



Notice of a public meeting of

Decision Session - Executive Member for Economy and Transport

To: Councillors Kilbane

Date: Tuesday, 14 November 2023

Time: 10.00 am

Venue: The Thornton Room - Ground Floor, West Offices (G039)

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00 pm on Thursday, 16 November 2023.**

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Corporate Services, Climate Change and Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00 pm on Friday, 10 November 2023.**

1. Declarations of Interest (Pages 1 - 2)

At this point in the meeting, the Executive Member is asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see attached sheet for further guidance for Members].

2. Minutes

To approve and sign the minutes of the Decision Session held on **19 October 2023**.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting. The deadline for registering at this meeting is at **5.00pm on Friday, 10 November 2023**.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill out an online registration form. If you have any questions about the registration form or the meeting please contact the Democracy Officer for the meeting whose details can be found at the foot of the agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this public meeting will be webcast including any registered public speakers who have given their permission. The public meeting can be viewed on demand at www.york.gov.uk/webcasts.

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

- 4. Local Bus Service Update** (Pages 3 - 30)
The purpose of this report is to seek approval to align several existing short-term tendered bus service contracts with the timeframes outlined within the report.
- 5. Local Transport Strategy Consultation** (Pages 31 - 84)
The City of York Council needs to prepare, with North Yorkshire Council, a new Local Transport Plan (LTP). The new LTP will inform transport decisions to be made by the future devolved York and North Yorkshire Mayoral Combined Authority.
- 6. Tadcaster Road TRO Consultation** (Pages 85 - 100)
The report outlines the consultation responses to the proposed amendment to the Traffic Regulation Orders, as a result of the recent works undertaken on Tadcaster Road, which has slightly changed the road layout. The new road layout required the proposed introduction of 'No Waiting at any time' restrictions on Tadcaster Road.
- 7. Urgent Business**
Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Democracy Officer: Reece Williams
Telephone No- 01904 55 4447
Email- reece.williams@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.



Meeting:	Economy & Transport Executive Member Decision Session
Meeting date:	14 November 2023
Report of:	James Gilchrist, Director of Transport, Environment and Planning
Portfolio of:	Cllr Pete Kilbane, Executive Member for Transport and Economy

Decision Report: Local Bus Service Updates

Subject of Report

1. A review of the York bus network ("**Bus Network Review**") is currently underway to determine if there are opportunities to better serve residents and visitors to York and to achieve better value for money from bus subsidies administered by the Council of the City of York ("**CYC**").
2. The results of the Bus Network Review will inform recommendations to the Executive on future support for tendered bus services. These recommendations are planned to be presented in c. January 2024 for proposed implementation on or around 1 May 2024.
3. The purpose of this report is to seek approval to align several existing short-term tendered bus service contracts with the timeframes outlined above. The first contract covers some early morning and evening services on routes 1, 4, 6, 10/10A, with an estimated cost to extend by four months to 30 April 2024 of up to £45,000. The second contract is for route 19, which would cost up to £8,000 to extend by one month to 30 April 2024.
4. Extension of the above tendered bus service contracts would provide time for the Bus Network Review outputs to be carefully considered before any decisions or changes are made. It would also minimise the number of potential timetable changes and

maximise the opportunity for securing value for money on future tendered service contracts.

5. The proposed contract extension is affordable within the existing DfT granted York Bus Service Improvement Plan (“**BSIP**”) revenue budget for bus service support, which is currently 94.1% committed.

Benefits and Challenges

6. Approval is sought to extend several short-term tendered bus service contracts to 30 April 2024 using BSIP funding. The rationale for this approach is to enable the results of a Bus Network Review to be completed and recommendations to be prepared and consulted upon prior to presentation to the Executive in c. January 2024. Such a timeline will enable plans to be carefully considered and communicated to all stakeholders, in support of a sustainable and stable bus network.
7. Retaining existing tender contract dates would necessitate more pressurised decision-making with shorter windows for effective communication with decision-makers, stakeholders, and bus users. This could affect our ability to deliver on the objectives of the BSIP and lead to reputational damage for the council.

Policy Basis for Decision

8. CYC’s commitment to stabilising, improving, and growing the bus network is consistent with the 10-Year Plan for the city, known as “**York 2032**”, which recognises transport as a key priority for the city, setting the goal that York’s transport networks will be inclusive and sustainable, connecting neighbourhoods and communities.
9. The Climate Change Strategy 2022-2032 notes that emissions from transport represent 27.9% of York’s emissions and of this, 88% of emissions are from car travel or public transport. The strategy sets an objective to increase the share of vehicles on the road that are electric or hybrid and reduce overall car use through alternative modes, such as public transport.
10. Initiatives to support, stabilise and grow bus patronage contribute towards the emerging Local Transport Strategy reflecting the importance of public transport in York’s transport hierarchy and the Bus Services Improvement Plan agreed for York.

11. The new Council Plan 2023-2027 has four Core Commitments, which fit with the initiatives aimed at supporting and growing bus patronage:

- **Affordability – Tackling the cost-of-living-crisis**

Bus travel offers an affordable alternative to reliance on private car ownership, which is prohibitively expensive for some people. Those aged under five years old, or of pensionable age, are eligible for free bus travel, plus those with a registered disability. In addition, a £2 single fare cap is in place for bus travel until October 2024, and the York BSIP is funding several other fares initiatives.

- **Climate – Environment and the climate emergency**

Providing a high-quality bus service supports an increase in alternatives to car usage which will reduce carbon emissions. York has secured zero emissions bus grants for a fleet of electric buses, which are currently being rolled-out.

- **Health – Health and wellbeing**

Supporting people to use public transport may reduce the number of petrol and diesel car users which could improve air quality, leading to significant health benefits.

12. Within the Council plan there is a commitment to deliver the Bus Service Improvement Plan, including a new provider of bus shelters with real-time information and lobbying for improvements in York's bus services.

13. In October 2023 the Executive approved a vision, objectives and Policy Focus area for a Local Transport Strategy. One of the policy focus areas is about improving public transport – so that all areas of the city have good and reliable public transport access. Key to this will be extending the bus network, ensuring effective and reliable early and late services when people need them, and upgrading high frequency bus services – in some cases into bus rapid transit services. We will also work to upgrade heavy rail services where they play a local role or support our other policies. Not only will this result in a 50% or greater increase in bus patronage by 2030, it will also enhance the viability of public transport and protect its future.

Financial Strategy Implications

14. The BSIP allocation to CYC totals £17,360,000 over 3-years. This is broken down £10,665,000 capital funding and £6,695,000 revenue funding. CYC also has a separate revenue budget of £704,000 that is used to support bus services.
15. The proposed extension to existing short-term tendered bus service contracts set out in this report are to be covered by the BSIP revenue allocation, which is grant-funded from the Department for Transport (“**DfT**”).
16. The external funding that will be utilised from the BSIP award is only available up to and including 31st March 2025, and therefore cannot fund long term interventions beyond that time.
17. The bus market remains unpredictable. Through the Enhanced Bus Partnership, CYC officers work closely with operators and support them to take back subsidised services to commercial operation, wherever practicable. However, there remains a risk that further commercial bus services could be withdrawn in the coming months, resulting in further requests for intervention. In the future, with constrained budgets, CYC and Enhanced Bus Partnership may have to make challenging decisions regarding bus service affordability. The Bus Network Review will inform such choices, with results and recommendations to be presented to the Executive in c. January 2024.
18. There may be opportunities to transfer funds from other BSIP revenue support initiatives, such as subsidised fares, to tendered bus service support but that would reduce the value and impact of such interventions.
19. Central government’s recent “Network North” announcement included £700,000,000 to fund hundreds of new local bus routes through BSIPs. This new funding will be administered based on a formula rather than via a competitive bidding process. CYC’s indicative BSIP allocation from this latest funding round is £1,153,000 of additional new revenue for 2024/25. Further details are expected shortly.

Recommendation and Reasons

20. The Executive Member is recommended to:

- To note and approve plans to extend the existing subsidy arrangements for some early morning and evening bus services on routes 1, 4, 6, 10/10A and 19 up to and including 30th April 2024.
- To delegate authority to the Director of Transport, Environment and Planning (and their delegated officers) to liaise with the Director of Governance and the Chief Finance Officer (and their respective delegated officers) to draft, negotiate and conclude any necessary documentation to properly extend the existing subsidy arrangements and/or bus service contracts for the aforementioned routes in compliance with (where applicable) the rules and regulations set out within Regulation 72 under Part 2 of the Public Contract Regulations 2015 (the “**Procurement Regs**”) or Regulation 43 within Part 4 of the Concession Contract Regulations 2016 (the “**Concession Regs**”) (in respect of any extensions and/or variations to service contracts between CYC and the relevant operator(s)), the Subsidy Control Act 2022 (the “**2022 Act**”) (in respect of any extensions and/or variations to any existing grant funding arrangements between CYC and the relevant operator(s)) and CYC’s Financial Regulations set out within under Appendix 10a of the Council’s Constitution (the “**Council’s Financial Regs**”) and CYC’s Contract Procedure Rules set out within under Appendix 11 of the Council’s Constitution (the “**Council’s CPRs**”).

Reason:

- The rationale for this extension is to enable the outputs of the York Bus Network Review to be thoroughly considered and discussed with stakeholders, with a view to bringing recommendations for longer-term, better value, and more stable bus network to the Executive and York Enhanced Bus Partnership in January 2024, for a controlled and well-communicated implementation in c. May 2024.
- Also, the extension will help to ensure that the Bus Network in York is stabilised and that the council can work with the statutory Enhanced Bus Partnership to deliver its stated Bus Service Improvement Plans objectives in line with the National Bus Strategy, by both improving passenger experience and increasing bus patronage.

Background

21. Prior to the COVID-19 pandemic, York's bus services carried approximately 16,000,000 passengers per year, with a steady increase in passenger volumes since 2014. Current bus patronage is averaging around 85% of pre-COVID volume, at a time when service operating costs (most notably fuel and wages) have increased.
22. CYC has been successful in securing funding to develop the bus network. Zero Emissions Bus Grants ("**ZEBRA**") of £11,300,000 have been awarded and CYC was successful in attracting £17,400,000 funding through central government's BSIP.
23. Though the Local Plan process a series of network enhancements have been identified to support new developments in York.

BSIP Funding for Bus Service Support

24. In April 2022, CYC was given an indicative allocation of c. £17,400,000 for enhancing York's bus network working with the Enhanced Bus Partnership. This funding comprised capital funding of c. £10,700,000 and revenue funding of £6,700,000. The grant for the first year (i.e., c. £4,600,000) was paid to CYC in November 2022, at which point CYC mobilised to deliver the programme.
25. Key elements of the programme in development, design and/or delivery are listed below.
 - In development and design, upgrading York's Park and Ride sites to become multi-modal transport hubs with a wider range of services. Under consideration are opportunities to connect with additional bus and coach services, provide overnight parking, deliver e-bike, e-scooter and/or car club collection points; and offer numbers of cycle lockers, amongst other improvements.
 - In development and design, bus stop infrastructure improvements and bus priority on high frequency bus corridors and in the city centre.
 - In delivery, new and improved real-time information screens at bus stops across York, with inclusion of audio announce facilities to aid blind and partially sighted people to travel more confidently and independently.

- In development and delivery, a range of reduced fares, targeted at younger people and those who may be suffering hardship, but are not covered by existing concessionary fares schemes.
 - In delivery, introducing an all-operator tap-on-tap-off ticketing system, which will potentially enable cheaper travel across the York boundary into North Yorkshire and the East Riding of Yorkshire.
 - In development, travel behaviour change campaigns to encourage greater use of sustainable modes, including buses.
 - In delivery, support for the existing bus network. Significant increases in operating costs and a national driver shortage continue to present a challenging context for bus operations. By stabilising the network, we hope to set a foundation to grow bus patronage. This is being achieved by providing subsidies for services that are no longer commercially viable. A full York Bus Network Summary is provided in **Annex A**.
26. The BSIP budget currently available for Bus Service Support is £2,285,000. This is made up of £1,535,000 for Bus Network Support and £750,000 for restart and subsidised operation of Poppleton Bar Park and Ride.
27. New BSIP funding has recently been announced by Central Government following the cancellation of the HS2 Project. This was outlined in the “Network North” policy paper. CYC’s indicative BSIP allocation from this latest funding round is £1,153,000 of revenue for 2024/25, but this still needs to be confirmed at the time of drafting this report.

Bus Service Support

28. The York Bus Network has been affected by decreased passenger numbers both on the Park & Ride (particularly weekday commuters) and wider network, with a currently estimated 15% reduction overall in passengers compared to pre-COVID.
29. Bus operators have continued to experience rising operating costs, with fuel price increases of around 40% and staff costs increases of around 30% over recent years. Increases in staff costs have largely been driven by driver shortages, with York particularly affected due to the small pool of local drivers.

30. The combination of overall reduced patronage levels and rising operating costs is continuing to reduce the commercial viability of several services, thus increasing demand for subsidy to retain the current network.
31. Stability of the existing bus network is key to providing a foundation upon which to grow patronage.

