



**Notice of meeting of  
Scrutiny Management Committee (Calling In)**

**To:** Councillors Galvin (Chair), Merrett (Vice-Chair), Firth, Alexander, Orrell, Simpson-Laing, Taylor and Waudby

**Date:** Monday, 14 June 2010

**Time:** 5.00 pm

**Venue:** Guildhall, York

**AGENDA**

**1. Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

**2. Public Participation**

At this point in the meeting, members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. The deadline for registering is **5:00 pm on Friday, 11 June 2010**.

**3. Minutes**

(Pages 3 - 4)

To approve and sign the minutes of the SMC (Calling In) meeting held on 4 May 2010.

**4. Called In Item: 20 mph Speed Limit Petitions (Pages 5 - 22) for Sovereign Park and Dodsworth Avenue**

To consider the decisions made by the Executive Member for City Strategy on 1 June 2010 with regard to the above item, which have been called in by Councillors Horton, Pierce, and Simpson-Laing in accordance with the provisions of the Council's Constitution. A cover report is attached setting out the reasons for the call-in and the remit and powers of the Scrutiny Management Committee (Calling In) in relation to the call-in procedure, together with the original report to and decisions of the Executive Member.

**5. Called In Item: Water End Cycle Scheme (Pages 23 - 50) Evaluation**

To consider the decisions made by the Executive Member for City Strategy on 1 June 2010 with regard to the above item, which have been called in by Councillors Douglas, King and Scott in accordance with the provisions of the Council's Constitution. A cover report is attached setting out the reasons for the call-in and the remit and powers of the Scrutiny Management Committee (Calling In) in relation to the call-in procedure, together with the original report to and decisions of the Executive Member.

*Note: The annexes to the original report to the Executive Member have been made available on-line only and are not included in the agenda pack or the printed copies. Copies may be obtained from Democratic Services if required.*

**6. Called In Item: A Low Emission Strategy for York** (Pages 51 - 68)

To consider the decisions made by the Executive on 8 June 2010 with regard to the above item, which have been called in by Councillors Alexander, Gunnell and King in accordance with the provisions of the Council's Constitution. A cover report is attached setting out the reasons for the call-in and the remit and powers of the Scrutiny Management Committee (Calling In) in relation to the call-in procedure, together with the original report to and decisions of the Executive.

*Note: The above item was added to this agenda on 10 June 2010.*

**7. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name : Fiona Young

Contact Details:

- Telephone : 01904 551027
- E-mail : [fiona.young@york.gov.uk](mailto:fiona.young@york.gov.uk)

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

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- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
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- find out about the rules for public speaking from the Democracy Officer.

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### Further information about what's being discussed at this meeting

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### **Holding the Executive to Account**

The majority of councillors are not appointed to the Executive (40 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

### **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

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MEETING	SCRUTINY MANAGEMENT COMMITTEE (CALLING IN)
DATE	4 MAY 2010
PRESENT	COUNCILLORS HEALEY (CHAIR), FUNNELL (VICE-CHAIR), ORRELL, SCOTT, SIMPSON- LAING, TAYLOR, R WATSON AND WAUDBY
IN ATTENDANCE	COUNCILLORS D'AGORNE, HUDSON AND MERRETT (CALLING IN MEMBERS)

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**45. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

**46. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

**47. MINUTES**

RESOLVED: That the minutes of the Scrutiny Management Committee (Calling In) meeting held on 8 March 2010 be approved and signed by the Chair as a correct record.

**48. CALLED-IN ITEM: TRAFFIC CONGESTION FINAL REPORT PART 1**

Members received a report which asked them to consider the decisions made by the Executive on 13 April 2010 in relation to the findings of the Traffic Congestion Ad Hoc Scrutiny Committee following their review of traffic congestion in York.

Details of the Executive's decisions were attached as Annex 1 to the report. The original report to the Executive was attached as Annex 2. The decisions had been called in by Cllrs D'Agorne, Hudson and Merrett on the grounds that:

*"Just noting the Traffic Congestion Ad Hoc Scrutiny's (interim) final report on the terms stated is not an appropriate or adequate response and the Executive should consider the various recommendations and say yes or no to them, or make amended argued decisions as appropriate."*

Members were invited to decide whether to confirm the decisions of the Executive (Option A) or to refer them back to the Executive for re-consideration (Option B).

Cllr Merrett addressed the meeting on behalf of the Calling-in Members. He re-iterated the reasons given for the calling in and noted that the Officer information and Executive comments attached as part of Annex 1 to the report had not been available at the Executive meeting. He also noted that the definition of 'short term' recommendations referred to in the Executive comments did not appear in the Scrutiny report itself and that some of the comments seemed to dismiss the factual evidence upon which the Scrutiny recommendations were based.

Cllr Scott then moved, and Cllr Simpson-Laing seconded, that Option B be approved and the matter be referred back to the Executive with a recommendation that they either accept, reject or amend the Scrutiny Committee's recommendations rather than simply noting them. On being put to the vote, this proposal was declared CARRIED by 5 votes to 3 and it was

RESOLVED: That Option B be approved and the matter be referred back to the Executive with a recommendation that they either accept, reject or amend the Scrutiny Committee's recommendations rather than simply noting them.

REASON: In accordance with the requirements of the Council's calling-in procedure and the reasons given for the calling-in.

P Healey, Chair

[The meeting started at 5.00 pm and finished at 5.30 pm].





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## Scrutiny Management Committee (Calling – In)

14 June 2010

### Report of the Head of Civic, Democratic and Legal Services

### Called-in Item: 20 mph Speed Limit Petitions for Sovereign Park and Dodsworth Avenue

#### Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive Member for City Strategy on 1 June 2010 in relation to a report which set out a proposed response to two petitions received requesting 20 mph speed limits in Sovereign Park and Dodsworth Avenue. This covering report also explains the powers and role of the Scrutiny Management Committee in relation to dealing with the call-in.

#### Background

2. An extract from the decision list published after the relevant Executive Member Decision Session is attached as Annex 1 to this report. This sets out the decisions taken by the Executive Member on the called-in item. The original report to the Executive Member is attached as Annex 2.
3. Councillors Horton, Pierce and Simpson-Laing have called in the Executive Member's decisions for review by the Scrutiny Management Committee (SMC) (Calling-In), in accordance with the constitutional requirements for post-decision call-in. The reasons given for the call-in are that:

*“Despite the fact that the proposal ‘ticks all the boxes’ of the criteria arbitrarily imposed by the Executive Member at the end of 2009 other than no reportable accidents in the last 3 years, the Executive Member has refused to move the item up the priority list where many of the suggested schemes above it fall short of meeting many of the criteria. The lack of recordable accidents is down to the fact that the estate has only been occupied in the last 3 years and the highways only adopted recently making the criterion difficult to meet.*”

*The Executive Member's insistence that until the city-wide consultation on 20 mph schemes across the City's residential areas is concluded, he is not prepared to move on any 20 mph scheme."*

### **Consultation**

4. In accordance with the requirements of the Constitution, the Calling-In Members will be invited to attend and/or speak at the Calling-In meeting, as appropriate.

### **Options**

5. The following options are available to SMC (Calling-In) in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
  - (a) To confirm the decisions of the Executive Member, on the grounds that the SMC (Calling-In) does not believe there is any basis for reconsideration. If this option is chosen, the original decisions will be confirmed and will take effect from the date of the SMC (Calling-In) meeting.
  - (b) To refer the matter back to the Executive Member, for him to reconsider his original decisions. The reference back may include specific recommendations to the Executive Member. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 15 June 2010.

### **Analysis**

6. Members need to consider the reasons for call-in and the basis of the decisions made by the Executive Member and form a view on whether there are grounds for reconsideration of those decisions.

### **Corporate Priorities**

7. An indication of the Corporate Priorities to which the Executive Member's decisions are expected to contribute is provided in paragraph 23 of Annex 2 to this report.

### **Implications**

8. There are no known financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in:

**Risk Management**

9. There are no risk management implications associated with the call in of this matter.

**Recommendations**

10. Members are asked to consider the call-in and reasons for it and decide whether they wish to confirm the decisions made by the Executive Member or refer the matter back for re-consideration at the scheduled Executive Calling-In meeting.

