification Orders to make the necessary changes to the Definitive Map and Statement for the area.

Reason: To legally put in place the requested changes.

65. Low Poppleton Lane Experimental Traffic Regulation Order (TRO) - consideration of options

The Executive Member considered a report which sought his approval to make permanent the experimental Traffic Regulation Order at Low Poppleton Lane and asked him to consider options, as detailed in the report at paragraph 23, to introduce an alternative permanent order.

The Executive Member acknowledged Councillor Gillies' comments under public participation and his request that the road be opened up to all traffic between the hours of 7pm and 7am. Officers advised him that it would also be necessary to exclude HGVs from using the road. They confirmed that if the road was opened up to 2 way traffic during the evenings, the road would need to be widened and it would no longer be possible to have a segregated cycle and foot path which would have to be changed to a narrower shared cycle/foot path.

The Executive Member stressed that, if an alternative permanent order was agreed, signage relating to the proposed new restriction must be clear and officers advised that while signage at the point of the restriction would not be a problem, it would be more difficult to give prior warning as it would no longer be possible to have a no through road sign as the restrictions would no longer be in force 24 hours a day.

The Executive Member agreed that the current traffic regulation order be made permanent and that officers be asked to develop a scheme to give access to all vehicles except HGVs between 7pm to 7am and this be reported back to a future decision session. He noted that this would then go through the permanent TRO process to consult on a new permanent Traffic Regulation Order.

Resolved: That the Executive Member notes the results of the experimental traffic regulation order at Low Poppleton Lane and:

- (i) approves the making permanent of the experimental traffic regulation order to retain

the current bus only restriction enforced by the ANPR camera.

Reason: To maintain the reduction in traffic on Low Poppleton Lane with a continuation of enforcement with the current ANPR system.

- (ii) requests that officers investigate options to develop a scheme to allow all traffic (with the exception of HGVs) to use Low Poppleton Lane between 19:00 and 07:00 hours 7 days a week, which would require the widening of the road, with a view to then implementing an alternative traffic restriction following the permanent TRO process.

Reason: To respond to views of Ward Members that all vehicles (with the exception of HGVs) should be allowed access through the restriction until such time as Low Poppleton Lane may be closed once alternative access through the British Sugar site development becomes available.

66. York Road / Eastfield Avenue, Haxby – Local Safety Scheme

The Executive Member considered a report which sought his approval to implement a local safety scheme at the mini-roundabout at the junction of York Road with Eastfield Avenue in Haxby. He considered 3 options:

- Option 1: Implement the scheme as proposed in Annex A.
- Option 2: Implement the scheme as proposed in Annex A, with any amendments which are considered appropriate by the Executive Member.
- Option 3: Do nothing, and reallocate the funding.

The Executive Member acknowledged Haxby and Wigginton Ward Member, Councillor Richardson's, comments made during public participation. In response to his suggestion that repositioning the roundabout would improve visibility for cyclists, officers advised that the scale of works involved in this would be

very different to what was proposed here and any investigations into this suggestion would need to be done as a separate piece of work.

The Executive Member acknowledged the written representation from Councillor Cuthbertson, Ward Member for Haxby and Wigginton, which set out his views on the proposed safety scheme and asked that consideration be given to moving a telegraph pole, in addition to signage, to improve visibility further. Officers advised that, if the scheme was agreed, they would remove the sign as planned and then reassess visibility at that stage taking into account Cllr Cuthbertson's comments.

Resolved:

- (i) That option 1 be approved, and the local safety scheme at the mini-roundabout at the junction of York Road with Eastfield Avenue in Haxby be implemented as shown in Annex A to the report.

Reason: To reduce road traffic collision casualties at this known accident cluster site.

- (ii) That officers be asked to review the impact of the measures taken, particularly the visibility to the south from Eastfield Avenue, and continue to monitor the safety of the junction. Officers would be asked to consider further improvements to visibility by relocation of the light column and/or telegraph pole should this be considered necessary or investigate more significant changes to the junction should the agreed proposals fail to reduce the road traffic collision casualties.

Reason: To assess the effectiveness of the local safety scheme and to respond to concerns raised by Ward Councillors to determine whether further improvements or more significant changes are required.

Cllr P Dew, Executive Member for Transport and Planning
[The meeting started at 2.00 pm and finished at 3.05 pm].