During summer 2023, the Executive Member for Economy and Transport tasked officers with seeking short-term quotes from bus service operators to retain all under threat elements of the First York Limited (“**First**”) network for a 3-month period, October to December 2023. A short-term tender was supported by the Executive and York Enhanced Bus Partnership in July 2023. The services affected are summarised in **Table 1** below:

Table 1

Route No.	Day/period	Journeys requiring BSIP support		Est. PVR*	Approx. Bus Hrs.	Average daily patronage
1	Weekday mornings	0530, 0550, 0610, 0635 ex Wigginton	n/a	4	3	26
	Saturday mornings	0531, 0606, 0636 ex Wigginton	0620, 0655 ex Chapelfields	3	3.5	32
1	Weekday evenings	2215, 2246 ex Wigginton	2201, 2231, 2302 ex Chapelfields	3	3.5	16
4	Weekday mornings	0530, 0600, 0630 ex Acomb	0600, 0632, 0647 ex Clifford St	2	3	55
4	Weekday evenings	2317 ex Acomb	2303 ex Clifford St	1	1	21
6	Weekday mornings	0545 ex Clifton Moor	0550 ex University Campus East	2	1.5	28
	Saturday mornings	0540, 0610, 0640 ex Clifton Moor	0545, 0615, 0645 ex Campus East	3	4	72
10	Weekday evenings	1833, 1917, 2001, 2109, 2209 ex Poppleton	1828, 1903, 2017, 2117, 2217 ex S.Br.	3	10	172
10	Saturday mornings	0550 ex Piccadilly; 0630, 0659, 0729 ex. Pop.	0629, 0729 ex Stamford Bridge	3	5.5	107

* Peak Vehicle Requirement

32. From 1 October 2023, the bus service operator First did take back on a commercial basis some specific early morning, evening and weekend services that had been previously subsidised. The routes and bus subsidy savings gained are listed below.
- Service number 1 (Chapelfields - City – Wigginton)
 - Saving of £74 per week.
 - Service 2A (Rawcliffe Bar – City)
 - Saving of £210 per week.
 - Service 6 (Clifton Moor – City – University Campus East)
 - Saving of £55 per week.
 - Service 10A (Poppleton – City – Stamford Bridge)
 - Saving of £161 per week.
33. During autumn 2023, notification was received that the weekday service 19 was to be withdrawn by the commercial operator, Reliance. A short-term tender exercise was carried out and five compliant bids were received. A Director Decision, taken in consultation with the Executive Member for Economy and Transport, was made to support subsidy of the service and retain the existing timetable from 30th October 2023 to 31st March 2024 at a total cost of up to £42,000 for the duration of the period.
34. **Table 2** below shows all current committed spend in relation to support of local bus services through the BSIP programme, including current subsidies for routes 1, 4, 6, 10/10A and 19, as outlined above. Current commitments represent 94.1% (£2,150,221) of the available BSIP Bus Service Support revenue budget:

Table 2

Financial year	BSIP Budget			BSIP Expenditure											Year end budget remaining
	Network Support	Poppleton Bar	Net position at start of year (including previous year's carry-over)	12	13 (Sat)	412	1, 2A, 4, 6, 10/10A	13 (Mon-Fri)	19 (Mon-Fri)	13 / 412	59 (Poppleton Bar P&R)	Contribution from NYC towards service 412	Contribution from ERYC towards service 10	Total spend	
2022/23	£800,000	£250,000	£1,050,000	£58,007	£8,400	£10,476	£0	£0	£0	£6,702	£0	£0	£0	£83,585	£966,415
2023/24	£500,000	£350,000	£1,829,510	£298,999	£33,630	£74,451	£64,885	£27,000	£41,091	£0	£600,000	-£37,250	-£6,000	£1,096,806	£719,609
2024/25	£235,000	£150,000	£1,117,704	£298,999	£33,630	£74,451	£0	£0	£0	£0	£600,000	-£37,250	£0	£969,830	£134,779

35. An extension of the current tendered services contracts for routes 1, 4, 6, 10/10A and 19, to 30 April 2024 would incur the following new expenditure:

- Up to £45,000 from BSIP network support revenue for a 4-month extension of support for early morning and evening journeys on services 1, 4, 6 and 10/10A.

(Note, the estimated cost for the extension is £39,604, based on the current contract, but this will be subject to negotiation with the operator)

- Up to £8,000 from BSIP network support revenue for a 1-month extension to support service 19.

(Note, the estimated cost for the extension is £7,180, based on the current contract, but this will be subject to negotiation with the operator)

36. Based on current contract prices, **Table 3** below shows the estimated committed BSIP Bus Service Support spend if the extension to support for the early morning and evening services on routes 1, 4, 6, 10/10A and 19 to 30 April 2024 is approved. With the extension approved, 96.4% (i.e., £2,203,221) of the current BSIP Bus Service Support revenue budget would be committed:

Table 3

Financial year	BSIP Budget			BSIP Expenditure											Year end budget remaining
	Network Support	Poppleton Bar	Net position at start of year (including previous year's carry-over)	12	13 (Sat)	412	1, 2A, 4, 6, 10/10A	13 (Mon-Fri)	19 (Mon-Fri)	13 / 412	59 (Poppleton Bar P&R)	Contribution from NYC towards service 412	Contribution from ERYC towards service 10	Total spend	
2022/23	£800,000	£250,000	£1,050,000	£51,799	£10,640	£14,938	£0	£0	£0	£6,702	£0	£0	£0	£83,585	£966,415
2023/24	£500,000	£350,000	£1,829,510	£298,999	£33,630	£74,451	£98,496	£27,000	£41,091	£0	£600,000	£-37,250	£-6,000	£1,130,417	£685,998
2024/25	£235,000	£150,000	£1,088,140	£298,999	£33,630	£74,451	£11,389	£0	£8,000	£0	£600,000	£-37,250	£0	£989,219	£81,779

37. It should be noted:
- The 2024/25 costs for Poppleton Bar are still to be finalised, with £600,000 the likely the worst-case position but actual spend may be lower depending on patronage levels.
 - The weekday Flaxman Croft, Copmanthorpe and West Nooks, Haxby sections of the number 13 bus service which are currently subsidised, are at risk beyond the end of 2023. Officers are looking into alternative options for serving these area as part of the ongoing Bus Network Review. However, short-notice service support decisions may also be required in relation to this specific service.
38. Through the Enhanced Bus Partnership, officers continue to proactively work with bus operators to identify opportunities to return bus services to commercial operation. All spend is being carefully monitored.

Consultation Analysis

39. Consultation has been undertaken with York's bus operators and with the Enhanced Bus Partnership forums. They have responded that they are keen to support the retention of as many bus services as possible across the city.

Options Analysis and Evidential Basis

40. The rationale for recommending an extension to 30 April 2024 of existing short-term tendered bus service contracts, covering some early morning and evening services on routes 1, 4, 6, 10/10A and 19, is to enable the outputs of the York Bus Network Review to be thoroughly analysed and discussed with stakeholders, with a view to bringing recommendations for longer-term, better value, and, hopefully, a more stable bus network to the Executive and York Enhanced Bus Partnership in January 2024, for a controlled and well-communicated implementation in May 2024.
41. The first contract that it is proposed should be extended covers some early morning and evening services on routes 1, 4, 6, 10/10A. The estimated cost of the extension by four months to 30 April 2024 is up to £45,000.

42. The second contract proposed for extension is for route 19, which would cost up to £8,000 to extend by one month to 30 April 2024.
43. Extension of the above tendered bus service contracts would enable any changes to be carefully planned and communicated to all affected stakeholders and consider the results of the Bus Network Review. The alternative would be to retain the current contract renewal dates, but this would be more difficult to manage and communicate, and could lead to missed opportunities for financial savings, plus potentially lead to loss of confidence by bus users and reputational damage to CYC.
44. The proposed contract extensions are currently affordable within the existing DfT granted York BSIP revenue budget for bus service support, which is currently 94.1% committed.

Organisational Impact and Implications

Financial

45. The cost of the interventions agreed in this report total £53,000. This reduces the available funding for further bus service interventions from £134,779 to £81,779.

Human Resources (HR)

46. There will be no HR implications arising from the short-term bus contract extensions outlined in this report.

Legal

47. The delivery of the BSIP through either an Enhanced Partnership (“EP”) Route or a Franchise Route is mandated by the Transport Act 2000. EP Plans and Schemes are statutory documents.
48. The Bus Services Act 2017 incorporates a duty on local transport authorities to consult on EP Plans and EP Schemes into the Transport Act 2000.
49. Many public contracts envisage a service arrangement that will last over a very long period of time, and, because of that, the contract may contain sophisticated mechanisms by which various categories of change can be affected during the contractual term. Any existing bus service contracts between CYC and existing

operators must be extended and/or modified in accordance with their contractual terms and conditions. Advice must be sought from Legal Services on this point.

50. Further to the paragraph immediately above, any extension and/or modification to any service contracts will also be subject to Reg. 72 under Part of the Procurement Regs.
51. Notwithstanding any existing extension and/or variation provisions within the current bus service contract(s), in the event of a major change, whether pursuant to an extension and/or variation clause or not, care must be taken to ensure that the relevant variation does not amount to a “substantial” modification so that a new competitive tendering process must be undertaken. If the parties continue with the 'new' contract without re-tendering, the authority risks a fine and a declaration of ineffectiveness, which would result in the contract being set aside.
52. Reg. 72 sets out a comprehensive set of principles that will determine when a contract may be modified without a new procurement and when a new procurement procedure will be required.
53. The threshold for service contracts is currently set at £213,477. Whilst it seems unlikely in this particular case, if the total value of the contract (together with the proposed extensions and all other previous extensions and/or variations before that) falls below this threshold, the Procurement Regs will not apply.
54. Assuming that the Procurement Regs could apply in this instance, the contracts already contain an existing right to extend the duration of all or any specific bus routes (by any existing right, one does not mean via a variation and/or change control procedure, but a specific clause that sets out a right to extend and when and how this right can be exercised), then this would be permitted under Reg 72.(1)(a), irrespective of the value of the proposed extension and/or modification (i.e., “a modification, irrespective of value, which has been provided for in the initial procurement documents in clear, precise and unequivocal review clauses, which state the scope and nature of possible modifications or options as well as the conditions under which they may be used, and do not provide for modifications or options that would alter the overall nature of the contract”).

55. In the absence of such a clause, any extension would be a variation to the contract and in this instance would need to be justified under one or more of the following safe harbour provisions under Reg. 72:

- **Reg 72(1)(b)** - “additional works, services or supplies by the original contractor, where their provision by a different contractor is not possible for economic or technical reasons or would cause significant inconvenience or substantial duplication of costs (so long as the increase in price does not exceed 50% of the value of the original contract)”.

NOTE – It may be possible, based on the values in this report, to justify any extensions and/or variations under this Reg. However, reliance upon Reg 72(1)(b) requires CYC to submit a modification notice on the UK e-notification service, *Find a Tender*. This would alert the rest of the market to what CYC are proposing to do and may invite scrutiny and challenge. That said, given the nature of the contracts in this instance, the proposed duration of extensions, and the fact the extensions are to allow completion of the Bus Network Review to facilitate future procurement exercises, there is a fairly good chance that no such challenge and/or complaint would materialise. It is difficult to know however until the notice is published.

- **Regs 72(1)(f) and 72(5)** – where the proposed extensions and/or changes are considered to be low-value/risk (i.e., “where the proposed extension and/or modification is below the relevant procurement threshold (i.e., £) **AND** is worth less than 10% of the initial contract value for bus services when it was original advertised and went out to tender, **AND** provided that the modification does not alter the overall nature of the contract).

NOTE – Whilst the value of the proposed extensions set out within this report would arguably meet these requirements, the thresholds above are cumulative. So, if there have been any other low-value changes to this contract, and the cumulative total value of those changes exceeds either the 10% threshold and/or the relevant procurement threshold, then Regs 72(1)(f) and 72(5) will **NOT** be available to CYC. Any modification under these Regs does not require a modification notice on the UK e-notification service, *Find a Tender*.

- **Regs 72(1)(e) and 72(8)** – where the proposed extension (irrespective of its value) is deemed to be a “non-substantial change”. In this context, the extension and/or modification would have to meet **ALL** of the following criteria:
 - The extension and/or modification does not render the contract materially different in character from the one initially concluded.
 - The extension and/or modification does not conditions which, had they been part of the initial procurement procedure, would have:
 - Allowed for the admission of other candidates than those initially selected;
 - Allowed for the acceptance of a tender other than that originally accepted; or
 - Attracted additional participants in the procurement procedure.
 - The extension and/or modification does not alter the economic balance of the contract in favour of the operator in a manner which was not provided for in the initial contract.
 - The extension and/or modification does not considerably extend the scope of the original contract - a variation is likely to be deemed “substantial” where it evinces an intention on the part of the contracting parties to rewrite key terms of their contract, including with respect to the nature and extent of services to be provided.
 - A new contractor does not replace the current operator by virtue of the extension and/or modification.

Note – based on the limited information set out within this Report, it may be possible to justify the extensions under Regs 72(1)(e) and 72(8). Most of the criteria appear to have been met. The only possible outlier is whether the extension would have altered the original tender, but

given the low value of the extensions, the short duration and the fact the services during the extension period, it may be arguable that this criterion has been met also. Any modification under these Regs Any modification under these Regs does not require a modification notice on the UK e-notification service, *Find a Tender*.

56. A substantial variation can relate not only to the type of services provided, but also their duration, location and the identity of their supplier. Note that a contract may be deemed varied even where the terms themselves do not change, but one of the parties does not fully enforce those terms (e.g., where a contracting authority waives an obligation on the part of a supplier to provide a particular service despite it featuring in the original bid). Similarly, a decrease in the scope of works under a public contract may also amount to a substantial variation.
57. Where any of the above-mentioned permitted grounds under Reg 72 do not apply, then the extension and/or variation to any service contract will be deemed unlawful and (subject to certain limited exceptions) trigger the need to restart the tender process. In that case, various remedies are available to both CYC and aggrieved unsuccessful bidders. For example, CYC may be entitled to terminate its contract if it has been subject to an impermissible modification which would have required a new procurement process (Reg 73(1)(a)). If no such provisions are specifically included, they will be implied by law. The contractual provisions may regulate notice and how the consequences of termination will be dealt with. Should the contract remain in operation and varied by a prohibited modification (and where no new procurement process was reopened), it may be subject to a declaration of ineffectiveness, although this remedy is subject to strict time limits (Reg 93(2)).
58. Further detailed advice must be sought from both Commercial Procurement and Legal Services before proceeding with any proposed extension and/or variation to any bus service contract to ensure compliance with Reg. 72 (where applicable).
59. Reg 72 of the Procurement Regs only apply insofar as any contract with a bus operator is considered a service contract – one of the key components of which is that CYC pays the operator for the provision of the services.

60. The contracts may be structured as a concession contract, which is to say a contract where CYC has entrusted the provision and the management of bus services to one or more operators, the consideration of which consists either solely in the right of the bus service operators to exploit the services that are the subject of the contract (potentially together with payment from CYC), and the award of the contract involves the transfer to the bus operators of an operating risk in exploiting the services encompassing demand or supply risk or both and the part of the risk transferred to the bus operators shall involve real exposure to the vagaries of the market, such that any potential estimated loss incurred by the bus operators shall not be merely nominal or negligible.
61. The operators shall be deemed to assume operating risk where, under normal operating conditions, it is not guaranteed to recoup the investments made or the costs incurred in operating the works or the services which are the subject-matter of the concession contract.
62. This could very well apply in this instance, in which case the Procurement Regs would not apply, but instead the Concession Regs could potentially apply.
63. The threshold for concession contracts is currently set at £5,336,937. If the total value of the contract (together with the proposed extensions and all other previous extensions and/or variations before that) falls below this threshold, the Concession Regs will not apply.
64. Assuming that the Procurement Regs could apply in this instance, Reg. 43 of the Concession Regs sets out similar rules regarding modifications to a contract apply to concession contracts as for service contracts under Reg 72 of the Procurement Regs. Accordingly, a substantial modification after award of a concession contract may be considered a new contract, and thus require a fresh procurement exercise, unless it falls within one of the prescribed exceptions set out in Reg 43.
65. Again, where any of the permitted grounds under Reg 43 do not apply, then the extension and/or variation to any concession contract will be deemed unlawful and (subject to certain limited exceptions) trigger the need to restart the tender process. In that case, various remedies are available to both CYC and aggrieved unsuccessful bidders. For example, CYC may be entitled to

terminate its contract if it has been subject to an impermissible modification which would have required a new procurement process (Reg 44(1)(a)). If no such provisions are specifically included, they will be implied by law. The contractual provisions may regulate notice and how the consequences of termination will be dealt with. Should the contract remain in operation and varied by a prohibited modification (and where no new procurement process was reopened), it may be subject to a declaration of ineffectiveness, although this remedy is subject to strict time limits (Reg 59(2)).