**Reason:**

11. To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

**Contact details:**

**Author:**

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**Chief Officer Responsible for the report:**

Andrew Docherty  
Head of Civic, Democratic and Legal Services

**Report Approved**  **Date** 03/06/10

**Specialist Implications Officer(s)** None

**Wards Affected:** Acomb and Heworth

**All**

**For further information please contact the author of the report**

**Annexes**

Annex 1 – decisions of the Executive Member on the called-in item (extract from decision list published on 2/6/10)

Annex 2 – report to Executive Member Decision Session held on 1/6/10

**Background Papers**

Agenda and minutes relating to the above meeting (published on the Council's website)

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**DECISION SESSION - EXECUTIVE MEMBER FOR CITY STRATEGY****TUESDAY, 1 JUNE 2010****DECISIONS (extract)**

Set out below is a summary of the decisions taken at the City Strategy Executive Member Decision Session held on Tuesday, 1 June 2010. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Support Group no later than **4.00pm** on **Thursday 3 June 2010**.

If you have any queries about any matters referred to in this decision sheet please contact Jill Pickering, Democracy Officer.

**6. 20MPH SPEED LIMIT PETITIONS FOR SOVEREIGN PARK AND DODSWORTH AVENUE**

RESOLVED: The Executive Member for City Strategy agrees to:

- i) Note the relative priority of the petitions set out in the table (annex A of the report) in relation to other petitions and requests received.
- ii) No further action being taken at the current time in relation to Sovereign Park but that it is retained on the list for possible implementation when higher priorities have been addressed and resources become available.
- iii) Note that Dodsworth Avenue is currently being considered through the speed review process, requests officers to provide an update on progress at a future Executive Member Decision Session and to update residents on the progress being made by including a briefing note in the next Heworth Ward Committee newsletter.

REASON: To progress requests and petitions against the agreed criteria and in priority order and to enable those requests that do not comply with key elements of the criteria to be considered through other processes.

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**Decision Session  
- Executive Member for City Strategy**

1<sup>st</sup> June 2010

Report of the Director of City Strategy

**20mph speed limit petitions for Sovereign Park and Dodsworth Avenue**

**Summary**

1. To advise the Executive Member of the proposed response to the receipt of two petitions requesting 20mph speed limits. The first covering Sovereign Park and the second considering Dodsworth Avenue. Both petitions have been considered under the criteria set out and agreed at the EMDS in December 2009 and the report includes an updated prioritisation table which includes the data for the two above mentioned petitions.

**Recommendations**

2. The Executive Member for City Strategy is recommended to:
  - a) Note the relative priority of the petitions set out in the table (annex A) in relation to other petitions and requests received.
  - b) Agree that no further action should be taken at the current time in relation to Sovereign Park.
  - c) Note that Dodsworth Avenue is currently being considered through the speed review process and request officers to provide an update on progress at a future EMDS meeting.

Reason: To progress requests and petitions against the agreed criteria and in priority order and to enable those requests that do not comply with key elements of the criteria to be considered through other processes.

**Background**

3. In December 2009 a report was presented to the Executive Member Decision Session (EMDS) setting out a set of criteria for prioritising the petitions and requests for 20mph speed limits on residential roads in York.
4. The prioritisation is to be considered against the following criteria. The road must be a 'residential' or 'mixed priority' road within the context of the speed management plan, the occurrence of an injury accident during the previous

three years, of any severity or road user, the presence of a school, shopping area or play area, at least 50% of households within the street have signed the petition and average speed on the road must be 24mph or below.

5. A petition for a 20mph across the whole of Sovereign Park was presented at Council on 4<sup>th</sup> February 2010 and was signed by 223 residents. It was presented on the basis that, although it is difficult to exceed 20mph through the estate, signage would ensure people think about their speed and alert drivers to the fact that they are entering a residential area. A petition for a 20mph speed limit on Dodsworth Avenue was presented at Council on 3<sup>rd</sup> December 2009 and was signed by 15 residents on the basis that speeds of 20mph and below result in fewer serious and fatal accidents and a lower speed limit is the best way to reduce driver speed.
6. Dodsworth Avenue already has a 20mph zone (including traffic calming) on the middle section of the road.

### **Prioritising petitions and requests**

7. The prioritised list is intended to be a working document and as such will change over time as other petitions and requests are assessed. Not all the requests and petitions received so far have been assessed. The December report to EMDS agreed that petitions would be included in the list of schemes to be prioritised against the agreed criteria rather than dealt with separately. The list of petitions received and requests made to the Council is contained in Annex A.

### **Petitions**

8. The petitions for Sovereign Park and Dodsworth Avenue request a reduced speed limit.
9. Dodsworth Avenue already has a 20mph zone, with traffic calming, in front of the shops and was implemented in 2000/2001 as a traffic calming scheme in response to seven injury accidents occurring in the previous five years. No injury accidents have been recorded during the last three years.
10. Dodsworth Avenue returned the following speed data.

	Average speed (mph)	85 <sup>th</sup> percentile (mph)	Highest speed (mph)
From Malton Road	27	32	62
To Malton Road	26	31	55

11. The speed survey was conducted within the existing 30mph section. An average speed of 26mph and 27mph does not meet the criteria to be considered under this process for a signed only 20mph scheme. In addition it is classed as a mixed priority route within the speed management plan. This



means it would only be considered for more targeted traffic calming or 20mph speed limit, for example outside schools or shops, which already exists. Dodsworth Avenue is currently progressing through the Speed Review Process over concerns about inappropriate speed. Average speeds recorded in the 20mph zone by the Fire and Rescue Service returned data of 20mph and 85<sup>th</sup> percentile speeds 27 mph. The speed review process is ongoing but so far it has identified that Dodsworth Avenue is an appropriate location for targeted Police enforcement and that further engineering measures should be considered. A report will be brought to a future EMDS to provide more detail about the investigations and outcome of the review.

12. Sovereign Park is a relatively new development which has been designed with a layout to reduce traffic speeds. The collected data demonstrates the effectiveness of the design in reducing speeds, through a layout with an intentional short and tight horizontal highway alignment, which removes the need for vertical measures. Additionally certain streets are designed without a traditional footway and carriageway. There are several examples of shared surface approach within residential developments in York. It is recognised across the UK and continental Europe as being effective at controlling traffic speed and creates a very safe environment for more vulnerable road users.
13. Traffic data was collected at two locations and is set out in the table below.

	Average speed (mph)	85 <sup>th</sup> percentile (mph)	Highest speed (mph)
Princes Drive from Dukes Court	13	16	23
Princes Drive to Dukes Court	13	16	25
Monarch Way from Marquis Court	14	16	23
Monarch Way to Marquis Court	12	14	19

14. The speed data meets the criteria for implementing a signed only 20mph speed limit, the roads on the estate are identified as residential roads within the speed management plan, there have been no recorded injury accidents within the last three years, more than 50% of households have signed the petition and there are no schools or shops on the roads in question. Whilst it is not disqualified by the criteria there are other locations within the table (annex A) which currently have greater priority for implementation. Sovereign Park has remained at number 22 on the table on the basis that it was submitted later in the process and a number of locations positioned above it are outside schools. When the remaining data for the other locations has been collected, it's position in the table may alter.
15. It was agreed at the EMDS in April 2010 that further implementation of individual 20mph speed limits should be delayed until public consultation on

city-wide implementation has been undertaken as part of the Local Transport Plan (LTP3) development. The consultation on LTP3 is due to be substantially complete by late autumn/early winter 2010.

## Consultation

16. Members commented as follows:
- Councillor Potter advised that she is pleased that Dodsworth Avenue is being considered under the speed management review as the Ward Members are constantly receiving complaints about speeding on this road. It has also been raised on numerous occasions at ward committee meetings. She requested that all householder on the road be informed about the timescales for the review so that they know that the problem is being taken seriously and have some idea when improvements will be made.
  - Councillor Simpson-Laing advised that residents in Sovereign Park constantly suffer from vehicles, delivery vehicles and those visiting property's, speeding into the estate and around its 'looping' road layout. Due to the poor design of Sovereign Park there are few footpaths and this leads residents and their children having to walk in the road in a number of locations - hence the safety concerns. There has been an outstanding response from residents calling for action to be taken and this cannot be ignored, to ignore this request would only show contempt of residents concerns. Council may set criteria but they should also listen and accept that near misses are not reported and experience here is key to this request.
  - Officers refer to paragraph 12 in response to the comments above.
17. North Yorkshire Police made the following comments. They consider that on the basis of the agreed criteria, 20mph speed limits should not be progressed at the locations subject of the petitions. The current position of North Yorkshire Police on 20 mph restrictions is as follows:-

The imposition of any 20 mph speed limit on any highway by the relevant authority, is not objected to on the following understanding:-

- The relevant traffic authority for the highway concerned is responsible for the management of that highway.
- The imposition of any 20 mph speed limit is made with due regard to the traffic authorities responsibility under the relevant legislation and will comply with DfT guidance.
- The assumption of North Yorkshire Police is that if correctly placed, the speed limit will be self enforcing and the relevant traffic authority are fully responsible for ensuring that it meets those aims.
- With due regard to the obligations of the traffic authority, North Yorkshire Police will not undertake any routine speed enforcement on any highway that has a 20 mph limit imposed.
- It will be the duty of the relevant traffic authority to put into place corrective speed reduction measures if that limit fails.

## **Options**

18. Option one – Agree the prioritisation for both petitions and await the outcome of the LTP3 consultation before undertaking any further implementation in relation to Sovereign Park and await the outcome of the Speed Review Process in relation to Dodsworth Avenue.
19. Option two – Do not agree the current prioritisation but still await the outcome of the LTP3 consultation process.

## **Analysis**

20. Option one – The introduction of the agreed criteria and process for responding to petitions and requests has provided a consistent approach, which is data led. It has identified a number of areas that would benefit from the introduction of a 20mph speed limit. These areas are currently prioritised ahead of Sovereign Park. The process uses the agreed criteria but delays further action until later in the year when a response from residents about the wider context within which 20mph has been considered, understood and reported to EMDS. This may allow funding to be directed in another way to fit in with any longer term policy.
21. Dodsworth Avenue does not meet the criteria that has been agreed under the 20mph speed limit assessment but is currently being considered under another process. The outcomes of the assessment are due to be reported to at a future EMDS meeting.
22. Option two – Many of the requests and petitions have similar assessments in terms of the criteria they meet. Sovereign Park could be moved higher up the table on the basis of data having been collected ahead of other requests but still would not fall within the top four schemes currently agreed for implementation within 2010/11. To discount the agreed criteria would undermine the process.

## **Corporate Objectives**

23. A data led approach of assessing road safety issues and prioritising scheme meets the Council's corporate priorities to create a Safer City. It also supports the aims and objectives of the Road Safety Strategy as part of the Second Local Transport Plan and contributes to A Safer City.

## **Implications**

### **Financial**

24. There are no financial implications from either of the options.

### **Legal**

25. A Traffic Regulation Order (TRO) will need to be in place in order to enable the speed limit on any road to be altered. The Council has powers under the

Highways Act and Road Traffic Regulation Act to undertake and implement TROs

**HR**

26. There are no impacts

**Other**

27. There are no impacts

**Crime and Disorder**

28. Speeding is a criminal offence and the Council has a responsibility to deliver an effective Speed Management Strategy.

**Risk Management**

29. In compliance with the Council's risk management strategy, no significant risks have been identified arising from the recommendations.

**Contact Details**

**Author:**

Ruth Stephenson

Head of Transport Planning

01904 551372

**Chief Officer Responsible for the report:**

Richard Wood

Assistant Director of City Strategy

**Report Approved**

**Date** 19.05.2010

**Specialist Implications Officer(s)** *List information for all*

Financial

Patrick Looker

Finance Manager, City Strategy

Tel No.01904 551633

**Wards Affected:** Acomb and Heworth

**All**

**For further information please contact the author of the report**

**Background Papers:**

Annex A – Prioritisation Table

Area	Date request registered with Council	Petition	Households*	Households supporting	50% supporting?	Accidents in the area	Vehicles per day (7am-7pm weekday)	Average speed acceptable for 20 speed limit? **	85% speed **	Max recorded speed	Close to a School?	Not on key Route	Cost to implement 20 mph zone	Number of traffic signs required	Comments
1. South Bank	1/6/09 Various around June '09	Y	2200			5	Various	All 7 streets surveyed have acceptable average speeds			Y	Y	£45,000		Implementation in progress. Resident petition Now at full consultation stage
2. Westminster Road / The Avenue†	16/06/2009	Y	167	67	Y†	4	1440	20	26	61	Y	Y	£750		Already approved as part of local safety improvements. Resident request
3. Holly Bank Road Area	15/10/2009	Y	330	64	N	2	434	22	28	65	Y	Y	£3,500		Resident petition
4. Millfield Lane	15/10/2009	N	15	N/a	N/a	2	1149	25	34	65	Y	Y	£1,300		
5. Low Poppleton Lane	15/10/2009	Y	16	5	N	1	361	18	22	42	Y	Y	£1,300		Could be combined to link with Manor School 20mph zone. Resident request on Millfield and petition on Low Poppleton
6. Ouseburn Avenue	15/10/2009	Y	104	17	N	1	487	20	27	44	Y	Y			Should be combined to prevent motorists confusion as the streets are close together. Resident petition
7. Straylands Grove	04/06/2009	N	22	N/a	N/a	1	2575	25	31	54	Y	Y			Potential to be a small 20mph limit area. Would benefit more schoolchildren. Resident request
8. Kilburn Road	16/06/2009	N	98	N/a	N/a	1	169	18	23	33	N	Y			Resident request
9. Grants Avenue Area	08/06/2009	N	64	N/a	N/a	0		To be collected			Y	Y			Very close to Fulford School / St. Oswald's School. School request
10. Fulford Cross and Danesmead	09/06/2009	N	265	N/a	N/a	0		To be collected			Y	Y			Resident request

Area	Date request registered with Council	Petition	Households*	Households supporting	50% supporting?	Accidents in the area	Vehicles per day (7am-7pm weekday)	Average speed acceptable for 20 speed limit? **	85% speed **	Max recorded speed	Close to a School?	Not on key Route	Cost to implement 20 mph zone	Number of traffic signs required	Comments
11. Fordlands Road Area	09/06/2009	N	302	N/a	N/a	0		To be collected			Y	Y			Fordlands Road Area. Resident request
12. Bowness Drive, Rawcliffe	09/06/2009	N	27	N/a	N/a	0		To be collected			Y	Y			Resident request
13. Park Grove	09/06/2009	N	65	N/a	N/a	0		To be collected			Y	Y			20mph already. Resident request
14. Temple Road, Bishopthorpe	12/06/2009	N	20	N/a	N/a	0		To be collected			Y	Y			Resident request
15. Almsford Road	17/06/2009	N	133	N/a	N/a	0		To be collected			Y	Y			20mph already. Resident request
16. Osbaldwick Lane - between Derwent School and Osbaldwick Primary	27/07/2009	N	67	N/a	N/a	0		To be collected			Y	Y			Linking two school 20mph zones. Already zones directly outside the schools though. Resident and school request
17. Wheatlands Grove	06/08/2009	N	58	N/a	N/a	0		To be collected			Y	Y			Could be part of a wider 20mph limit with Lidgett Grove / Ouseburn Avenue. Resident request
18. St. Paul's Terrace Area	07/09/2009	N	448	N/a	N/a	0		To be collected			Y	Y			Resident request
19. Burnholme Drive near path to Hempland School	12/11/2009	N	86	N/a	N/a	0		To be collected			Y	Y			Resident request
20. Viking Road	15/10/2009	Y	67	10	N	0	369	16	19	35	Y	Y			20mph already. Other issues being looked at and could be linked with Cranbrook Road area. Resident petition
21. Cranbrook Road	03/12/2009	Y	115	21	N	0	348	20	25	40	Y	Y			
22. Sovereign Park	04/02/2010	Y	256	223	Y	0	306	14	16	25	N	Y			High number of residents signed petition