66. Further detailed advice must be sought from both Commercial Procurement and Legal Services before proceeding with any proposed extension and/or variation to any bus service contract to ensure compliance with Reg. 72 (where applicable).
67. Further, any extensions and/or variations will be subject to the requirements of Rule 20 of the Council's CPRs. Further detailed advice must be sought from both Commercial Procurement and Legal Services on this point.
68. It is also possible that the current contracts with operators may have been structured as grant funding arrangements, with CYC providing financial assistance for the operation of these routes. In which case, not only must any extension and/or modifications be in accordance with the terms and conditions of said contracts, but advice must be sought from Legal Services to ensure that said amended contracts still comply with the requirements of the 2022 Act, and to ensure that such variations are permitted under any external funding arrangements we have with central government or any other funder (e.g., BSIP funding arrangements; ZEBRA funding arrangements, etc.). Any variations to grant funding arrangements will also be subject to Rules 4 and 20 of the Council's CPRs, and Part E of the Council's Financial Regs.

Procurement

69. Any proposed works or services will need to be commissioned via a compliant procurement route under the Council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015. All tenders will need to be conducted in an open, fair, and transparent way to capture the key principles of procurement. Further advice regarding the procurement routes, strategies and markets must be sought from the Commercial Procurement team. In addition, any variations, extensions, or

modifications to existing contracts, both Commercial Procurement and Legal Services must be consulted prior to any agreements or engagement with the incumbent suppliers taking place.

Health and Wellbeing

70. The Director of Public Health supports the short-term extension to existing bus contracts to allow the review to be fully analysed and discussed with stakeholders and reduce the missed opportunities for savings. The relationship between transport and health and wellbeing are well evidenced and notes that:
- Availability of transport plays a key role in improving access to health services, particularly for vulnerable groups like older people.
 - Travel choices can affect physical health in relation to reduction of body weight and traffic accidents, air pollution.
 - Mode of transport affects physical and mental health and evidence shows that concessionary travel passes and subsidised travel expenses are instrumental in making bus transport more accessible and affordable which improves mental health and wellbeing.
 - Public transport can facilitate social interactions and promote social inclusion.

Affordability

71. The bus network offers an affordable transport alternative to reliance on private car ownership and is accessible to all. It is therefore vitally important to local communities and the local economy.

Equalities and Human Rights

72. CYC has taken account of the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to 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 in the exercise of a public authority's functions).

73. Equality Impact Assessments (“**EIAs**”) formed parts of the previous reports on York’s bus network. As this report makes no change to scope of the projects, the EIAs have not been reviewed.

Data Protection and Privacy

74. This report outlines plans to extend existing short-term bus contracts; therefore no new data protection or privacy implications are foreseen. A full assessment will be made of the proposals resulting from the ongoing Bus Network Review, which this report references.

Communications

75. While the report seeks approval for short term extensions to align existing contracts with the review timetable and framework it is not envisaged that there will be significant demand for the Communications Service over and above managing any potential reactive media enquiries
76. In the longer-term alignment of the review with work on the BSIP and Local Transport Strategy will be required to bring together maintain the planned communications work and narrative.

Economy

77. This report outlines plans to extend existing short-term bus contracts to enable a Bus Network Review to be completed and decisions to be taken on how best to target limited bus service support budgets. A comprehensive, affordable and reliable bus network is vital to support a strong and sustainable local economy, therefore a full assessment will be made of the recommendations arising from the forthcoming Bus Network Review that will follow in the New Year.

Risks and Mitigations

78. The minimal-risk option is to maintain the base network to support the delivery of the BSIP growth targets.
79. The economic state of the bus industry remains fragile with operators seeing increases in labour costs and fuel without a

corresponding increase in fare revenue. This makes commercial services less viable increasing the risk that further services will be withdrawn. The council is not able (even with BSIP support) to support all such services and therefore will need to prioritise which services to support. This will be informed by the Bus Network Review, the results of which will be presented to the Executive in January 2024.

80. The current BSIP funding is due to end on 31 March 2025 and therefore at that time significant public sector support to the industry will be withdrawn. If there is no or insufficient additional funding identified, this will have a significant impact on bus services in the city at that time.

Wards Impacted

81. All wards are impacted by the decision.

Contact details

For further information please contact the authors of this Decision Report.

Author

Name:	Joanne Waddington
Job Title:	Interim Head of Sustainable Transport
Service Area:	Highways and Transport, Place Directorate
Telephone:	07511 160302
Report approved:	Yes
Date:	06 November 2023

Co-author

Name:	Michael Howard
Job Title:	Head of Highways
Service Area:	Highways and Transport, Place Directorate
Telephone:	07936 341019
Report approved:	Yes
Date:	06 November 2023

Background papers

Council approve 10-Year Plan (York 2032) Agenda for Council on Thursday, 15 December 2022, 6.30 pm (york.gov.uk) item 36

Executive approve Climate Change Strategy 2022-2032 Agenda for Executive on Tuesday, 22 November 2022, 5.30 pm (york.gov.uk) item 46

Annexes

Annex A - York Bus Service Summary

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Service Number	Route	Operator	Status	Funding/contract start date	Funding/contract end date	Pro-rata annual gross contract cost at Oct 2023 rates	Pro-rata annual net cost to CYC at Oct 2023 rates	Approx. annual patronage (CYC-supported journeys only)	Approx. cost per passenger (CYC-supported journeys only)	Notes
1	Chapelfields - City - Wigginton	First	Commercial, with some early morning and evening journeys supported by CYC BSIP since July 2023.	03/07/23	31/12/23	£44,790	£44,790	12,600	£3.55	BSIP funding agreed until end of 2023. First now operating Sat & Sun evenings commercially again.
2	Rawcliffe Bar - City	First	Park & Ride operated under CYC licence agreement	01/02/18	31/03/26	n/a	n/a	n/a	n/a	Proposed re-routing (inbound via Holgate Rd) from end Jan 2024 to permit EV double-decker operation.
2A	Rawcliffe Bar - City	First	Commercial, with some late evening journeys supported by CYC BSIP between July and Sep 2023.	03/07/23	31/12/23	n/a	n/a	n/a	n/a	First resumed full commercial operation from Oct 2023.
3	Askham Bar - City	First	Park & Ride operated under CYC licence agreement	03/07/23	31/12/23	n/a	n/a	n/a	n/a	
4	Acomb - City	First	Commercial, with some early morning and evening journeys supported by CYC BSIP since July 2023.	03/07/23	31/12/23	£17,300	£17,300	19,760	£0.88	BSIP funding currently agreed until end of 2023.
5/5A	Strensall - City - Acomb	First	Commercial			n/a	n/a	n/a	n/a	
6	Clifton Moor - City - University Campus East	First	Commercial, with some early morning and evening journeys supported by CYC BSIP since July 2023.	03/07/23	31/12/23	£16,500	£16,500	11,024	£1.50	BSIP funding currently agreed until end of 2023. First now operating weekday evenings commercially again.
7	Designer Outlet - City	First	Park & Ride operated under CYC licence agreement	01/02/18	31/03/26	n/a	n/a	n/a	n/a	
7	Designer Outlet - City (evening)	First	Commercial			n/a	n/a	n/a	n/a	
8	Grimston Bar - City	First	Park & Ride operated under CYC licence agreement	01/02/18	31/03/26	n/a	n/a	n/a	n/a	
9	Monks Cross - City	First	Park & Ride operated under CYC licence agreement	01/02/18	31/03/26	n/a	n/a	n/a	n/a	
10/10A	Poppleton - City - Stamford Bridge	First	Commercial, with some early morning and evening journeys supported by CYC BSIP & ERYC since July 2023.	03/07/23	31/12/23	£37,357	£28,017	50,200	£0.74	BSIP funding currently agreed until end of 2023. First now operating mornings commercially again.
11	Bishopthorpe - City - Heworth	First	Mostly commercial. Evening City-Bishopthorpe journeys supported by CYC	01/09/19	31/08/24	£21,300	£21,300	9,000	£2.37	Optional 3-year extension possible.
12	Foxwood - City - Monks Cross	East Yorkshire	Supported by CYC	01/04/23	31/03/25	£297,000	£297,000	146,000	£2.03	Optional 3-year extension possible.
13	Copmanthorpe - City - Haxby (Weekdays)	Connexions	Mostly commercial, with CYC BSIP funding to continue service to West Nooks terminus (Haxby) and Horseman Ave loop (Copmanthorpe)	02/10/23	29/12/23	£117,000	£117,000	16,500	£7.09	Stated patronage only includes boardings on sections of route which would not operate without financial support. Unlikely it will be feasible or cost-effective to extend this beyond end Dec 2023.
13	Copmanthorpe - City - Haxby (Saturdays)	Connexions	Supported by CYC	01/04/23	31/03/25	£31,000	£31,000	17,000	£1.82	Optional 3-year extension possible.
14	Foxwood - City - Haxby	Transdev	Supported by CYC	01/09/19	31/08/24	£57,800	£57,800	11,000	£5.25	Optional 3-year extension possible.
16	Acomb - Hamilton Drive - City	Connexions	Supported by CYC	01/04/18	31/03/25	£62,000	£62,000	52,000	£1.19	Operator reportedly making financial losses on contract.
18	York - Holme-on-Spalding-Moor	East Yorkshire	Supported by CYC, ERYC & NYC. Evening journeys supported by parish councils.	04/08/18	03/08/26	£62,700	£27,200	45,000	£1.39	
19	Skelton - Burton Stone Lane - City (Mon-Fri)	York Pullman (was Reliance)	Supported by CYC BSIP from 30/10/23 following withdrawal by commercial operator.	30/10/23	31/03/24	£103,700	£103,700	48,000	£2.16	BSIP funding currently agreed until end Mar 2024.
19	Skelton - Burton Stone Lane - City (Sat)	Transdev	Supported by CYC	01/09/19	31/08/24	£11,200	£11,200	6,800	£1.65	Optional 3-year extension possible.
20	Rawcliffe - Clifton Moor - Monks Cross - Heworth/Osbaldwick	Transdev	Supported by CYC	01/09/19	31/08/24	£163,200	£163,200	60,000	£2.72	Optional 3-year extension possible. Operator reportedly making financial losses on contract.
21	York - Colton	York Pullman	Supported by CYC and NYC	01/09/19	31/08/24	£114,000	£85,700	21,000	£5.43	Optional 3-year extension possible.
22/23	York - Boroughbridge - Ripon - Knaresborough - Harrogate	Transdev	Supported by NYC and CYC			3rd party contract, total costs not known	£2,300	n/a	n/a	
24	Acomb - City	Transdev	Supported by CYC							
25	Fulford - City - Foss Islands - Derwenthorpe	Transdev	Supported by CYC	01/09/19	31/08/24	£180,500	£180,500	150,000	£2.37	Optional 3-year extension possible. Operator reportedly making significant financial losses
26	Fulford - City - South Bank	Transdev	Supported by CYC							
29	York - Linton-on-Ouse- Easingwold	Reliance	Commercial			n/a	n/a	n/a	n/a	Service to be withdrawn from 28/10/23. NYC likely to tender.

30/30X	York - Alne - Easingwold - (Thirsk)	Reliance	Commercial			n/a	n/a	n/a	n/a	Sunday service to be withdrawn from 28/10/23.
31X	York - Easingwold - Kirkbymoorside	Reliance	Commercial			n/a	n/a	n/a	n/a	Some journeys to be withdrawn from 28/10/23.
36/X36	York - Wheldrake - Elvington - Sutton-on-Derwent	York Pullman	Supported by CYC and ERYC	01/04/17	31/03/25	£82,400	£68,800	16,000	£5.15	
37	York - Askham Bryan - Tadcaster	York Pullman	Supported by NYC			3rd party contract, costs not known	£0	n/a	n/a	
40	York - Huby - Easingwold	Reliance	Commercial			n/a	n/a	n/a	n/a	Sunday service to be withdrawn from 28/10/23.
42	York - Cawood - Selby	Arriva	Supported by NYC and CYC			3rd party contract, total costs not known	£10,000	n/a	n/a	
59	Poppleton Bar - City	First	Supported by CYC	01/04/23	31/03/25	£600,000	£600,000	236,000	£2.54	Proposed re-routing via Leeman Rd from end Jan 2024 to permit EV double-decker operation on service 2.
66	University of York - City	First	University of York contract			3rd party contract, costs not known	£0	n/a	n/a	
67	University of York - City	First	University of York contract			3rd party contract, costs not known	£0	n/a	n/a	
196	York - Elvington - Aughton (Tuesdays only)	York Pullman	Supported by ERYC			3rd party contract, costs not known	£0	n/a	n/a	
197	York Station - York Racecourse (race days only)	Multiple operators	Commercial			n/a	n/a	n/a	n/a	
200	Askham Bar - James Street	First	Commercial			n/a	n/a	n/a	n/a	
412	York - Wetherby	Connexions	Supported by CYC and NYC	01/04/23	31/03/25	£75,000	£37,500	42,000	£1.79	Optional 3-year extension possible.
412	York - Wetherby	NYCC	One weekday return journey supported by NYC			3rd party contract, total costs not known	£7,600	n/a	n/a	
415	York - Selby via A19	Arriva	Commercial			n/a	n/a	n/a	n/a	
747	York - Murton - Pocklington	East Yorkshire	Supported by ERYC			3rd party contract, costs not known	£0	n/a	n/a	
840 (Coastliner)	Leeds - York - Malton - Whitby	Transdev	Commercial			n/a	n/a	n/a	n/a	
843 (Coastliner)	Leeds - York - Malton - Scarborough	Transdev	Commercial			n/a	n/a	n/a	n/a	
CAS (CastleLine)	York - Sheriff Hutton - Castle Howard	Transdev	Supported by NYC and CYC			3rd party contract, total costs not known	£2,000	n/a	n/a	
C1/C2	University of York Campus Shuttles (term-time only)	First	University of York contract			3rd party contract, costs not known	£0	n/a	n/a	
CB1	City - University of York night bus (term-time only)	First	University of York contract			3rd party contract, costs not known	£0	n/a	n/a	
X46/X47	York - Pocklington - Beverley - Hull	East Yorkshire	Commercial			n/a	n/a	n/a	n/a	



Meeting:	Executive Member for Transport and Economy Decision Session
Meeting date:	14 November 2023
Report of:	Director of Environment, Transport Planning
Portfolio of:	Cllr Pete Kilbane, Executive Member for Transport and Economy

Decision Report: York’s new Local Transport Strategy and Plan: Detailed policies for consultation

Consultation on York’s new Local Transport Strategy and Plan

1. City of York Council needs to prepare with North Yorkshire Council a new Local Transport Plan (LTP). The new LTP will inform transport decisions to be made by the future devolved York and North Yorkshire Mayoral Combined Authority and comply with anticipated Department for Transport guidance on new LTPs and preparation of “pipelines of major future transport schemes”.
2. On the 12 October, Executive approved a vision, objectives and a series of “Policy Focus Areas” for transport in York, in effect the York ask of the Mayoral Combined Authority. The Executive also approved a consultation framework and formation of an “Expert Group” to guide transport policy formulation. Approval of the detailed policies for consultation that support the “Policy Focus Areas” was delegated to the Executive Member for Transport.
3. These detailed policies were also taken to a Scrutiny Committee meeting on 14 October, which led to incorporation of a number of refinements reflecting the recommendations made at that meeting.
4. These detailed policies form Annex A to this document. If approved, these policies will form part of the public consultation process which will start later in November and run until February.

This public consultation will inform a new Local Transport Strategy for the City to be presented to Full Council in March 2024. If approved, the Strategy will be used to underpin negotiations with the incoming York and North Yorkshire Mayor over future transport funding and powers for York.

5. When considering the responses to the proposed policy consultation consideration will need to be given to the existing requirements of the Local Plan to ensure alignment.

Benefits and Challenges

6. Key benefits of making the decisions outlined above are that beginning consultation on the LTP in November will:
 - Allow a very wide consultation – across York and beyond - on the proposals to take place;
 - Align transport proposals for York with the new Council Plan
 - Give the best mesh with the anticipated decision-making processes of the new devolved authority.

Policy Basis for Decision

7. In December 2022, Full Council approved a 10 Year Plan and 10-year strategies covering climate, health and wellbeing and economic growth which all recognised the critical role transport plays in delivering city wide ambitions.
8. The Climate Change Strategy 2022-2032 notes that emissions from transport represent 27.9% of York's emissions and of this, 88% of emissions come from car travel or public transport. The strategy sets an objective to reduce carbon emissions from transport by 71% and reduce car miles travelled by 20% by 2030.
9. Improving York's transport networks responds to the Council Plan 2023-2027 - One York for all, which sets a vision for the Council that over the next four years we will "establish the conditions that would make the city of York a healthier, fairer, more affordable, more sustainable and more accessible place, where everyone feels valued, creating more regional opportunities to help today's residents and benefit future generations." Approval of the new Council Plan has set a new policy context for the council with four core commitments (Equalities, Affordability, Climate and Health)

being embedded throughout all decision making and being key to achieve the vision set in the plan.

10. In addition, the City of York Council's Constitution sets a requirement for Council to approve the Local Transport Plan which the proposed work set out in this report will contribute to.

Financial Strategy Implications

11. There are no additional implications of this report beyond those set out in the report to Executive in October.
12. There is only limited resource to develop the policies and that will either mean they need to be prioritised and pulled together over time or additional funding found to accelerate the development of further policy.
13. Delivering the Transport Strategy itself, post adoption, has significant capital and revenue cost implications which are currently unfunded. The council is reliant on external funding to deliver most of its Transport Improvements and that is likely to continue. A key aspect of delivering the Strategy would have to be a financial programme which would inform the phasing of Strategy delivery – and outline delivery dependencies where funding was needed beyond that which CYC could deliver internally.

Recommendation and Reasons

14. The Executive Member is asked to approve the detailed policies set out in Annex A to form the basis of the policy consultation for the Local Transport Strategy.
15. If the detailed policies set out in Annex A are agreed, then consultation can commence in November to allow a Strategy to be put before Full Council in March 2024 and adopted by City of York Council for presentation to the Mayoral Combined Authority and the newly elected mayor at the start of their term of office.

Options Analysis and Evidential Basis

16. The detailed policies presented in Annex A are the only option presented in this report. It should be noted that these detailed policies have already been subject to:
- A member workshop and e-mail circulation to members for comments
 - A cross-party Scrutiny meeting on 24 October.

Organisational Impact and Implications

Risks and Mitigations

Financial: The work outlined in this paper, including consultation, establishment of the Expert Group, technical work and CYC staffing costs, can be accommodated within the DfT grant awarded to CYC for preparation of a Local Transport Plan. The implementation of the detailed strategies will require resourcing from writing additional strategies and policies to changing infrastructure or income models for the council, therefore each decision will require consideration in its own right.

Human Resources (HR): Should there be additional resources required to support the Transport Vision, these will follow HR policies and procedures and further HR advice can be sought when required.

Legal: Governance: In accordance with the Local Government Act 2000, the Local Authority (Functions and Responsibilities) (England) Regulations 2000 and the City of York Council Constitution, Full Council must approve, adopt, amend, monitor and /or review the plans, strategies and policies which together make up the Council's Policy Framework, including the Local Transport Plan. The recommendations in this report are in accordance with that requirement.

Legal principles on consultation: The approach to consultation recommended for approval is consistent with the requirements for a lawful consultation set out in the Gunning case and subsequently endorsed by the Supreme Court as a "prescription for fairness". These can be summarised as follows: (i) consultation must be undertaken at a time when proposals are still at a formative stage;(ii) it must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response; (iii) adequate time must be given for this purpose; and (iv) the product of consultation must be

conscientiously taken into account when the ultimate decision is taken.

Procurement: Whilst there are no direct procurement implications relating to this report, should any procurement arise following the Local Transport Plan, all works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015.

Health and Wellbeing: the Health and Wellbeing implications of the LTP will be substantial, with strong evidence that cities which support greater use of active travel methods and lower use of cars see health gains across a wide range of disease areas, including respiratory and heart health and cancers, as well as generalised mental health and wellbeing. When these shifts are achieved by equitable means, health inequalities are also reduced. The 'Objectives' and 'Policy Focus Areas' proposed in this report have been developed with extensive public health input and reflect the goals of the York Health and Wellbeing Strategy 2022-32.

Environment and Climate Action: One of the core objectives of the Local Transport Strategy is to significantly reduce carbon emissions and help to protect the city from future climate change. At the same time the transport strategy aims to support adaptation to future climate change, using planting to create shade, assist with drainage and simultaneously help to meet the city's biodiversity goals.

Affordability: The Local Transport Strategy will address Affordability with policies designed to reduce transport inequalities across the city, with a focus on improving access to sustainable transport options in deprived and low income areas, and reducing car dependency. Affordability is one of the key components of the Council Plan which the LTS will support.

Equalities and Human Rights: An Equalities Impact Assessment is attached at Annex B. This focuses on the equalities impacts of the consultation and how we ensure full representation. Evaluation of the final policies will need to be undertaken before formal adoption.

Data Protection and Privacy, Data Protection and Privacy Impact Assessment of the consultation is contained with Annex C.

Communications: Appendix A of the report taken to Executive on 12th October set out a clear communications, engagement and

consultation strategy for preparation of York's new The Local Transport Strategy. This decision does not change the communications, engagement and consultation strategy, but informs its content

Economy: The Local Transport Strategy will support York's economy with policies designed to reduce traffic congestion and improve freight delivery. In addition it includes policies designed to reduce noise and enhance public realm, making York a more attractive city to live, visit and work in.

Risks and Mitigations

17. The course of action set out in the previous Executive paper commits the Council to undertake a consultation on Local Transport, this paper informs the content of part of the consultation.

Wards Impacted

18. All wards are impacted by this decision.

Contact details

For further information please contact the authors of this Decision Report.

Author

Name:	James Gilchrist
Job Title:	Director of Transport, Environment and Planning
Service Area:	Transport
Telephone:	01904 552547
Report approved:	Yes
Date:	06 November 2023

Co-author

Name:	Julian Ridge
Job Title:	Transport Strategy
Service Area:	Transport
Telephone:	01904 552435
Report approved:	Yes
Date:	06 November 2023

Background papers

Executive Meeting on 12 October 2023

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13931>

Scrutiny Meeting on 24 October 2023

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=1063&MId=14408>

Annexes

Annex A: Detailed Policies for consultation

Annex B: Equalities Impact Assessment (EIA)

Annex C: Data Protection Impact Assessment (DPIA)

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Policy focus area 1: Accessibility - Shape a city that is accessible to everyone – so that everyone, including young people, women, disabled people and anyone with a protected characteristic, is able to access all the facilities which they need, and all areas of the city, and its villages, have accessible, reliable and affordable bus services to key destinations.

Detailed Policies Proposed
Policy idea 1.1 – provide Blue Badge parking spaces near significant trip attractors within the city centre, including the foot streets area, and in all district and village centres. Our target is to have BB parking spaces as close as possible, ideally within a 150m (over accessible terrain) distance of significant trip attractors (see also Policy 1.5 on seating).
Policy idea 1.2 – Cycle parking at significant trip attractors within the city centre and in all district and village centres and at employers, leisure sites, training, education etc. Our aim is that cycle parking should be provided as near as practically possible to significant trip attractors – ideally within 50m and closer if possible. In addition, we aim for at least 5% of our cycle parking to be accessible for non-standard cycles including family cargo cycles, trikes, recumbent cycles and cycles with trailers, and for all cycle parking to be accessible for disabled cyclists.
Policy idea 1.3 – Accessible design. Our target is to develop walking, wheeling and cycle networks to accommodate wheelchair users, mobility scooter users, riders of adapted cycles and family/cargo bikes, while ensuring safety for those with sight loss. This will include the removal of inaccessible barriers and the provision of dropped kerbs.
Policy idea 1.4 – Accessible public transport. Work with stakeholders to improve accessibility of public transport for all users, and to increase the amount of accessible seating. Through the licensing policy we will continue to work with taxi and private hire providers to increase the number of wheelchair accessible taxis and private hire vehicles in York. We will also continue to improve bus stops and shelters to improve personal security (e.g. by ensuring adequate lighting levels). We will work with the rail industry to improve the accessibility of York and Poppleton Stations and work with the Rail Industry to ensure that the forthcoming Haxby rail station is fully accessible.

Policy idea 1.5 – We will aim to ensure seating at 50m intervals within the footstreet area and in all district and village centres, and the routes to them, to allow people to rest during their journeys.

Policy focus area 2: Improve walking, wheeling and cycling – so that cycling, walking and wheeling become more attractive and offer better alternatives to the car. Key to this will be creating a continuous network of safe and high-quality cycle, walking and wheeling routes, and giving all active travel users greater priority on roads and at junctions. Effectively integrating new modes like e-bikes into York’s transport network will also be important. These changes will achieve a doubling of active travel journeys by 2030.

Detailed Policies Proposed
<p>Policy idea 2.1 – Maintain York’s Transport User Hierarchy, first adopted in 1989. This places walking at the top of the hierarchy followed by cycling, public transport and then car traffic. We will ensure that it is applied appropriately and consistently in all scheme designs, policy decisions and funding allocations. Accessibility will be considered collectively as per policy focus area 1 as well as within and at the top of each mode of the hierarchy.</p>
<p>Policy idea 2.2 – Create a priority walking, and wheeling network, jointly with partners including the disabled community, walking and environmental groups, developers and employers. This network will offer safe, high-quality continuous routes to the city centre, all district and village centres, and schools, colleges and places of employment. We envisage this network will, once complete, covering the whole city to provide a joined-up network.</p>
<p>Policy idea 2.3 – Develop a programme to upgrade pedestrian and cycle crossings on all parts of the priority walking, wheeling and cycle network, to include greater priority and reduced delay at signalised crossings, countdown signals at major crossings, priority at crossings of side roads (including providing either dropped kerbs or tables to allow level crossing), removal of barriers and guardrails and significantly improved pavement maintenance. An initial stage will improve crossings at all junctions on what is now the inner ring road, other routes in the heart of the city centre (e.g. Piccadilly, Rougier Street, Tower Street) and in the district centres.</p>
<p>Policy idea 2.4 – Seek funding to comprehensively upgrade the city centre footstreet network to provide continuous level surfaces, clearly de-lineated to indicate where vehicles are permitted. We will look to eliminate footways which are narrow, uneven, poorly drained or with cross slopes.</p>

Policy idea 2.5 – Create a connected priority **cycling** network jointly with partners including the disabled community, cycling and environmental groups, developers and employers. We envisage this network being comprehensive and continuous, and ensuring effective routes to and through the city centre, and to district and village centres, and schools, colleges, places of employment and other large trip attractors.

Policy idea 2.6 – Develop a programme to upgrade cycling facilities on all parts of the priority cycle network, to include continuous cycle lanes, segregated where appropriate, priority at traffic signals, safe provision to negotiate roundabouts and regular maintenance to ensure that surfaces, signs and markings are safe. The first step in this process will be to draw up our 'Movement and Place plan (see policy idea 6.1) and seek funding to upgrade key missing links and problem areas in the cycle network, with the aim of creating a connected network.

Policy idea 2.7 – Community support. Recognise that some groups of people face more barriers to walking, wheeling and cycling. Identify the barriers (such as lack of cycle parking, lack of confidence) and work with these communities to ensure that everyone has equal access to walk, wheel and cycle. Include audits for mobility / sensory impaired people in assessments of existing facilities/ design of new facilities.

Policy idea 2.8 – Support the development and use of e-bikes, and expand micromobility options such as e-scooters where appropriate to complement other modes of transport.

Policy focus area 3: Shape Healthy Places: – to encourage physical activity by ensuring that all communities in York are inclusive, feel safe and offer all the facilities which people need on a daily basis within easy reach whether walking, wheeling, cycling or travelling by public transport. We will improve district centres so that people can meet more of their shopping, work and leisure needs locally, without having to travel by car. We will improve streets and spaces in York to help us adapt to future climate change and for the benefits of all users, including people who have limited mobility, hearing or sight loss. We will focus on planting, lighting, surfaces and the quality and feel of streets and spaces in York. We will improve broadband connectivity to enable people to work, study and shop from home.

Detailed Policies Proposed
Policy idea 3.1 – Review each area of York or village and its district centre and aim to ensure that it has all key facilities within walking, wheeling or cycling distance, and design effective public transport where longer distance journeys are required to access key facilities.
Policy idea 3.2 – Explore the feasibility of providing each centre with a communications, mobility and delivery hub for parcels, and facilities such as toilets, safe cycle storage, pushchair, mobility scooter and cycle hire and repair workshops.
Policy idea 3.3 – Adopt the principles in 3.1 and 3.2 for all new developments, including all strategic sites in the Local Plan. Produce a Supplementary Planning Document on Sustainable Transport to specify these requirements, and those covered in other Policy Focus Areas.
Policy idea 3.4 – Embed the Healthy Streets approach into relevant guidance and decision making to create high quality public spaces and encourage walking, wheeling and cycling.
Policy idea 3.5 – Safe streets. Consider traffic measures such as ‘Home Zones’ to create safe streets for walking and cycling. Identify the streets within communities that need intervention from the Local Cycling and Walking Infrastructure Plan, safety audits and resident consultation. Encourage new developments to embed safe streets into the design from the outset. Reflect these Safe Streets in the wider Movement and Place Plan
Policy idea 3.6 – Adopt the Vision Zero approach, seeking to eliminate all fatalities and serious injuries on York’s roads. Work with partners, such as North Yorkshire Police, and stakeholders to use the appropriate and

proportionate tools available to reach this goal. This work will include infrastructure design, behaviour change, technology, legislation and enforcement.

Policy idea 3.7 – Require larger scale transport schemes and infrastructure projects to undertake Health Impact Assessments to ensure health benefits are considered and maximised.

Policy idea 3.8 – Our approach to transport planning for the future will use the ‘Decide and Provide’ approach which decides on a preferred future, assessing what travel needs that will generate and providing a development path best suited to achieving this. This is to mitigate against development which increases vehicle traffic in York.