Area	Date request registered with Council	Petition	Households*	Households supporting	50% supporting?	Accidents in the area	Vehicles per day (7am-7pm weekday)	Average speed acceptable for 20 speed limit? **	85% speed **	Max recorded speed	Close to a School?	Not on key Route	Cost to implement 20 mph zone	Number of traffic signs required	Comments
23. Gordon Street Area	06/06/2009	N	299	N/a	N/a	0		To be collected			N	Y			Resident request
24. Alma Terrace Area	09/06/2009	N	399	N/a	N/a	0		To be collected			N	Y			Similar to area in Fishergate already done. Resident request
25. Pasture Close, Strensall	09/06/2009	N	45	N/a	N/a	0		To be collected			N	Y			Small cul-de-sac. Resident request
26. Garfield Terrace, Holgate	09/06/2009	N	90	N/a	N/a	0		To be collected			N	Y			Already traffic calmed. Resident request
27. The Green, Acomb	10/06/2009	N	22	N/a	N/a	0		To be collected			N	Y			Resident request
28. Rockingham Avenue, Tang Hall	15/06/2009	N	76	N/a	N/a	0		To be collected			N	Y			Possible rat-run. Resident request
29. Kyme Street, Micklegate	15/06/2009	N	46	N/a	N/a	0		To be collected			N	Y			Short street - potential for larger area to be 20mph.
30. Rawdon Avenue, Tang Hall	15/06/2009	N	87	N/a	N/a	0		To be collected			N	Y			Very little, if any through traffic. Resident request
31. Eastern Terrace	25/08/2009	N	45	N/a	N/a	0		To be collected			N	Y			Resident request
32. Troutbeck	07/09/2009	N	34	N/a	N/a	0		To be collected			N	Y			Small cul-de-sac. Resident request
33. Deighton Village	08/10/2009	N	71	N/a	N/a	0		To be collected			N	Y			Could be installed as part of the village accessibility scheme. Resident request
34. Newlands Drive	09/07/2009	Y	24	11	N	0	292	20	26	40	N	Y			
35. Lidgett Grove	09/07/2009	Y	29	8	N	0	452	18	24	36	N	Y			
36. Millgates	15/10/2009	Y	44	18	N	0	113	21	26	37	N	Y			Small cul-de-sac. Resident petition

Area	Date request registered with Council	Petition	Households*	Households supporting	50% supporting?	Accidents in the area	Vehicles per day (7am-7pm weekday)	Average speed acceptable for 20 speed limit? **	85% speed **	Max recorded speed	Close to a School?	Not on key Route	Cost to implement 20 mph zone	Number of traffic signs required	Comments
37. Residential Roads in Haxby	13/08/2009	N						To be collected			Y	Y			Advisable to wait for the outcome of the South Bank trial before looking at any larger schemes. Requires clarification or more specific suggestions as a Haxby-wide scheme would be expensive and some roads have high average speeds. Resident request. Some streets have average speeds of over 30mph. Flows will vary considerably.
<b>Streets Referred to the Speed Review Process</b>															
38. Dodsworth Avenue	04/12/2009	Y	209	8	N	1	4157	27	32	62	N	Y			Resident petition. To be examined through the speed review process.
39. Melrosegate	15/06/2009	N	200	N/a	N/a	12	6841	32	37	69	N	N			High number of accidents but speed not compliant. Resident request
40. Carr Lane (at the top of the hill)	24/08/2009	N	82	N/a	N/a	1		To be collected			N	N			Does not meet criteria for residential road. Resident request
41. Beckfield Lane	03/12/2009	Y	226	24	N	7	5706	30	35	65	Y	N			Speed survey on existing 30mph section of road. Resident petition
42. Heslington Lane - golf course to Heslington Village	06/06/2009	N	33	N/a	N/a	1		To be collected			N	N			Does not meet criteria for residential road. Resident request
43. Monkgate	07/09/2009	N	85			2		To be collected			N	N			Part of the Inner Ring Road and does not meet criteria for residential road. Resident request
44. Heworth Road near Heworth Primary	12/11/2009	N	104	N/a	N/a	0		To be collected			Y	N			Could be referred to Safer Routes to School work. Resident and school request



Area	Date request registered with Council	Petition	Households*	Households supporting	50% supporting?	Accidents in the area	Vehicles per day (7am-7pm weekday)	Average speed acceptable for 20 speed limit? **	85% speed **	Max recorded speed	Close to a School?	Not on key Route	Cost to implement 20 mph zone	Number of traffic signs required	Comments
45. Knapton	10/06/2009	N	95	N/a	N/a	0		To be collected			N	N			Resident request
46. Section of Haxby Road in New Earswick	11/06/2009	N	32	N/a	N/a	0	8895	27	31	53	N	N			Already 20mph outside the school. Resident request

Sorted sequentially by

1. Not on Key Route
2. Number of accidents
3. Near school
4. 50% signing petition (where applicable)
5. Date of receipt

The key roads category has been taken from the principal, classified and trunk roads plan

\* Number of households obtained from address point data. As such there may be very slight variations against the actual number of households.

\*\* Average and 85<sup>th</sup> percentile speed shown is the highest value for either direction on the street.

† Westminster Avenue area has been consulted upon and approved for a 20mph zone. Data shown is from the consultation response, which has superseded the petition. The percentage of respondents supporting a 20mph speed limit was greater than 50%.

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## Scrutiny Management Committee (Calling – In)

14 June 2010

### Report of the Head of Civic, Democratic and Legal Services

### Called-in Item: Water End Cycle Scheme Evaluation

#### Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive Member for City Strategy on 1 June 2010 in relation to a report which advised of the outcome of the monitoring of the Water End cycle scheme and considered the effectiveness of the scheme in encouraging increases in cycling levels. This covering report also explains the powers and role of the Scrutiny Management Committee in relation to dealing with the call-in.

#### Background

2. An extract from the decision list published after the relevant Executive Member Decision Session is attached as Annex 1 to this report. This sets out the decisions taken by the Executive Member on the called-in item. The original report to the Executive Member is attached as Annex 2.
3. Councillors Douglas, King and Scott have called in the Executive Member's decisions for review by the Scrutiny Management Committee (SMC) (Calling-In), in accordance with the constitutional requirements for post-decision call-in. The reasons given for the call-in are that:

*“The Executive Member misdirected himself*

- *He failed to approach the report objectively and to make proper enquiries of the Officers*
- *He failed to consider the definition of a "success" of the cycling scheme*
- *He failed to consider whether the traffic implications of the cycling scheme are proportionate and legitimate consequence of the scheme*

- *He failed to take any positive action to alleviate the problems identified by residents of Westminster Road and the Avenue*
- *He failed to honour his commitment to re-instate the left hand turn lane at the Clifton Green Junction as promised at the City Strategy EMAP of October 2008*
- *He failed to consider the reputational issues identified in the report to the City Strategy EMAP of October 2008 and to take steps to resolve them.*

*The Executive Member has pre-determined his response to the Scrutiny Committee report before it has been before the Executive Committee.*

*The Executive Member has reached a decision that no reasonable Executive Member could have reached.”*

### **Consultation**

4. In accordance with the requirements of the Constitution, the Calling-In Members will be invited to attend and/or speak at the Calling-In meeting, as appropriate.

### **Options**

5. The following options are available to SMC (Calling-In) in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
  - (a) To confirm the decisions of the Executive Member, on the grounds that the SMC (Calling-In) does not believe there is any basis for reconsideration. If this option is chosen, the original decisions will be confirmed and will take effect from the date of the SMC (Calling-In) meeting.
  - (b) To refer the matter back to the Executive Member, for him to reconsider his original decisions. The reference back may include specific recommendations to the Executive Member. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 15 June 2010.

### **Analysis**

6. Members need to consider the reasons for call-in and the basis of the decisions made by the Executive Member and form a view on whether there are grounds for reconsideration of those decisions.

**Corporate Priorities**

- 7. An indication of the Corporate Priorities to which the Executive Member's decisions are expected to contribute is provided in paragraph 91 of Annex 2 to this report.

**Implications**

- 8. There are no known financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in:

**Risk Management**

- 9. There are no risk management implications associated with the call in of this matter.

**Recommendations**

- 10. Members are asked to consider the call-in and reasons for it and decide whether they wish to confirm the decisions made by the Executive Member or refer the matter back for re-consideration at the scheduled Executive Calling-In meeting.

**Reason:**

- 11. To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

**Contact details:**

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**Chief Officer Responsible for the report:**  
Andrew Docherty  
Head of Civic, Democratic and Legal Services

**Report Approved**  **Date**

**Specialist Implications Officer(s)** None

**Wards Affected:** Clifton

**All**

**For further information please contact the author of the report**

**Annexes**

Annex 1 – decisions of the Executive Member on the called-in item  
(extract from decision list published on 2/6/10)

Annex 2 – report to Executive Member Decision Session held on  
1/6/10

**Background Papers**

Agenda and minutes relating to the above meeting (published on the  
Council's website)

**DECISION SESSION - EXECUTIVE MEMBER FOR CITY STRATEGY****TUESDAY, 1 JUNE 2010****DECISIONS (extract)**

Set out below is a summary of the decisions taken at the City Strategy Executive Member Decision Session held on Tuesday, 1 June 2010. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Support Group no later than **4.00pm** on **Thursday 3 June 2010**.