Policy focus area 4: Improving Public Transport: so that all areas of the city have good and reliable public transport access. Key to this will be extending the bus network, ensuring effective and reliable early and late services when people need them, and upgrading high frequency bus services – in some cases into bus rapid transit services or possibly light rail transit systems. We will also work to upgrade heavy rail services where they play a local role or support our other policies. Not only will this result in a 50% or greater increase in bus patronage by 2030, it will also enhance the viability of public transport and protect its future.

Detailed Policies Proposed
<p>Policy idea 4.1 – Work with bus operators to create a comprehensive network of bus services, accessible to as many residents and visitors as possible, and providing services at weekends and for the night-time economy. Seek funding for and set challenging targets for increased bus network coverage, and ensure that all low-income areas are appropriately served. Ensure that all new development (10 or more dwellings) are designed for bus access, with appropriate service frequencies provided as early as possible after first occupancy. Consider alternative models of service provision (e.g. franchising) if it is not possible to achieve the desired network of services commercially.</p>
<p>Policy idea 4.2 - Use infrastructure design and network management to increase the reliability and efficiency of bus services. Set challenging targets for increased bus reliability. As a first step, develop a proposal for a dedicated priority route for buses (as part of the Movement and Place plan – see policy focus area 6), and other sustainable transport, across the city centre, including effective enforcement of existing regulations in Piccadilly and Pavement.</p>
<p>Policy idea 4.3 – Work with local communities to obtain funding to develop community transport schemes such as community minibuses, dial-a-ride and car clubs and share schemes, particularly to fill any gaps in the bus network. Consider the introduction of a shuttle bus in the footstreets area of the city centre.</p>
<p>Policy idea 4.4 – Work with Park & Ride operators to deliver an enhanced commercially viable service with the aim of increasing the use of Park & Ride buses, and develop Park and Ride sites as access hubs for local communities and villages and for inter-urban buses and coaches. Use all tools available including infrastructure</p>

<p>design, network management, route planning and car parking charges to drive up patronage and maximise the reliability and efficiency of the Park and Ride services.</p>
<p>Policy idea 4.5 – Develop a rail strategy to guide the approach to rail investment and priorities within York, with the aim of increasing passenger numbers on rail services and identifying opportunities for enhanced or new routes and services.</p>
<p>Policy idea 4.6 – Ensure that the redesign of the Railway Station makes it more sustainable, better able to support walking, wheeling, cycling and buses, and less dependent on car access. Ensure that Poppleton and the proposed station at Haxby are at the centre of effective walk/ wheel/ cycle/ bus networks.</p>
<p>Policy idea 4.7 – Enable multi-modal journeys, using all opportunities to improve interchange facilities across the bus network (such as cycle parking provision and shelters) and work with stakeholders to explore multi-operator ticketing, and provision for cycles, wheelchairs and mobility aids on buses and trains.</p>
<p>Policy idea 4.8 – Develop an integrated fares policy for all road-based public transport which encourages and rewards frequent use and makes bus use affordable for young people and low-income households.</p>
<p>Policy idea 4.9 – work with the taxi/ private hire trades to encourage greater provision of wheelchair accessible, low emission vehicles in York.</p>
<p>Policy idea 4.10 – consider the scope for providing water-based access to York city centre from Rawcliffe Bar park and ride – e.g. using the existing tour boat service or water taxis – to provide an attractive alternative to driving into York for visitors.</p>

Policy focus area 5: Safeguarding our environment by cutting carbon, air pollution and noise - we will encourage the take-up of electric vehicles because they have no tailpipe emissions. However, we know that simply converting existing internal combustion-engine trips to electric vehicle trips will not be enough to meet Climate Change targets, reduce congestion, or improve air quality and health sufficiently. We must achieve reductions in the absolute number of car miles travelled too.

Detailed Policies Proposed
Policy idea 5.1 – Continue to expand public EV charging facilities, working with private sector, developers etc, to keep pace with the demand for public charging, both by commuters and visitors and for those residents without access to residential off-street charging. This will be a development of CYC’s existing EV Charging Strategy
Policy idea 5.2 – use the powers available to local authorities to further incentivise EV/ hybrid replacement of petrol/ diesel engine vehicles in York – for example through differential parking charges for resident’s parking schemes.
Policy idea 5.3 – Review the current Bus Clean Air Zone (e.g. to cover large/ heavy commercial vehicles) if required to meet air quality targets. Consider further action in locations where traffic emissions are a significant contributor to poor air quality and noise.
Policy idea 5.4 –Take all carbon impacts and induced travel demand into account when assessing infrastructure projects and calculating their carbon impact and contribution to York’s net zero carbon goal.
Policy idea 5.5 – Support development of green infrastructure along transport corridors with the aim of delivering a transport network that achieves and where possible exceeds government and local biodiversity net gain targets.
Policy idea 5.6 – continue the work to convert CYC’s own vehicle fleet to electric vehicles where this is practical and suitable vehicles are available.
Policy idea 5.7 – consider how transport infrastructure in York, especially new infrastructure, can be used to support the environment – e.g. through sustainable drainage, urban cooling etc

Policy idea 5.8 – work with York’s tourism/visitor sector to maximise sustainable transport use by visitors – both for reaching York and travelling around the city once visitors have arrived.

Policy focus area 6: Manage the road network for Movement and Place – we will develop a Movement and Place Plan which reallocates road-space to create safe and connected networks for walking, wheeling, cycling, public transport, cars and freight for residents, businesses and visitors alike – helping deliver York’s economic and environmental strategies and draft Local Plan by making walking, wheeling and cycling more attractive and buses more reliable. The Movement and Place Plan will also identify how best to balance the needs of streets as travel corridors and as places where people live, shop, go to school and enjoy their leisure. It will facilitate all kinds of journey including trips to and from outside of the city, and will recognise York’s place in the wider region. A key to the Movement and Place Plan will be using York’s new traffic models to minimise congestion, along with new ways to manage and construct highways to minimise their environmental impacts and work with partners to deliver any required interventions and schemes.

Detailed Policies Proposed
Policy idea 6.1 – Develop a Movement and Place Plan for York which identifies how best to balance the needs of streets to enable people to travel and as places where people live, shop and enjoy their leisure. Include a specific priority network plan for each mode of transport (private vehicles, freight vehicles, public transport, emergency services and active travel modes). As part of this Plan, critically assess the future role of what is now the inner ring road
Policy idea 6.2 – Identify the locations where a Movement and Place Plan could create opportunities such as the planned improvement of the A1237 outer ring road, providing potential for a different approach to traffic in central York. In addition, we would look at where movement and place are most seriously in conflict, such as Gillygate, and design schemes to take early action which are consistent with the Movement and Place Plan.
Policy idea 6.3 – The Council has a statutory duty to avoid, eliminate and reduce road congestion. We will also commit to managing the network to tackle air pollution, maintaining accessibility for disabled transport users, and promoting and prioritising the use of walking, wheeling, cycling and public transport.

Policy idea 6.4 – To make travel safer for pedestrians, wheelers and cyclists, adopt 20mph as the default speed limit for all roads through residential areas (including new developments), near schools, in villages and at retail areas and parks.

Policy idea 6.5 – Maintain our highway assets (including walking, wheeling and cycling routes) in line with the priorities outlined in the York transport hierarchy and with the aim of managing risk, minimising disruption and delay, and increasing the reliability of the network.

Policy idea 6.6 –. Our approach to infrastructure, junction and road improvement schemes will use the ‘Decide and Provide’ approach which decides on a preferred future, assessing what travel needs that will generate and providing a development path best suited to achieving this. to design of transport We will only consider road capacity schemes if they relieve pressure from sensitive parts of the transport network, or after all other options have been explored. We will work with developers to obtain funding to upgrade sustainable travel networks to and from new developments, in-line with the policies in the draft Local Plan

Policy idea 6.7 – Futureproof our transport network for emerging technologies such as autonomous vehicles and unmanned aerial vehicles (drones).

Policy focus area 7: Reduce car dependency - we will provide safe and comprehensive networks so that alternatives to the car are the obvious choice for a growing proportion of transport users, whilst enabling those who have to use motorised vehicles to get about more easily. We will manage parking to provide access for shops and business, while discouraging car use for journeys which could be made by sustainable modes. New developments will be planned so that active travel and public transport are the obvious choice. We will also promote behavioural change by supporting people as they switch travel modes, for example, through travel planning. Together these changes will reduce the number of miles travelled on York’s roads by at least 20% by 2030.

Detailed Policies Proposed
Policy idea 7.1 – Encourage walking, wheeling and cycling to school and work by working with schools, developers and employers, helping to create travel plans, improving way-finding, and considering measures such as school streets and ‘park and stride’. We will develop case studies to show how many people can easily live less car dependent lives – often reducing their expenditure on transport and living more active lives in the process.
Policy idea 7.2 – Encourage businesses and organisations operating within the city to reduce their transport footprint. (E.g. staff travel plans, sustainable transport options to business parks, cycle lockers for businesses.) Work with developers and businesses to create and implement effective travel plans.
Policy idea 7.3 – Develop a wider set of campaigns such as car-free days to encourage people to consider alternatives to the car.
Policy idea 7.4 - Promote zero emission car share and car clubs to reduce the need for car ownership. Aim to have a car share scheme or car club available in all suburbs and villages around York and in new developments, with an ambition for most residents to have a car-share/club car available within 500m of where they live.
Policy idea 7.5 Develop a parking strategy to cover all Council managed parking within 400m of the city centre, which assesses parking needs and sets parking charges designed to make it more attractive to use Park and

<p>Ride or the bus, or to walk, wheel or cycle. Set Council managed parking supply to satisfy requirements for essential journeys to the city centre, and take steps to enhance the quality of that parking provision.</p>
<p>Policy Idea 7.6 – We will keep under review our Residents’ Parking Scheme to ensure it delivers our policy and works to the benefit of all residents. Residents parking schemes allow you to park in your community, and they could be extended to cover all areas of the city, with an aim to reduce non-residents using residential streets for long-stay parking. On street car parking may need to be reallocated to create space for bus and cycle facilities (in line with the council’s adopted hierarchy of road users see Policy Idea 2.1). Where this results in a dedicated disabled bay needing to be moved the council will provide an alternative car parking space within 150m (or preferably less) of their home, with an accessible route between the resident’s home and the disabled car parking bay. In a similar way we will work with blue badge holders so the same principles apply where possible.</p>
<p>Policy idea 7.7 – Review the parking stock in private ownership within 400m of the city centre, and engage with them to influence their policies which encourage patterns of use consistent with the aims of Policy idea 7.5, as well as the wider aims of the transport strategy eg accessibility</p>
<p>Policy idea 7.8 – Adopt standards for maximum levels of parking provision in new developments which are consistent with the objectives of this Local Transport Strategy and the draft Local Plan, and encourage developers to reduce parking provision to below these maximum standards when considering planning applications.</p>
<p>Policy 7.9 – Publicise sustainable transport options and developing travel plans.</p>

Policy focus area 8: Improving freight & logistics - so that York's businesses have efficient access for their supplies, goods and services, while at the same time reducing the impact of heavy lorries and light goods vehicles on carbon emissions, air pollution, safety and damage to heritage.

Detailed Policies Proposed
Policy idea 8.1 – Work with the Mayor to develop and implement a freight and logistics strategy based on the principles of net-zero emissions, improved air quality, safe movement, working in partnership, protecting assets and buildings, freight consolidation and efficiency of movement. Within the strategy develop and implement different plans for long distance, local and last-mile movement.
Policy idea 8.2 – Provide one or more transshipment facilities on the edge of footstreets area. Work with businesses to understand the impact of a limit on all freight movements within the city centre to electric vehicles of 3.5T or less. Promote and support the use of cargo bikes.
Policy idea 8.3 – Work with businesses to understand the impact of designating a limited road network for freight vehicles of over 7.5T, which ensures access to all key destinations, including transshipment facilities, but avoids undue use of narrower inner city streets and residential roads. Ensure that this network is maintained to meet the needs of such vehicles.

Policy Focus Area 9: Effective maintenance and enforcement and management of streetworks – so that the condition of York’s transport networks enables the transition to greater use of sustainable transport. Enforcement of traffic rules and effective management of street-works will be a key tool in achieving our stated objectives.

Detailed Policies Proposed
Policy idea 9.1 – Work with the Mayor to increase maintenance and renewals on footways and cycleways and on the margins of roads used by many cyclists
Policy idea 9.2 – carefully consider where greater enforcement of traffic offences could make a beneficial contribution to traffic management in York

Policy Focus Area 10 – Monitoring the transport network and financing the changes – so that the effectiveness of our policies can be monitored, and funding attracted to deliver York’s new transport strategy as effectively as possible.

Detailed Policy Proposed

Policy idea 10.1 – We will work with the Mayor to access funding to deliver our vision of a transport system in York. We will work with the Mayor to develop a monitoring & appraisal system to assess the impact of our transport policies, and have a pipeline of schemes for consideration by the Mayoral Combined Authority and DfT for funding.

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City of York Council Equalities Impact Assessment (v4.0 - 6 November 2023)

Who is submitting this proposal?	
Directorate	Governance / Corporate Services
Service Area	Policy and Strategy
Name of Proposal	Draft Local Transport Plan Consultation and Engagement Plan
Lead Officer	Claire Foale
Date assessment completed	6 th November 2023

Names of those who contributed to the assessment			
Name	Job Title	Organisation	Area of Expertise
Claire Foale	AD PS	CYC	Engagement plan
Carl Wain	Information and Social Action Manager	CYC	Age Friendly UK, Community Transport Group
David Smith	Access Officer	CYC	Access – York Access Forum

Niall McVicar	Head of Innovation, Children's Champion	CYC	CYP Voice strategy
Laura Brown	Advocacy and participation	CYC	SEND groups and participation
Natasha Almond	Advocacy and participation	CYC	Youth Council
Community groups			listed below (see 2.1)

Step 1	Aims and intended outcomes
1.1	What is the purpose of the proposal
	Please explain your proposal in Plain English avoiding acronyms and jargon.
	<p>On 15 December 2022 City of York Council adopted the York 2032 10-year Strategy and Policy framework. This includes the Climate Change, Economic and Health and Wellbeing 10-year strategies.</p> <p>The 10-year Plan also recognises Transport as one of five city-wide priorities and sets out the ambition and targets for the decade ahead.</p> <p>Following Council approval of York 2032, the council and partners could begin engagement activities to improve the quality of life for all York's residents. This, the Local Transport Strategy Consultation and Engagement Plan (The Plan) sets out how it will engage different communities in the emerging draft Local Transport Strategy.</p> <p>The aim of the plan is to:</p> <ul style="list-style-type: none"> • Encourage broad participation from the many different people, groups and organisations who currently do, or have potential to, use York's transport infrastructure • Increase representation that encourages as many diverse voices as possible to share their experiences. • By the end of the engagement plan, everyone who wants to contribute should have had the opportunity and means to do so.