If you have any queries about any matters referred to in this decision sheet please contact Jill Pickering, Democracy Officer.

**5. WATER END CYCLE SCHEME EVALUATION**

RESOLVED: That the Executive Member for City Strategy agrees to:

- i) Note the success of the scheme in achieving its main objective of delivering increased levels of cycling
- ii) Note that a road closure in the Westminster Road area would generate increases in traffic queues, and delay, at the Clifton Green junction and would potentially significantly impact on the operation of the junction and other parts of the network
- iii) Instruct officers to give further consideration to altering the signal timings during the AM peak and weekend operation
- iv) Instruct officers to give further consideration to linking the crossing points to optimise traffic flow heading towards the Clifton Green junction.
- v) Note the recommendations of the Scrutiny CCfA review to the Executive on 6 July and
  - Suggests to the individual members of the Scrutiny Committee that, in light of officer concerns about the limited options available to them, they should make it clear precisely

what changes they would expect to see covered by their recommendation for “new, comprehensive proposals for the Water End junctions to improve the current junction and reduce greatly traffic flows in Westminster Road/The Avenue”? and

- Endorses the following scrutiny recommendations:
  - a. That the Council should, in future, use traffic models which incorporate side streets when assessing and designing junction improvements
  - b. That the present policy of reviewing new highway schemes only after a period of twelve months should be modified to enable a review after three months when unforeseen consequences have arisen and when Ward Members request it.

REASON: To retain the benefits of the cycle scheme without causing additional delay to the network and to alter the signal timings in order to improve traffic flow travelling towards and through the junction, which is intended to reduce the amount of traffic diverting through Westminster Road and The Avenue.



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**Decision Session**  
**Executive Member for City Strategy**1<sup>st</sup> June 2010

Report of the Director of City Strategy

**Water End Cycle Scheme Evaluation****Summary**

1. To advise the Executive Member of the outcome of the monitoring of the Water End cycle scheme and consider the effectiveness of the scheme in encouraging increases in cycling levels. The report considers the purpose of the scheme, the initial modelling that was undertaken and the traffic and cycle data that was collected pre-implementation and compares that with the current situation. It also considers the impacts of the scheme on other parts of the highway network, specifically Westminster Road and The Avenue and reviews the option contained in a previous report to implement a road closure with reference to the draft recommendations from the Councillor Call for Action Task Group.
2. The cycle data shows significant increase in cycle usage since implementation of the scheme and traffic data reflects the pre-scheme monitoring predictions that there would be longer queues overall once a level of redistribution on the network had taken place. Redistribution has not had a material impact on other radial routes or the Outer Ring Road. It is observed that traffic flows on Westminster Road/The Avenue have increased from 900 to 1774 vehicles (average weekday flows) and partly contribute to the effective operation of the junction. Accident data records three injury accidents since the implementation of the scheme, all resulting from a right turn manoeuvre into Westminster Road, an issue that has been raised by residents.
3. Traffic flows on Westminster Road were reported previously and considered along with results from the residents survey on a point closure and other options available for reducing traffic volumes. Whilst there was overall support for a closure there was no agreement as to where that closure should be. A comparison of traffic flows on other residential roads shows that flows on Westminster Road are lower than many other roads.
4. Additional modelling was carried out to identify the impact on Clifton Green junction of a point closure on Westminster Road. Modelling shows that a closure without any mitigation measures at least doubles the existing average traffic queues and would be significantly worse than double at the height of the peaks. Mitigation was modelled in the form of a partial reinstatement of the

filter lane at Clifton Green, but it does not fully mitigate the increase in traffic queues or delay and the situation on Water End would be worse than currently experienced.

5. The scheme has been successful in delivering an increase in cycling and it was not considered appropriate to remove the cycle lane in order to reinstate a left turn filter. Options are considered within this report that would enable mitigation works to be undertaken whilst retaining the cycle lane. This involves considering how to increase the available carriageway width. The only remaining options for doing this are either the removal (or severe cutting back) of hedges of properties adjacent to the junction, removal of the cobbles or removal of part of the Clifton Green (which has village green status). All of these options were previously considered and rejected. The compromise lies between increased traffic queues and delay on Water End and the potential impact that has on other parts of the network, traffic flows on Westminster Road and removal of conservation features within a conservation area.

## **Recommendations**

6. The Executive Member for City Strategy is recommended to:
  - a) Note the success of the scheme in achieving its main objective of delivering increased levels of cycling
  - b) Agree that additional increases in traffic queues and delay at the Clifton Green junction would significantly impact on the operation of the junction and other parts of the network
  - c) Instruct officers to give further consideration to altering the signal timings during the AM peak and weekend operation
  - d) Instruct officers to give further consideration to linking the crossing points to optimise traffic flow heading toward the Clifton Green junction.
  - e) Note the recommendations of the Scrutiny CCFA review to the Executive on 6 July.

Reason: To retain the benefits of the cycle scheme without causing additional delay to the network and to alter the signal timings in order to improve traffic flow travelling towards and through the junction, which is intended to reduce the amount of traffic diverting through Westminster Road and The Avenue.

## **Background**

7. In October 2008 a report was presented to the Meeting of Executive Members for City Strategy and Advisory Panel setting out the results of consultation on proposals to introduce cycle facilities on Water End between Clifton Green traffic signals, over Clifton Bridge to the junction with Salisbury Road, and the detail of the proposals for the scheme.

8. The main elements of the scheme were to provide cycle paths on both sides of Water End, to move pedestrians to the south side of Water End between Salisbury Road and Government House Road and to remove the left turn filter lane at the Water End/Shipton Road junction to enable cyclists to be able to reach the junction in safety.
9. The scheme started on site in January 2009 and was substantially completed by April 2009. Further amendments to the scheme at Salisbury Road were necessary and an Officer in Consultation (OIC) report in May 2009 provided the detail of the amendment.
10. An undertaking was given to monitor the scheme once it had 'settled down' in order to assess whether it had achieved its objectives. Whilst the period required for the scheme to settle was not explicitly stated, other schemes are evaluated after a period of at least 12 months and officers considered this an appropriate amount of time in order to monitor the scheme and make an assessment.
11. Encouraging more people to cycle has been a long-standing priority for the Council, and this scheme formed part of the action plan to address existing gaps in connections and routes. The scheme forms part of an 'orbital cycle route' to help people get around the city, located in-between the inner and outer ring roads and providing safer and more convenient cycling links to many employment sites, schools, leisure facilities, healthcare and retail sites. The route and its connections were identified as part of the Cycling Scrutiny undertaken in 2003/4.
12. The cycle improvements for Water End provide a link with existing cycle facilities west of the Salisbury Road junction and with other cycle routes starting in the Clifton area. It also connects to the existing on-road cycle lanes along Clifton Road and Bootham.
13. The scheme was developed to promote mode shift from car to cycle and increase the number of journeys undertaken in the city by bicycle, by delivering another element of the strategic cycle network to join up residential areas with key trip attractors. In order to be effective in this objective it needed to overcome the following issues:
  - Water End was not very attractive for cyclists to use. The main problem being the relatively narrow carriageway width (7.3m) which cyclists shared with heavy traffic flows. The route is usually congested at peak periods, and often has fast moving traffic during the off-peak periods. As a result, many cyclists chose to ride on the footways, which created conflict with pedestrians.
  - A lack of facilities to help people cross Water End to access the riverside cycle/pedestrian route which passes under Clifton Bridge. Given the traffic conditions referred to above, this could be a difficult crossing movement to make whether on foot or on a bicycle.

- Cyclists often had difficulty in riding past the queue of vehicles approaching the Clifton Green traffic signals, particularly at the 'pinch point' adjacent to property number 17 Clifton Green, and regularly resorted to riding along the narrow footway to bypass vehicles in order to reach the stop line. The pinch point was also a cause for concern regarding cyclist safety as motorists tried to overtake cyclists leaving minimal passing space in order to progress toward or through the signals. In addition, because of the restricted carriageway width cyclists experienced difficulties in reaching the sub-standard width central cycle feeder lane between the two narrow approach lanes.
14. The scheme had to meet strategic principles of increasing levels of cycling and improving safety for cyclists, whilst having no detrimental impact on the Park & Ride service.
  15. Since becoming a Cycling City, the Council has committed to promoting cycling infrastructure that will in some instances need to take priority over motor traffic. Cyclists are higher up the user hierarchy than motorists. The 'easy wins' to deliver cycle infrastructure have been undertaken and the Council is now seeking to deal with the more difficult parts of the cycle network where there are gaps in route connectivity. This is not to say that the needs of motorists should be ignored. However, after analysing the modelled situation at the Clifton Green traffic signals, it was considered that the benefits this route would provide for cyclists outweighed the disadvantages that motorists may face from increased delay.
  16. One of the effects of the scheme has been to increase the attractiveness of the traffic calmed route, Westminster Road and The Avenue as a route for through traffic. This has occurred for a number of reasons. Motorists identified it as a through route to Bootham avoiding the Clifton Green signals and therefore avoiding increased delay; during construction of the scheme a burst water main at the Clifton Green signals required an emergency diversion to be implemented along Westminster Road and The Avenue. At the same time the school (St. Peter's) was undertaking construction work which necessitated the temporary removal of the traffic calming (a planning condition), thus making the route more attractive to vehicles. In addition, subsequent press coverage reporting resident's concerns about increased volumes of through traffic along Westminster Road and The Avenue publicised this as a potential through route.
  17. The situation on Westminster Road and The Avenue is subject to a Councillor Call for Action. A Task group has been convened to consider the evidence and is due to make recommendations to the Economic and City Development Overview and Scrutiny Committee in a final report on 17<sup>th</sup> May 2010. The report will then be considered by the Executive, at a date still to be advised.
  18. Further evidence specifically regarding Westminster Road/The Avenue was presented at a Decision Session meeting in September 2009 and January

2010 regarding traffic surveys and petitions, and consultation with residents on closure options respectively.

## **Scheme Evaluation Data**

### **Scheme Development Modelling**

19. Modelling of the proposed scheme was undertaken, a technical note produced and a resume of the results were included in the October 2008 report explaining the impacts. The modelling predicted that in the morning peak average traffic queues and delay on Water End would increase initially to the railway bridge crossing followed by a period of redistribution on the network and consolidation, leaving the queue slightly shorter than the baseline situation but with increased delay at the junction due to the signal timings being left unaltered (so as not to impact on the park & ride service). In the evening peak, the queues also increased initially but after redistribution remained longer than the baseline position and with longer delay. A table containing the modelled baseline predictions and impacts on the junction if alterations to Westminster Road are implemented is included in paragraphs 52 and 53.
20. The impact of traffic redistribution scenarios were tested in the modelling and would require a reduction of approximately 250 vehicles in the morning peak and 150 vehicles in the evening peak in order that vehicles experienced similar levels of delay to the baseline. This still assumed acceptance of some increase in delay.
21. It is particularly difficult to measure traffic queues: where is the end of the queue to be calculated if slow moving traffic is constantly joining? Precise measurement of traffic queues are difficult to determine when flows tend to be constantly moving. The model has had to make assumptions about queuing traffic and uses distance between vehicles to determine the back of the queue. Traffic behaviour is observed to leave larger gaps between vehicles as the queues increase. Therefore, in order to consider whether the model predictions were correct, traffic speed has been used as a proxy. Trafficmaster data has been used, and the average traffic speeds in the AM and PM peaks, before and after the scheme, are shown in **Annex A**. It can be seen in the morning peak that average traffic speed below 10mph has extended to a point just beyond Salisbury Road since the introduction of the scheme, but all other arms of the junction are improved. This means that the slowest moving traffic extends to a point approximately 400 metres beyond the maximum predicted queue (after redistribution), although it should be noted that slow moving traffic does not equate directly to queuing traffic, as modelled. It can be seen that as a result of the difficulties in determining the end of a queue, the model has slightly underestimated the queue length when compared to the Trafficmaster data. It is interesting to note that there have been improvements to traffic speed at the Boroughbridge Road/Water End junction and on Leeman Road. These improvements are primarily as a result of a decrease in traffic in the area. In the PM peak traffic speeds have improved on all arms of the junction except Shipton Road. In relation to the modelling, the actual situation appears to be better than predicted. These reduced flows and increased traffic speeds

will assist in ensuring an attractive Park & Ride service from the planned A59 site at Poppleton.

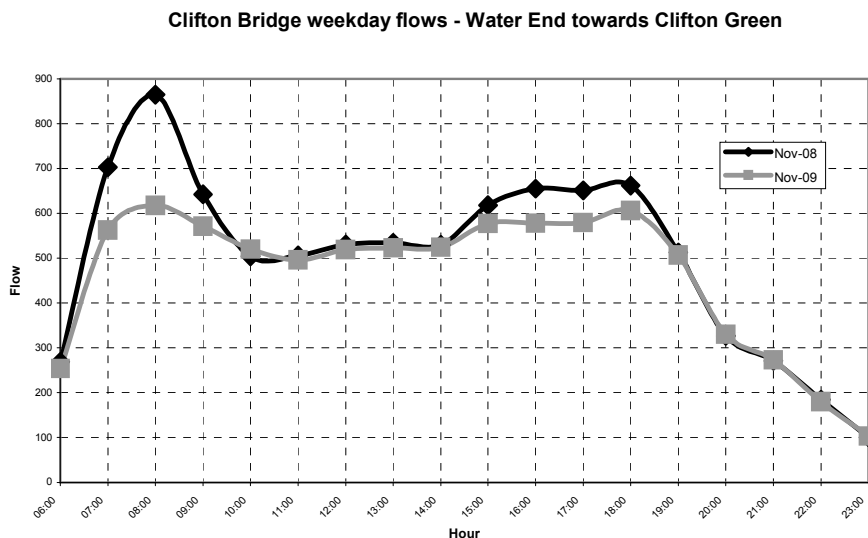
22. It is acknowledged that queuing on Water End varies according to school term time and the data provided in the paragraphs above refer to averages. Queues are longer in school term time (and are particularly affected by St Peter's school) and shorter in school holidays, as they are on most routes in York.
23. There was an expectation that there would be some modal shift from car to bicycle as a result of the improved infrastructure, together with the slight increase in delay during the morning and evening peak.
24. Of the redistributed traffic, it was predicted that 75% would use the A1237 Outer Ring Road bridge crossing, with the remaining 25% using the inner ring road, thus having a far reaching impact on the network.
25. Whilst there has been a decrease in traffic passing through the Water End junction, monitoring of the Automatic Traffic Counters (ATCs) has not revealed any particular routes or junctions where the traffic has diverted. Counts on the Outer Ring Road reveal marginal changes and the other radial routes into the city have not recorded increases of any significance. With respect to the predicted modelled outcomes relating to distribution on the network, these have not taken place. ATC data collected from Shipton Road reveals that there is little difference in traffic flows pre and post scheme implementation.
26. It was assumed that as Westminster Road and The Avenue were traffic calmed streets, they would not be attractive diversion routes and that it can often be difficult for vehicles to turn right onto the A19 (travelling inbound). This assumption was proved incorrect, and further information is set out in paragraphs 48 and 49 below.
27. The initial modelling did not include any alterations to the signal timings. However, as a result of queuing and increased delays on Water End immediately after scheme opening, the timing of the signals (PM peak only) were altered at the Water End/Shipton Road junction to provide more green time for Water End.
28. Alterations to the Clifton Green signal timings were made in three stages through April 2009 to ease traffic flow and delay on the Water End arm of the junction. Time was taken from the main north/south movements, the right turn into Water End from Shipton Road, and also from Water Lane. This time was added to the Water End arm, providing an extra 15 seconds of green time.
29. Additional traffic modelling work has been undertaken in relation to the impacts of a point closure on Westminster Road and is contained in **Annex B** and paragraph 52 and 53.
30. The predictions on queue lengths were reported to the Executive Member Advisory Panel in October 2008 when the scheme was agreed. The conclusions from the modelling work that has been undertaken in relation to

the scheme implementation are that the predictions regarding traffic queues immediately upon completion and after a period of redistribution were correct. However, it did require some alterations to the traffic signals to bring the queues down to the level predicted. The predictions regarding redistribution are unable to be confirmed, as significant changes in traffic flows have not been identified on any specific radial route or on the Outer Ring Road. Traffic queues are shorter than predicted, although it is acknowledged that a period of redistribution was required as well as some signal alterations. Traffic delay is also better than predicted, although again, it required some alteration to the traffic signals.