	<p>This feedback will then inform development of the Local Transport Strategy and be presented at appropriate decision sessions.</p> <p>The strategy is also based on the learning from the feedback from the original ‘Our Big Conversation’.</p>
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<p>1.2</p>	<p>Are there any external considerations?</p>
	<p>Legislation / government directive / codes of practice etc.)</p>
	<p>Equality Act 2010: Link to Equality Act: Link to the Equality Act 2010</p> <p>LGA New Conversations: Link to LGA New Conversations: Link to LGA New Conversations</p> <p>Nesta new operating models Upstream Collaborative: Link to Introducing New Operating Models for Local Government</p> <p>This National Lottery Community Fund guide: Link to National Lottery guide</p>

<p>1.3</p>	<p>Who are the stakeholders and what are their interests?</p>
	<p>These will be internal (employees or contractors) or external (people living in our communities)</p>
	<p>The draft Local Transport Strategy sets out the vision for York transport infrastructure/system - that it will be inclusive for all. Stakeholders are anyone who uses, could use, or should use, York’s transport infrastructure.</p> <p>Methods of delivery and engagement with stakeholders are categorised below, with The Plan placing emphasis on providing a proactive, inclusive engagement strategy with opportunities for anyone who wishes to contribute:</p> <p>Universal: residents, businesses, visitors, commuters via:</p> <ul style="list-style-type: none"> • information to households • public spaces, including going in to schools, colleges, libraries and leisure centres

	<ul style="list-style-type: none"> • fully accessible online engagement platform • social media & digital comms • media campaign to raise profile of the consultation period and share case studies of different users • dedicated email and phone line for comments to be gathered <p>Demographic data will be collated to inform targeted engagement through targeted engagement:</p> <ul style="list-style-type: none"> • residents (by characteristics) • business representatives • community groups • partners <p>To consider how to ensure a more inclusive consultation process, participation data from Our Big Conversation 2021 was used to assess the levels of representation. In early 2023, a series of workshops were held to better understand the delivery mechanisms which work for different groups and demographics, and comments made at those workshops have influenced both this plan and the Engagement Plan.</p>
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1.4	What results/outcomes do we want to achieve and for whom?	
	This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.	
	The objectives of The Plan are:	
	Objective	Action
	1. To ensure the consultation is inclusive and accessible	We will deliver on-line and off-line engagement activities, encouraging everyone to have a say. We will promote and offer interesting, engaging information to every resident, business and interest group, making transport relevant to all.

		We will ensure that no matter how a comment is collected – in person, by email, via an online platform – that every comment is read, documented, and reported.
	2. Develop and deliver an engagement programme of on and offline activities:	We will offer a wide range of mechanisms for people to take part, ensuring online tools and in-person events are accessible and engaging, as well as in accessible formats including Easy Read, for example. A full strategy will be developed in collaboration with the Transport Policy Group
	3. Raise awareness of the different stages and opportunities:	Through council and partner channels, as well as a media campaign at launch and during the consultation period, we will clearly set out the processes and timeframes of the consultation and what happens next.
	4. Facilitate targeted opportunities	In addition to the far reaching online opportunities, we will tailor our outreach work to ensure that individuals and groups who traditionally do not take part in consultations feel that their views are valid; we will utilise a range of engagement tools, adapting to each audience (for example in-person workshops at schools or for older residents).
	5. Create universal opportunities	To provide feedback and structure to the on- and offline engagement activities, we will collate demographic information to check inclusivity during the consultation period, and target additional marketing work accordingly.
	6. Publish the decision-making schedule:	Relating to the Local Transport Strategy development allowing participants to influence through open democracy, sharing feedback at key moments.

	<p>7. Deliver all engagement through the Our Big (Transport) Conversation</p>	<p>We will utilise ‘Our Big Conversation’ building on the brand’s recognition from previous consultations, as residents and businesses associate it with engagement and consultation. This will also assist in future consultations on all council matters and creates an identity for engagement.</p>
	<p>The Plan</p> <ul style="list-style-type: none"> • aligns to the council’s resident engagement strategy approved at Executive in April 2021 and builds on the Local Transport Plan Engagement Plan approved at the Executive Member (Transport) Decision Session in May 2021. Since 202 where different aspects of how people experience travel have been explored through iterative engagement activities under the banner of ‘Our Big Conversation’ • responds to the Council Plan priority for an open and effective council. The Local Transport Strategy itself responds to all the other priorities, with targets to reduce emissions set by the 10-year Climate Change Strategy 	

Step 2	Gathering the information and feedback	
2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?	
	Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data / supporting evidence	Reason for using
	Our Big Conversation 2021, 2022 including the focus groups in 2022	Identify groups of participants who did not respond to consultations - or at least not in the numbers expected
	ONS 2019 ward population estimates	Understand the barriers to engagement and how to improve representation
	Digital Exclusion York Citizen's Advice Report 2020	To understand those groups that are least likely to engage in digital consultations to better understand the requirement and range of other engagement activities required
	Age Friendly Forum (consultative discussion on 2 March 2023)	To understand from older people how to ensure the consultation encouraged older people to take part, recognising different levels of digital engagement
	York Access Forum (consultative discussion on 6 March 2023)	To understand from disabled people how to ensure the consultation encouraged disabled people to take part, recognising different levels of digital engagement and consultation fatigue
	Community Transport Meeting (consultative discussion on 9 March 2023)	To understand from community groups providing transport support how to ensure the consultation could encourage greater participation

	through community groups representing different transport issues and interests
York Civic Trust Transport Panel (consultative discussion on 16 March 2023)	To understand how to ensure the consultation encouraged more people to take part, recognising different levels of digital engagement and particularly those with an interest in transport, demonstrated through their engagement in the YCT transport panel
Inclusive Rights UK 3.0 via email	To understand from people of colour how to ensure the consultation encouraged more BAME people to take part and encouraged much greater diversity of representation, recognising different levels of digital engagement and consultation fatigue
Youth Council (consultative discussion on 17 May)	To understand from young people how to ensure the consultation encouraged more children and young people to take part, recognising different levels of engagement
Children and Young People “a voice” strategy - council officers via email	To understand how to ensure the consultation encouraged more children and young people to take part, recognising different levels of engagement
SEND groups - via email	To understand how to ensure the consultation encouraged more people experiencing transport challenges take part
Head of Communications Group	To understand the best way to engage students who were not represented in the OBC consultations.
Economic Partnership 3 March 2023	To understand how best engage businesses
Cost of Living Summit (November 2022)	To understand the barriers and issues people of lower income face experiencing the transport system

Step 3	Gaps in data and knowledge	
3.1	What are the main gaps in information and understanding of the impact of your proposal?	
Please indicate how any gaps will be dealt with.		
Gaps in data or knowledge		Actions to deal with this
5% of people aged 16-24 years old responded to OBC (compared to 18% of the population being 15-24 years old)		<p>Discussion with Youth Council on 17 May</p> <p>Outcomes: tailored engagement to be held to make transport issues relevant to school and college age groups</p> <p>Review of CYP “voice” strategy and groups to engage SEND groups email to confirm how to encourage parents of SEND children</p>
2% of student responded to OBC compared to 11% students in the population.		<p>Discussion with CEC directorate and confirmation of preferred engagement routes</p> <p>Engagement with Universities and colleges through the Head of Communications group discussion</p>
<p>0.1% Asian (compared to 4% in the population)</p> <p>0.4% Black/Black British/African/Caribbean (compared to 0.7% in the population)</p> <p>0.1% other ethnic background (compared to 0.6% in the population)</p>		<p>Discussion with recommendations from IERUK 3.0 via email</p> <p>Outcomes: ensure consultation materials are delivered via existing, trusted networks, with translations available; in-person events held locally</p>

	<p>16% of people look after/give help or support anyone compared to 23% in the population</p> <p>25% of respondents had a physical or mental health condition lasting 12 months or more</p>	<p>Consultative discussion with the York Access Group</p> <p>Email discussion with SEND</p> <p>Consultative discussion with the Community Transport Group (ie. those who provide services for disabled people and carers)</p> <p>Consultative discussion with Age Friendly York</p>
	<p>Business engagement - representative across sectors</p>	<p>York Economic Partnership discussion</p>

Step 4 Analysing the impacts or effects

<p>4.1</p>	<p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?</p>			
	<p>Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>			
	<p>Equality Groups and Human Rights</p>	<p>Key Findings / Impacts Note: These findings are based on previous representation in OBC consultations.</p>	<p>Positive (+) Negative (-) Neutral (0)</p>	<p>High (H) Medium (M) Low (L)</p>
<p>Age</p>	<p>Younger people and students don't typically engage in consultations, meaning their voice isn't heard.</p> <p>Although older people do engage - those that are unable to leave their homes are less likely to.</p>	<p>(not yet known until new Plan has been devised and reviewed</p>	<p>(not yet known until new Plan has been devised and reviewed</p>	

		<p>Older people are less likely to engage in digital consultations, preferring phone or in person</p>		
	<p>Disability</p>	<p>There was a representation level of participation in OBC - 25% of participants had physical or mental health conditions expected to last over 12 months compared to 23% of households with one or more person in the census.</p> <p>However, we understand from York Access Forum (YAF) that consultation fatigues and disillusion in council consultation means we will need to be focused, open and transparent about the feedback gathered, what it says, and what we do with it.</p> <p>Different consultation materials and venues can be inaccessible. Materials will be produced in different formats (video with subtitles, easy read etc) and meetings will be accessible, either in the venue arrangements or presentationally with BSL provided where appropriate.</p>		
	<p>Gender</p>	<p>Participation is typically evenly spread in OBC</p> <ul style="list-style-type: none"> • Male (47% compared to 49% of the population) • Female (50% compared to 51% of the population) • Chose not to declare (3%) <p>Themes in the consultation will explore how different genders would like to improve the transport system or barriers specific to gender</p>		

Gender Reassignment	<p>Non-binary/gender variant 1% participation in OBC</p> <p>Themes in the consultation will explore how different genders would like to improve the transport system or barriers specific to gender, this could include facilities that might prohibit travel such as toilets or showers at businesses encouraging active travel</p>		
Marriage & Civil Partnership	<p>Not considered an impact in use of the transport network</p>		
Pregnancy & Maternity	<p>Parents have been included in focus group sessions. Themes in the consultation will explore the different barriers parents with young children, or who are pregnant, face in the transport system, this could include issues faced by young families around difficulties boarding buses or trains, steps instead of ramps, etc</p>		
Race	<p>Previous consultations have not encouraged participation from a diverse group. Themes in the consultation will explore different barriers people of colour or different background face in York's transport system.</p>		
Religion & Belief	<p>Typically, participation in OBC has not been representative according to census data:</p> <ul style="list-style-type: none"> • (No religion 53% compared to 33% in the census, • Christian 35% compared to 57% in the census) <p>Faith groups will be encouraged to share opportunities to get involved.</p>		

	Sexual Orientation	<p>OBC has not collated data on participant’s sexual orientation. The local transport strategy is keen that everyone feels included and safe and therefore themes will explore whether LGBTQIA groups feel as safe and included as non. This could include facilities that might prohibit travel such as toilets or showers at businesses encouraging active travel</p> <p>Council attendance at Pride will promote the consultation to LGBTQIA groups attending.</p>		
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	Other socio-economic groups (inc)	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	Carer	<p>Previous OBC representation had 16% as carers (compared to a census of 9% and a household average of 23% with one or more having a long-term health problem).</p> <p>Although this suggests representation, engagement with the Community Transport providers shows there is more to do to encourage carers to share their unique barriers to York transport.</p>		
	Low Income Groups	<p>The Cost of Living Summit demonstrated the wide range of issues affecting lower income groups. We will invite participants to share information to understand levels of participation and explore themes that are specific to people with lower incomes.</p>		

	Veterans & armed forces community	8% of participants in OBC indicated they were in public administration/defence/compulsory social security compared to 6% in the census - although this shows representation we will invite participants to tell us direct and share information to get involved via the Armed Forces.		
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	Impact on Human Rights	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	List any human rights impacted.	<p>Article 9 - Right to freedom of thought, conscience, and religion All feedback is valid, regardless of the participant's background characteristics - noting however that some characteristics experiences will be very different from others - and all are important and add to the rich diverse texture of York</p> <p>Article 10 - Right to freedom of expression All feedback is welcome</p> <p>Article 8 - Right to respect for privacy All feedback is anonymised</p> <p>Article 14 - Right not be discriminated against Feedback is of equal importance; none is less than and none more than - other than when the subject the participant is commenting on could lead to discrimination once implemented/installed.</p> <p>All rights in terms of daily participation in York life - by setting out to be inclusive from the outset, and encourage high levels of participation and high representation, the consultation will help inform a more inclusive transport system.</p>		

Use the following guidance to inform your responses:

Positive (+)	Where you think that the proposal could have a positive impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
Negative (-)	Where you think that the proposal could have a negative impact on any of the equality groups, i.e. it could disadvantage them.
Neutral (0)	Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.
It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.	

<p>High impact (The proposal or process is very equality relevant)</p>	<ul style="list-style-type: none"> • There is significant potential for or evidence of adverse impact • The proposal is institution wide or public facing • The proposal has consequences for or affects significant numbers of people • The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<ul style="list-style-type: none"> • There is some evidence to suggest potential for or evidence of adverse impact • The proposal is institution wide or across services, but mainly internal • The proposal has consequences for or affects some people • The proposal has the potential to make a contribution to promoting equality and the exercise of human rights
<p>Low impact (The proposal or process might be equality relevant)</p>	<ul style="list-style-type: none"> • There is little evidence to suggest that the proposal could result in adverse impact • The proposal operates in a limited way • The proposal has consequences for or affects few people

	<ul style="list-style-type: none"> The proposal may have the potential to contribute to promoting equality and the exercise of human rights
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Step 5	Mitigating adverse impacts and maximising positive impacts
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5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact.
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	Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
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	<p>The draft LTS consultation and engagement plan has been tested with a wide range of stakeholders. Their different recommendations for adding into the plan are included below:</p> <p>General</p> <ul style="list-style-type: none"> Conduct a completely new stakeholder mapping exercise to plot out all groups, individuals and businesses to ensure everyone in York has an opportunity to respond to the consultation How do we join up policy - recommend creating system-leaders York Policy Network to be established Be clear on how partners and voluntary groups can support to help with scheduling and voluntary commitments (particularly as time is freely provided) Ensure that we go out to communities rather than expect them to come to us: commit to a series of targeted and general audience in-person events Ensure content that is produced is engaging, interesting and accessible, such as BSL during the webinars or face to face sessions that are for disabled groups, easy read, sub-titles on video Ensure venues are accessible and this is promoted in advance, including facilities and travel to and from the venue – this will mean repeating events across the city, published well in advance In the revised Consultation and Engagement Plan, clearly show which engagement activities are online / digital and which are face to face/in person – publishing the programme, and how to access, well in advance
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Develop and deliver an accessible engagement programme of on and offline activities (Stage 1)

- Hold additional webinars to include information about how to participate and engage (the first four webinars generated questions that will be used in the consultation for example). Questions in the first four webinars will be published. The webinars demonstrated residents interest in balancing the need for a functional, accessible and efficient network with carbon emissions and health and wellbeing. It was clear from the questions that residents who watched the webinars that they understand there are no right answers, instead a series of acceptable trade-offs to get to a preferred position. The additional webinars will further explore these trade-offs.
- Have a set of clear key messages which explain what we are consulting on, why it's important, how people can get involved, and what the next steps are
- Include "we asked, you said, we did" to make clear participation makes a difference
- Explain how strategies join up
- Share existing feedback – eg:
 - York Civic Trust Transport consultation
 - Age Friendly York getting out and about
 - York Disability Rights Forum disabled bus user feedback, 2022
 - SEND bus and taxi feedback, cost of living summit transport issues and actions
 - York Youth Council workshop
- Focus on issues/topics not just broad ideas. Include more about park and ride and dial a ride
(~~We should also mention the York Seating Strategy, Disabled Cycle Strategy, Gold Car Parks standard?~~)
- Consider following a resident journey so can capture issues (walking/wheeling tour? From a to b? - include different target audiences - including school aged children)
- **No Jargon** – according to Governments style guide, the national reading age is 9 years old –
- Easy read and accessible content for all content inc. ALT TEXT websites and social media / alternative formats boiler plate which is big enough and easy enough to see – not at the end of the document/text
- Develop carefully crafted and targeted questions. No misleading questions - test/sense check with partners / CYC Access Officer first

- Make sure car-ownership isn't seen as the norm
- Prepare 2-3 case studies (from York Civic Trust examples) to enhance understanding of how other cities have made improvements to their environment and health by changing the transport network, and draw the audience to participate

Facilitate targeted opportunities to ensure under-represented groups can be heard and can contribute (stage 2)

- Identify and engage to help reach residents through analogue communication needs (those who do not have digital access)
- Reach people who can't or don't get out through existing networks or groups (e.g. social prescribers, local area co-ordinators) providing an interesting, targeted quick-to complete postcard with details on how to respond
- Share postcards with home care providers; care homes, independent living schemes / sheltered housing schemes, York CVS etc
- Make sure all face-to-face engagement is in accessible locations - which are promoted on joining information in advance, accessibility of locations to be checked by the CYC Access Officer.
- Work with a community partner/ leads and CYC Access Officer to ensure workshop materials are accessible and relevant to the audience
- Engage with media to help share the news about the consultation activities – from family magazines to elderly resident newsletters
- Offer language translations where these would be helpful
- Ensure that during the consultation period, analysis is undertaken of the respondents and any demographic / geographic gaps are identified, followed by targeted media work

Hold targeted workshops with:

- Age Friendly York
- OAPP Assembly
- York Access Forum (x2)

- York Civic Trust, Transport Panel
- 4 x SEND groups (Access4All, primary voice group, York Inspirational Kids, Parent Carer Forum)
- Community Transport Group
- Schools and colleges – from primary level up
- business groups
- target business organisations (e.g. Hospital?)

Prepare a community workshop toolkit for partners to share and provide feedback - for use at:

- Dementia Day Care Clubs, (Rainbow)
- Home Instead Technology Workshops
- Local history groups
- York Bus Forum
- York Cycle Campaign
- Walk York
- Student groups & York Youth Council
- LACs
- Shared Lives Wheldrake
- Parish councils, ward committees
- Autism/neurodiversity groups
- York Travellers Trust

Provide targeted workshop toolkit for specific groups to share through their own networks and events

- AgeUK
- York Neighbours
- Ageing without Children

- Parkinson's Society
- Dementia Forward
- Move the Masses
- Ways into wellbeing
- Vary times and weekdays to encourage attendance at events
- Identify where participation is not representative and hold either focus groups or targeted workshops (this is in plan, although consider whether focus group or workshop would be most beneficial based on the above workshop schedules)
- Explore establishing a resident transport group throughout the duration of the development of the LTS and subsequent LTP - with broad representation building on the YCT successful transport forum and in line with the appropriate GDPR guidance
- Include primary and secondary school children - with a letter to students and class focus groups - including targeted focus groups to SEND/special schools
Work with the VOICE network to develop a workshop toolkit for young people focus groups and in line with the appropriate GDPR guidance

Create universal opportunities to provide feedback (stage 3,4,5)

Collecting feedback:

Digital

Make sure online engagement platform is fully accessible on mobile and browser so that residents can easily add their views. The online engagement platform provides different ways of asking residents questions, such as polling, surveys, maps. Information will be provided to help residents know how to engage online. All data to be held in compliance with GDPR law

Analogue

- Go to where people are - on buses or at bus stops, at schools, coffee mornings, chatty benches, car parks, park and ride
- Share information at events (YOPA, Pride)

- Create a corresponding Communications Strategy to ensure a rolling programme of media and marketing work promotes the consultation
- Share survey / information in “Our City of York Council”
- Provide postcards in public places, e.g. Explore Libraries,
- Display information and consultation details at the Urban Room in Coney Street (throughout June)
- Provide content for newsletters (York CVS, York Carers Forum, York Older Persons Assembly etc)
- Provide maps for updating offline at key locations
- Include an option for people who can’t follow maps (the wheel/walk journeys?)
- Make sure comments are representative of York residents (or commuters) - use postcodes
- Consider how feedback can be provided from either individual OR representative organisation

Analysing Feedback

- Follow a logical sequence to develop the engagement plan in a cycle of what is shown below. Suitable time will be allowed between each cycle to analyse findings (this will be dependent on when the content is available to engage with - noting stages 1-3 are completed and part of the Plan and not listed below):
 1. Co-create a common vision for the city – to include agreement on policy objectives for transport.- consult on the draft LTS as early as possible - including the easy read version - this refers to stage 3 in the plan
 2. Get feedback on strategic priorities - through community and targeted workshops
 3. Validate measure packages - this refers to the more detailed proposals in stage 4
 4. Ensure wide public support for actions
- Seek to resolve outstanding issues - including reducing car use (where appropriate) and the mechanisms for doing so

Publishing Feedback

- Share feedback throughout by publishing feedback or summary of the reports on the online engagement platform
- Ensure that all feedback, no matter how it has been delivered, is captured in the final report

Step 6		Recommendations and conclusions of the assessment	
6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done.		
	In all cases, document your reasoning that justifies your decision. There are four main options you can take:		
	Option Selected	Conclusions / Justification	
	Adjust the proposal	<p>The benefit of developing this EIA through consultation with multiple community groups and individuals is to better understand how to ensure the Plan is as inclusive and accessible as it could be to all.</p> <p>The rich and incredibly helpful feedback from the groups will now lead to a refreshed Plan that shows activities taking place and when.</p> <p>There is an emphasis on community workshops or community visits/activities and how this is resourced and delivered will need to be carefully considered first.</p>	

Step 7		Recommendations and conclusions of the assessment		
7.1	What action, by whom, will be undertaken as a result of the impact assessment.			
	List all recommendations, who is responsible and any timescales.			
	Impact / Issue	Action to be taken	Person Responsible	Timescale
	Community groups have provided helpful advice and information to improve the accessibility of the Plan - encouraging greater participation	Refresh the Plan with the above recommendations, including a roadmap showing timescales and what, delivered by who, by when	Lara Thornton, Communications Team Claire Foale, PS Julian Ridge, Transport	By May 2023 - for approval at the first Transport decision session

	Define the role of community groups based on their feedback and engage them in the plan and how they can get involved	Community engagement plan with opportunities for partners Develop a resourcing plan for community engagement - this might include volunteers from community groups, ward members, students and toolkits to cover as wide a participation as possible	Lara Thornton, Communications Team Lara Thornton, Communications Team Julian Ridge, Transport	As part of the approval of the refreshed plan - ongoing engagement
	Accessibility of the engagement platform	As part of the commissioning process, work with the supplier to ensure the engagement platform meets required accessibility standards	Eddie Coates Madden Communications Team Ian Cunningham, BI David Smith (Access Officer)	Completed July 2023
	A concern was expressed throughout about how joined-up policy is across the council and partners	As part of embedding the council's York 2032 strategy and policy framework, launch a York Policy Network for officers across the city working in Policy and share reports/feedback as published	Claire Foale, AD PS Ian Cunningham, BI	May 2023

8.1	How will the impact of your proposal be monitored and improved upon going forward?
	Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	<ul style="list-style-type: none"> • Regular reporting of participation and how representative they are across census data, adjusting the Plan to encourage greater participation if the %'s are not aligned • York Policy Network to share learnings. • Communications and Transport to run a 'lessons learned' activity about scope, stretch and capacity required to deliver outcomes - in advance of the development of Local Transport Plan 4 • An engagement framework to be produced following this process to support council officers with ongoing engagement - bringing together the different frameworks that currently exist for different audiences. • Feedback to be provided to stakeholders, such as when this EIA and annex are published, the updated engagement plan prior to approval, to invite feedback and as part of the ongoing "we asked, you said, we did" approach • Provide a contact email and details of how stakeholders can continue to share feedback throughout the engagement programme, to explore additional aspects or delver deeper into themes. • Provide materials to allow feedback from the original workshops/group discussions back to those groups

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Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.

DPIAs helps us to assess and demonstrate how we comply with all of our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.

The DPIA screening questions and DPIA identified that whilst there is processing of personal and special categories of personal data, it is not likely to result in a high risk to the rights and freedoms of individuals. We will continue to work on the DPIA as it is an ongoing risk assessment that will help us to analyse, identify and minimise the data protection risks for the duration of the consultation.

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Meeting:	Executive Member for Economy and Transport
Meeting date:	14 November 2023
Report of:	Director of Environment, Transport & Planning
Portfolio of:	Cllr Kilbane, Executive Member for Economy & Transport

Decision Report: Tadcaster Road TRO Consultation

Subject of Report

1. The report outlines the consultation responses to the proposed amendment to the Traffic Regulation Orders, as a result of the recent works undertaken on Tadcaster Road, which has slightly changed the road layout. The new road layout required the proposed introduction of 'No Waiting at any time' restrictions on Tadcaster Road.
2. A decision on if the proposal should be implemented or not is required to ensure that the traffic restrictions on street match the restrictions within the Order.

Benefits and Challenges

3. The proposed changes to the Traffic Regulation Order are proposed in combination with the scheme for improvements to Tadcaster Road. The scheme for Tadcaster Road will help the road cope with current and future travel demands, in a safe and attractive environment, whilst supporting and encouraging more active or sustainable travel options, such as walking, cycling and using the bus.
4. The Tadcaster Road improvement scheme will make improvement to support and encourage people to walk by introducing additional pedestrian crossings and creating safer more attractive routes for people on bikes and on foot. The improvements and changes to the highway network have required the reduction of a parking area

near the shops on Tadcaster Road, which has created a concern about long term parking in the bay reducing the availability of parking for customers of the shops.

Policy Basis for Decision

5. The Council Plan has seven priorities and the Tadcaster Road Scheme as a whole scheme aims to comply with the following priorities:
 - i. Health & Wellbeing; the improvements of the scheme aim to improve air quality in the area, which will provide an improvement in the health and wellbeing of residents.
 - ii. Economy: the scheme looks to support the local economy and wider area through the reduction of congestion and improved safer routes for motorists, cyclist, whilst also making a more convenient and reliable bus service. The proposal is not looking to create any parking charges on the bays near the local amenities to help to continue to encourage residents to shop local.
 - iii. Transport; through creating a more sustainable route along Tadcaster Road, which will support and encourage people to walk, cycle and the bus, due to the more attractive routes and convenient and reliable services.
 - iv. Sustainability, the creation of safer and more attractive cycle route and introduction of additional pedestrian crossings, will help to encourage more sustainable methods of transport.
6. The proposed changes to the traffic restrictions which were consulted on do not propose the introduction of any Pay and display parking bays and does propose that availability of unrestricted parking bays in the area remain. This helps to create affordable parking near the local amenities for use by customers.

Recommendation and Reasons

7. Option 1 - implement the proposed 'No Waiting at any time' restrictions as they were proposed, this option is recommended as it will help to achieve the original benefits of the scheme as it was proposed. The introduction of the 'No waiting at time' restrictions will also remove any potential parking away from the laybys on Tadcaster Road, which will reduce the congestion in the area.
8. Option 2 - Engage in further consultation with the businesses, local residents and Ward Cllrs about potentially creating limit time

parking for the laybys, to remove the all-day parking that has historically occurred. This will help create a better parking amenity for the local businesses.

Background

9. The proposal of 'No waiting at any time' Restrictions were required due to the changes to the highway, which included the introduction increased footpath width and off-road cycling provision. The approved designs for the Tadcaster Road created the requirement to undertake the Statutory consultation for the proposed changes to the traffic restrictions to ensure that new road layout was able to meet the desired requirements of the scheme. The changes to the road layout reduced the position of the lay-by, which would have left areas of unrestricted carriageway and may have led to vehicles parking and obstructing the vehicle/cycle lane and reducing the successfulness of the proposed scheme, by increasing congestion and restricting the active travel aspects of the scheme.

The proposed changes to the Traffic Regulation Order was advertised on 28 July 2023, with notification of the proposal posted on Street, in the Press, delivered to local businesses/residents and Ward Cllrs. A copy of the letter, Notice of Proposal and plan of the proposed amendments which were delivered to the businesses/residents (Annex A), made the businesses/residents aware and provided them with information on how they could provide representation on the proposal. The Consultation process provided a three weeks' period for representation to be received.

10. The plan, which was taken from the design drawings, and which were proposed to be used for the lining drawings, did wrongly show that the whole of the bay on the north side of the road as a loading bay. A new plan has been created with the removal of loading bay marking contained to the area it was prior to the proposal (Annex B).
11. This changes to the loading bay shown in the plan were not proposed as an amendment to the restrictions and was never part of the planned changes with the scheme. It would restrict the use of the bay and affect the viability of the businesses in the area, which would have a negative impact on the local economy, which would be in direct opposition to the proposed outcomes from the scheme.

Consultation Analysis

12. The Statutory Consultation process resulted in a number of letters of objection (Annex C) and resident asking for additional information, due to concerns about the incorrectly marked loading bay. Additional information and confirmation that there was no proposed change to the loading bay was provided, with apology for the miscommunication.
13. The businesses did have justified concerns about the potential for an extension to the loading bay as it would remove the availability of parking for customers and potentially affect the profitability of the businesses, as previously stated this is not a desire of the scheme.
14. The responses were very much around the useability of the parking areas on each side of the road, as the road reconfiguration will reduce the availability of parking. One respondent commented that the bay prior to the works was used for all day parking by 2-3 vehicles which reduced the opportunity for customers to park, although they did state that those vehicles were not generally creating an adverse effect for their customers. The concern was that if the all-day parking continues with the reduced parking bay, then there will be a negative impact on the businesses. There were requests to look at limited time parking in the bays, to remove the all-day parking from occurring.
15. Over the years the area has been subject to many changes to road layout and different restrictions proposed for the local area, this is a concern for the businesses as they feel that their views on the area are not consulted on or listened to. This is creating an issue of distrust from the businesses towards the Council, as they do not feel that their businesses are being given enough consideration in the proposals/schemes that have been progressed over the years.
16. Several the responses also communicated about their frustration about the duration of the works and the inconvenience/disruption to their business operations, which has also resulted in the loss of earnings, due to an inability to access the businesses. A response to these concerns was sent to businesses by the project Engineer responsible for the scheme and they have continued to have discussion around the scheme as it progresses.