### Vehicle Data

31. ATC data from Clifton Bridge shows that the changes that have occurred in the months since opening are that traffic has redistributed itself on the network in order to avoid the delays on Water End, and that some traffic is using Westminster Road and The Avenue to avoid the signals at Clifton Green. In terms of traffic volumes during the peaks, these are down 10%-15% on Clifton Bridge (see **Figure 1** below). It is interesting to note that the post AM peak traffic is up, which is perhaps an indication that people are changing their time of travel to avoid the delays. These results include the revised signal timings to take account of the new arrangement and flows. Similar reductions in traffic flows have not been identified at other key junctions around the city. November 2008 to November 2009 comparison has been used here, rather than the latest January data as the poor weather had an impact on traffic flows.

**Figure 1**



32. The data from the video camera surveys on Clifton Bridge (September 2008, September 2009 and November 2009) are 12-hour counts, 0700hours to 1900hours (included in **Annex C**). These surveys show a slight increase in the 12-hour traffic flows and are variable across the peaks in each direction. It is considered that the ATC data referred to in paragraph 31 above is a more accurate reflection of the previous and current situation, as the ATCs provide data 24 hours a day, all year round.

33. Vehicle turning count data (contained in **Annex D**) at the Water End/Salisbury Road junction shows that there is very little difference in traffic travelling westbound or turning left out of Salisbury Road. There is significant reduction in traffic turning right out of Salisbury Road (43% in the am peak and 10% over 12 hours), and a smaller reduction in traffic continuing eastbound through the junction from the A59 direction (15% in the am peak and 8% over 12 hours). There is a very slight increase in traffic turning right into Salisbury Road at certain times of the day after the scheme was implemented, and at other times there has been a decrease. There has been a decrease in traffic turning left into Salisbury Road.
34. Specific traffic count data for Westminster Road and The Avenue was not undertaken prior to scheme implementation. It has however been possible to use speed data collected prior to implementation to gain an understanding of the traffic flows. It would appear when compared to traffic flow data after implementation that there have been increases in traffic flows along both these roads (see paragraphs 48 and 49). There also appears to have been an increase in average weekday flows from 900 to 1774, and an increase in the AM peak of 123 vehicles.
35. The conclusion from the vehicle data analysis is that traffic flows in the area have reduced overall. There is some evidence that changes in travel times have taken place as the AM peak flows are spread over a longer period. Survey monitoring has not been carried out to understand whether some of the reduction is as a result of modal shift. Modelling and traffic data surveys prior to scheme implementation did not include Westminster Road/The Avenue, but there is an element of traffic that uses these roads to avoid delays at the signals. Indications are that traffic in the Westminster Road area has approximately doubled. It can also be expected that an element of the improved Clifton Green junction performance is due to traffic diversion along Westminster Road.

### Cycle Data

36. Cycle counts were undertaken on Clifton Bridge in September 2008, September 2009 and November 2009 using a video camera. The results of the counts are shown in **Annex E**. A summary of percentage difference against the baseline (2008) is provided in the tables below:

Eastbound	Percentage change September 2009	Percentage change November 2009
AM peak	+ 48%	+34%
PM peak	+69.5%	+113%
12 hour	+34%	+26.5%

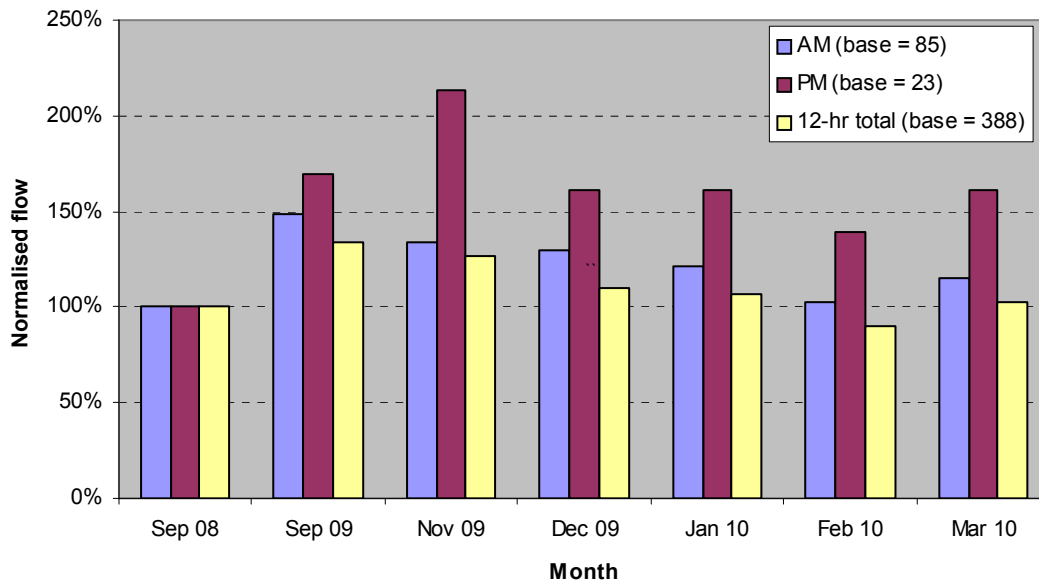
Westbound	Percentage change September 2009	Percentage change November 2009
AM peak	+50%	+31.5%



PM peak	+6.5%	+28%
12 hour	+22%	+32%

37. An element of caution to consider in relation to the data is that it is susceptible to seasonal fluctuations, and the smaller flows are subject to random fluctuations. The poor weather from December through to February will have impacted on the numbers and flows may be slightly elevated due to the River path being closed between 19<sup>th</sup> October 2009 and 29<sup>th</sup> January 2010.
38. Cycle turning counts were also taken at the Water End/Shipton Road junction and the Salisbury Road/Water End junction. This data is provided at **Annex E**, and a summary is provided in paragraphs 39 and 40 below. It should be noted that the turning count data was not taken on the same day that the video surveys were conducted.
39. A partial turning count was undertaken at the Water End junction. The number of cyclists travelling westbound increased substantially in both the AM and PM peaks. Over a 12-hour period, cyclists turning right out of Water End remained fairly static, except in the morning peak, which increased by 40%. The number of cyclists turning left out of Water End also increased, except in the AM peak, which saw a 13% decline (3 cyclists).
40. At the Salisbury Road/Water End junction, all cycle movements increased at all times of day, except for the right turn into Salisbury Road in the PM peak, and the straight ahead, eastbound movement, also in the PM peak. There is a large increase in cyclists heading towards Clifton Bridge. It should be noted that the 'before data' was collected in May 2008 and the 'after data' in November 2009, a period when cycle monitoring would normally record lower numbers of cyclists due to the seasonal weather conditions.
41. Cycle data is particularly susceptible to seasonal variations and as such a more accurate picture will be available once a full year of data has been collected from the Automatic Cycle Counter (ACC) located on Clifton Bridge. The ACC was installed as part of the scheme and has been in place since November 2009.
42. Current data from the ACC on Clifton Bridge is shown below. The chart shows the observed change in cycle flow on Clifton Bridge, compared to a base month in September 2008. The base flows are shown in brackets on the key. Apart from February 2010, cycle flows have consistently been above the September 2008 baseline.

Cycle flow - Clifton Bridge to Clifton Green



43. Conclusions from the cycle data are that the scheme has met its objective of increasing cycle numbers at this location. Whilst an increase in absolute numbers may be small for some monitoring periods, e.g. PM peaks, the purpose of the scheme was to encourage more journeys to be made by sustainable modes. The turning count data shows significant increases in cyclists upon completion of the scheme compared to the previous summer. The scheme forms part of the orbital cycle route, which is due to be completed during 2010/11. Once the orbital route is complete (programmed towards March 2011) it is anticipated that the scheme would attract additional cyclists.