17. This consultation process has helped to identify that these businesses would like to engage with the Council in the future on any further schemes/proposal for the area, to help provide a better joined up approach and ensure that the future operation of those businesses is not detrimentally affected.

Options Analysis and Evidential Basis

18. Option 1 – Implement the proposed ‘No Waiting at any time’ restrictions as they were proposed, this option is recommended as it will help to achieve the original benefits of the scheme as it was proposed. The introduction of the ‘No waiting at time’ restrictions will also remove any potential parking away from the laybys on Tadcaster Road, which will reduce the congestion in the area.
19. Option 2 – Take no further action, this option is not recommended as it will leave areas of Tadcaster Road unrestricted and potentially encourage parking within those areas, which will have a detrimental effect on traffic and congestion in the area.
20. Option 3 – Engage in further consultation with the businesses, local residents and Ward Cllrs about potentially creating limit time parking for the laybys, to remove the all-day parking that has historically occurred. This will help create a better parking amenity for the local businesses.

Organisational Impact and Implications

21.
 - **Financial**, The original scheme proposal included within the cost implications a requirement for an amendment to the traffic regulation order, so the cost related to the proposal will be met by the project.
 - **Human Resources (HR)**, The enforcement of the proposed traffic restrictions would fall to the Councils Civil Enforcement Officers, this would not constitute an extra demand on their workload, as they are already enforcing the restriction.
 - **Legal**, The proposals require amendments to the York Parking, Stopping and Waiting Order 2014: Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

The statutory consultation process for Traffic Regulation Orders requires public advertisement through the placing of public notices within the local press and on-street. It is a requirement for the Council to consider any formal objections received within the statutory advertisement period of 21 days. Formal notification of the public advertisement is given to key stakeholders including local Ward Members, Town and Parish Councils, Police and other affected parties.

The Council, as Highway Authority, is required to consider any objections received after formal statutory consultation. The Council has discretion to amend its original proposals if considered desirable, whether or not, in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted.

- **Procurement**, there is no requirement for any further procurement as the requirement for any lining works associated with the scheme, is included within the original contract for works.
- **Health and Wellbeing**, There are no Health and Wellbeing implications.
- **Environment and Climate action**, There are no Environment and Climate Action implications.
- **Affordability** There are no Affordability implications.
- **Equalities and Human Rights**, The Council recognises its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to 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 in the exercise of a public authority's functions). The impact of the recommendation on protected characteristics has been considered as follows:
 - Age – Neutral;
 - Disability – Neutral;
 - Gender – Neutral;

- Gender reassignment – Neutral;
- Marriage and civil partnership– Neutral;
- Pregnancy and maternity - Neutral;
- Race – Neutral;
- Religion and belief – Neutral;
- Sexual orientation – Neutral;
- Other socio-economic groups including :
 - Carer - Neutral;
 - Low income groups – Neutral;
 - Veterans, Armed Forces Community– Neutral

Risks and Mitigations

22. The report summarises the comments of residents to the statutory TRO consultation and responds to these with mitigations where possible and appropriate that officers think can be delivered in a safe and affordable way.

Wards Impacted

23. Dringhouses & Woodthorpe

Contact details

For further information please contact the authors of this Decision Report.

Author

Name:	James Gilchrist
Job Title:	Director of Environment Transport & Planning
Service Area:	Place
Report approved:	Yes
Date:	06 November 2023

Co-author

Name:	Darren Hobson
Job Title:	Traffic Management Team Leader
Service Area:	Place
Report approved:	Yes
Date:	06 November 2023

Annexes

Annex A – Residents Letter, Tadcaster Road Cllr

Annex B – Amended Lining Plan

Annex C – Residents & Businesses response to Consultation



To the Occupiers of:

Place Based Services

West Offices
Station Rise
York
YO1 6GA

Contact: Darren Hobson
Tel: 01904 551367
Email: darren.hobson@york.gov.uk
Ref: ADB/DH/533

Date: 28th July 2023

Dear Occupier

Proposed 'No Waiting at any time' Restrictions – Tadcaster Road

It is proposed to introduce 'No Waiting at any time' restrictions in Tadcaster Road, York to the extent described in the 'Notice of Proposals' (Notice) and as set out in the plan. This is proposed to minimise obstruction and maintain safety at the location. Should you require any further information in regard to this item then please contact the project manager, Darren Hobson, telephone (01904) 551367, email darren.hobson@york.gov.uk.

I do hope you are able to support the proposals, but should you wish to object then please write, giving your grounds for objection, to the Director of Economy and Place at the address shown on the Notice of Proposals, to arrive no later than the date specified in the Notice.

Yours faithfully

D. Hobson

Darren Hobson
Traffic Management Team Leader

Enc. Documentation

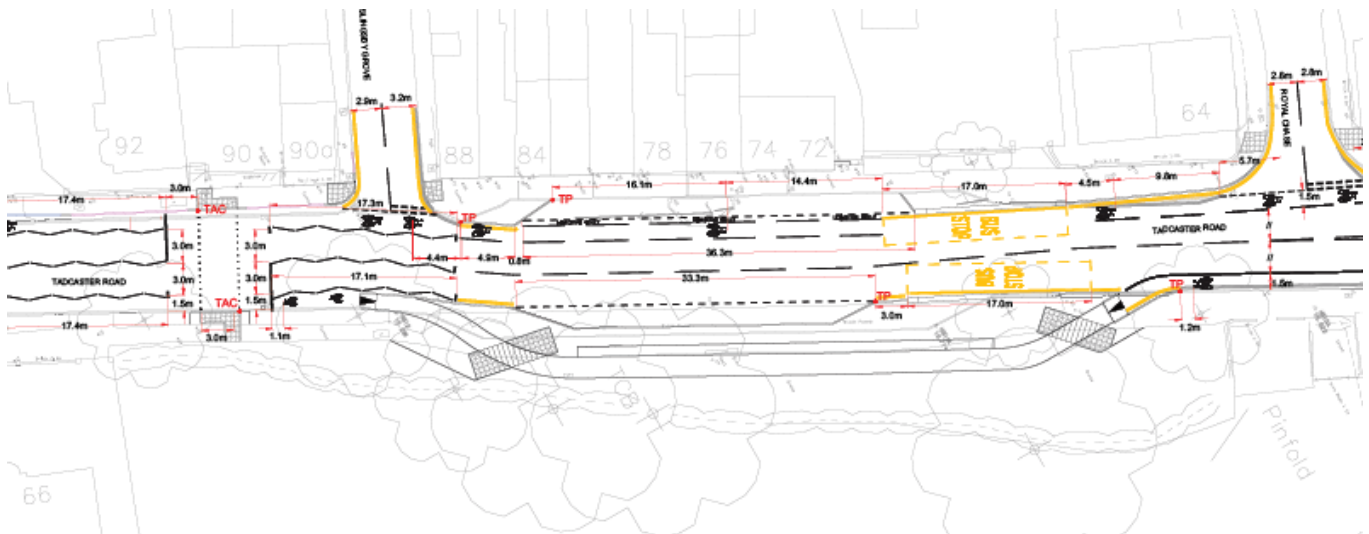
Cc – Cllr A. Mason, Cllr P. Widdowson & Cllr S. Fenton

CITY OF YORK COUNCIL
NOTICE OF PROPOSALS
THE YORK PARKING, STOPPING AND WAITING (AMENDMENT) (NO 14/58)
TRAFFIC ORDER 2023

Notice is hereby given that City of York Council, in exercise of powers under Sections 1, 2, 4, 32, 35, 45, 46, 53 and Schedule 9 of the Road Traffic Regulation Act, 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Schedule 9 of the Act, proposes to make an Order which will have the effect of:

1. Introduction of 'No Waiting at any time' restrictions in York as follows:
 - (a) Whip-ma-Whop-ma-Gate, on its west side, from the projected southern property boundary line of No. 5 Whip-ma-Whop-ma-Gate and a point 4.5 metres south, thereby revoking the existing Vehicle Loading 7am-7pm and 'No Waiting 7pm-7am' restrictions from within that length;
 - (b) Tadcaster Road, on its:
 - (i) both sides, between points 6 metres and 11 metres north east from the projected centreline of Slingsby Grove
 - (ii) south east side, between points 44 metres and 47 metres north east from the projected centreline of Slingsby Grove

A copy of the draft Order, Statement of Reasons for making it and relevant maps can be inspected at the Reception, West Offices, Station Rise, York, during normal business hours. Objections or other representations specifying reasons for the objection or representation should be sent to me in writing to arrive no later than 18th day of August 2023.





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The city of York council have failed us!

You have also "greatly mislead" us into these miserable chaotic months of roadworks, to now apply a tourniquet to strangle the shops; you have reduced our parking to 4 cars!! This provides no betterment to anyone, tell me exactly who is benefitting from the "loading only full length parking bays outside the shops?"

This must be an error?

Why?

What an earth are you been thinking?

We had every right thinking you were trying to do something by stealth- underhand with the parking.

You are all clueless into how a business can run in times like this, does the council hate the shops on the Tadcaster road this much?

We strongly oppose the restrictions, they are unnecessary unwanted & unhelpful.

I think it necessary to have a full review on the initial plans you seem to be making it up as you go along.

We strongly object to this proposal.

Can i suggest it would be helpful if someone came & spoke to us, we need a solution ASAP.

I have received your later regarding the proposal for "no waiting at any time restrictions" on the Tadcaster road Dringhouses area.

Darren I would like have more clarity to the this proposal, the segregation diagram is not at all clear (plus a magnifying glass should have been included in the letter) it appears to be upside down in its layout to the measurements involved, most confusing when it is an important issue to us all who work & live there.

This neighbourhood "is" being subjected to constant disruptive road layout changes over the last year & it is really testing our patience, so please do your best to cooperate & enlighten us as to why & where "exactly" these proposals are stopping & starting, because we feel many changes are taking place without any real consideration of the overall effect it can have on businesses to survive.

Can i ask you to keep your reply relevant to the Tadcaster road Dringhouses section only.

Could you include a much larger diagram stating clearly where these No Waiting restrictions will be, we all feel the need to protect our parking lay-bys, it is by stealth that the council has reduced our customer car parking spaces with different ideas to the road layout over recent years.

I have copied this letter into some of the other businesses, we are all trying to support each other with the frustration & chaos of the roadworks taking place at present, so would you reply to all please.

I am relieved that the proposals are not as printed and that something positive may emerge as a result of the profile of this consultation. I am involved in running two businesses directly affected by the ongoing disruption and consequent parking changes.

Without labouring the point, I think it is fair to say businesses operating in this locality have been negatively affected by the drawn out and sporadic nature of the ongoing Council works in the area and that confidence in those charged with overseeing these works is at a low ebb. The tide of works disruption has however shown that vehicle parking in the area is a lifeline for us given that we do not have the footfall of the town centre. There is a recent history of kneejerk exercises related to parking hereabouts, including built out bus stops for bendy buses and the largely abortive residents only parking streets project of 2021/22 that failed to get local support in Slingsby Grove. If some joined up thinking could be applied then some good may come out of this. This involves looking at both sides of the road.

The racecourse side of the road has had the parking layby reduced to around 26 metres effectively from around 42 metres. Having observed parking there in some detail lately, the effective maximum is four vehicles at a time. It used to be 7 or 8 (it is clearly harder to reverse park in the new zone for some reason). This hitherto unrestricted zone tended to have two or three all day parkers. In the old days that was ok as customers could still find space. Nowadays customers will find it harder (if and when they return to us in numbers when the works eventually finish). To help them, I think this should now be a time limited longer stay area; with a 3 or four hour limit.

Currently our shopping zone comprises a Vets, a phone repair shop, two long established hot food takeaways, a Vinyl Record shop and an insurance Brokers along with two hairdressers. A short term parking facility of between 20 and 30 minutes, on the shops side, would probably serve all but the hairdressers effectively. Customers of the latter do tend to decant down Slingsby Grove rather more and this

does not seem to be problematic at the moment. People have been stopping for takeaway food for decades and they will not cease readily. A longer waiting period will push them down Slingsby more than at present which would be a negative I feel.

The loading bay context is, in my view at least, that it will not stop the aforementioned short stay parkers parking and would be costly/difficult to police by the authorities and stressful for us and our customers; in point of fact a pain for all concerned. From a selfish perspective a small loading section would help my business as our merchandise is quite heavy and it would give us some leverage to ask people to move. The dual signage would be confusing too. Current delivery arrangements are not perfect but they work; probably better than in most of the city.

The parking is of course not ours alone, but our customers comprise the vast bulk of its users; so shaping the parking around the shops will make it work better (and I think it may fit better with the fluid moving vision that COYC have for Tadcaster Road - not at the moment obviously but maybe one day).

There are a couple of new small pavement build outs and these logically should be no waiting.

As a business owner on the parade of shops on Tadcaster Road York I would like to voice my own, my staff (and the wider community's) dismay at the continued disruption to the area outside our businesses. We are all frustrated and angry at the level of ineptitude that has left us seriously inconvenienced and with a negative impact on all who work and live in the area.

The works have gone on far longer than originally understood and have caused a great deal of misery and concern to the businesses and the residents.

Previous and potential customers ARE avoiding the area due to all the disruption resulting in lost business.

The road has been frequently cordoned off, trenches and holes dug and redug tarmacked over and redug again, with traffic at a standstill on this major artery into our beautiful city for what appears to be a futile spend of public money.

The result of a patchwork quilt of a road is a disgrace and an eyesore.

The cycle path runs off and back on to Tadcaster Road for a short few yards at the expense of what was previously too little parking that served the 8 businesses across the street.

we serve the local community and have heard the feedback from our customers on a daily basis.

"Where can we park?" Is what we hear from all our customers. Our cyclists have commented that the cycle path is pointless, dangerous to rejoin the road and serves no real purpose - and to add insult to injury the bike stand that allowed cyclists to park and lock their bikes up has been removed with no alternatives available for safekeeping.

8 businesses across the street with REDUCED parking down to 4 as a result of the "new configuration" It's completely inadequate and shows the total lack of council concern for local business and the community they serve.

We have had to contend with covid, rising prices, the energy crisis and now this.

Where are workers and customers supposed to park?? If they cannot park conveniently they will go elsewhere!

From what we can fathom from the plethora of confusing council notices and misdrawn diagrams that have been distributed, it is now proposed that the parking area in front of the parade of shops is to be turned into a loading bay!?

This will result in where ever customers have left to park after this debacle will be the very limited surrounding residential streets around the businesses which will cause a HUGE number of complaints from residents and rightly so!

We propose as an absolute MINIMUM a 3 to 4 hr parking allocation for business customers outside the parade of shops and not a loading bay as suggested. We wish to make this known that we will be petitioning for this and gaining signatures to save our shops. To us this is a fight to stay in business.