### Westminster Road/The Avenue

44. Following the implementation of the Water End cycle scheme, two petitions were received concerning the apparent increase in the volume of through traffic on Westminster Road/The Avenue. In direct response to these petitions and comments submitted from Clifton Ward Committee, an 'Origin and Destination' survey was undertaken before the school summer holidays in 2009. The results of this survey were reported to the Executive Member's Decision Session on 1<sup>st</sup> September 2009, along with several other options for consideration in light of the change in traffic conditions on Westminster Road. At this meeting it was resolved that additional surveys should be undertaken (once road humps that had been temporarily removed from Westminster Road had been replaced). Consultation with residents was also to be undertaken to identify the differing levels of support of the options being considered for reducing the volume of through traffic.
45. The results of resident's consultation and the additional surveys were reported to the Decision Session on 5<sup>th</sup> January 2010. At this meeting it was resolved to note the outcome of the surveys and questionnaire, but take no further action at this time regarding a point closure on Westminster Road. The survey and

consultation results were to be taken into consideration as part of the evaluation of the Water End Cycle Scheme presented in this report. This decision was confirmed by the Scrutiny Management Committee on 25<sup>th</sup> January 2010 following it's "calling in".

46. In respect to the option of introducing a point closure along Westminster Road/ The Avenue, the following results from the residents' consultation were reported at the meeting on 5<sup>th</sup> January 2010. All 170 properties were consulted and 111 responses were received. Of the 111 responses 39% (43) were opposed to a road closure and 61% (68) were in favour. From the 61% (68) in favour, opinions from residents was divided as to where a point closure should be located: 38% (41) at Water End / Westminster Road; 22% (25) at Westminster Road / The Avenue; and 1% (1) at The Avenue / Clifton Road.
47. There have been three known injury accidents reported in the area since the implementation of the Water End scheme (up to December 2009). They all involved vehicles colliding whilst making a right turn into Westminster Road. Driver behaviour at this junction has been reported by a number of local residents as a concern due to some drivers overtaking the queue of traffic on Water End for some distance before turning right into Westminster Road. This practise can result in the driver being poorly positioned as they negotiate the junction, cutting across the centre line of Westminster Road
48. Traffic surveys were carried out and are contained in **Annex F** and are referred to in detail in previous Decision Session reports (September 2009 and January 2010). It can be seen that overall traffic levels appear to have increased by around 97% from an average weekday flow of 900 vehicles to 1,774. The AM peak has seen an increase of 92% (an extra 123 vehicles) and in the PM peak 49% (an extra 97 vehicles). To reiterate previous reports, the before data is taken from a speed survey and does not differentiate between through traffic, residential or school run traffic.
49. The results of the traffic survey carried out in September 2009 are shown in **Annex F** and the headline figure is that 89% of the traffic from the Water End direction and 85% of traffic from the Clifton direction is through traffic (school traffic is not included as part of the through traffic). This represents 1,259 vehicles per day out of a total of 1,440 vehicles recorded between 7am and 7pm. The table in **Annex F** gives details of the volume and percentage of through traffic during the peak hours of 8am to 10am, and 4pm to 6pm. This shows that nearly 770 vehicles of the through traffic occurs during the 4 peak hours of the survey (or an average of around 190/hour) and for the remaining 8 hours, the volume of through traffic is just under 500 vehicles (or an average of around 60 to 65/hour).
50. Whilst there has always been an element of through traffic on this route, it is difficult to accurately determine the extent to which through traffic has increased. However, the increase is likely to be concentrated over peak periods as the advantage to using this route during off peak is limited.

50. As advised in the January 2010 report, the issue of side roads being used to avoid main road signalised junctions is not uncommon and there are at least 10 other streets in York where through traffic adjacent to signalised junctions is a concern to residents. However, removing the through traffic invariably also places significant limitations on the local community. Further survey work would be required to directly quantify the levels of through traffic to residential traffic at other locations to be able to compare with Westminster Road. The table below gives the total traffic flows at a number of sites across the city, which demonstrates that the traffic flows experienced on Westminster Road are comparable to other similar sites in the city.

### Comparative Traffic Volumes

Link	Date	12-hour 2-way flow
Clifton Bridge	Sep-08	14,795
A19 Clifton	2008 average	10,363
Beckfield Lane	Jun-08	6,121
Grantham Drive	Sep-07	2,176
Navigation Road	Sep-08	2,050
Highthorne Road	Jun-08	1,874
Elmfield Avenue	Jun-08	1,690
<b>Westminster Road / The Avenue</b>	<b>Sept-09</b>	<b>1,440</b>

51. In considering whether a closure of Westminster Road should be pursued, further modelling was undertaken to consider the impacts on the junction with Water End and Shipton Road. The key piece of information is attached as **Annex B** in relation to the junction analysis modelling of the Clifton Green junction, if Westminster Road / The Avenue were to be closed to through traffic. The main table considering the impact on the junction should a closure of Westminster Road take place, with or without a partial reinstatement of the left turn filter lane, is included below.
52. The partial reinstatement of a left turn filter lane was considered for an eight vehicle filter length, although it would not always be available for eight vehicles to enter. A partial filter lane reinstatement was modelled, as there would be considerable cost and difficulties in removing the cycle route over the water main. The queues and delays in the table are averages - what is actually experienced on the ground can therefore be double the average shown in the table below. Where a junction is over capacity (as is the case with Clifton Green), the queue will build through the peak as the traffic cannot dissipate

quickly enough through the signals. (PCUs refers to 'passenger car units' and is a measure of the length of vehicle, e.g. a bus = 2.5, a car = 1).

Scenario:	Practical Reserve Capacity	Total delay (pcu hr)	Water End average delay per pcu (mins)	Water End Mean Queue (pcus)	Water End Mean Queue (meters)
AM pre scheme situation	-18.3%	47.4	1	33.6	201.6
1. AM at opening (April 2009)	-111%	270	16.9	263	1576
2. AM peak post scheme (Nov 2009)	-20%	58	3.8	42	253
3. AM peak post scheme + closure	-42%	121	5.7	77	460
4. AM peak post scheme + 8 veh filter	-8%	35	1.0	19	111
5. AM peak post scheme + 8 veh filter + closure	-27%	82	5.0	69	413
PM pre scheme situation	-12.6%	45.4	2.1	16.2	97
6. PM at opening (April 2009)	-94%	195	15.4	186	1115
7. PM peak post scheme (Nov 2009)	-15%	51	2.6	38	230
8. PM peak post scheme + closure	-31%	93	6.1	82	490
9. PM peak post scheme + 8 veh filter	-14%	34	0.9	21	125
10. PM peak post scheme +8 veh filter +closure	-14%	42	1.5	32	191

53. It should be noted that the modelling assumed a 'worst case' scenario in that all the traffic that would have turned right into Westminster Road must pass through the signalised junction. Options 1 and 6 refer to the situation prior to traffic redistributing itself on the network. Options 4 and 9 refer to the situation before traffic is attracted back to the junction, because it has become easier to travel through and represents a best case scenario. The modelling concluded the following:

- A point closure has a significant adverse effect on the highway, compared to the current position;
- A point closure could be partially mitigated by the reinstatement of a shorter (than previous) filter lane, although the morning peak would still be worse than currently experienced;
- If a closure were to take place, and it were decided to reinstate a partial left turn filter lane, then these two actions should be implemented at the same time;
- If a partial reinstatement of the filter lane were introduced by itself, traffic would be attracted back to the junction and is not recommended;
- A further review of signal timings should take place to determine whether any further improvements can be made to junction capacity at other times of day or weekends.

54. The modelling indicates that with only a closure (and no filter lane reinstatement) that the level of congestion (queues and delays) at Clifton Green almost doubles in the morning peak, and also more than doubles in the

PM peak. As a consequence, it is likely that there would be a further spreading of the peaks.

### **Considerations relating to Westminster Road/The Avenue options**

55. Some traffic chose to divert along Westminster Road prior to scheme implementation, although the exact number is unknown. Additional traffic now uses Westminster Road as a diversion since the scheme was introduced.
56. A point closure at Westminster Road/Water End (as modelled) would require all traffic to pass through the Clifton Green junction. That includes all existing through traffic, all residential traffic and all school traffic. The impact of this would be to increase traffic flows, queue length and delay, and not just on Water End. Any traffic previously turning left out of Westminster Road would then have to use The Avenue, turn left onto the A19 Clifton, and then use the slip road at Clifton Green to turn left onto Water End, potentially increasing queues on Clifton and Bootham. There would be a doubling of some traffic movements on The Avenue, as any school or residential traffic would need to exit the same way it entered, and in addition, queuing on The Avenue would increase as vehicles attempt to exit onto the A19. The increase in traffic flows could potentially impact on the Park & Ride service and increase delay. One of the strategic principles of the scheme was that there should be no impact on the Park & Ride; this has already been slightly compromised by altering the traffic signal timings. Further alterations could be made to the signals as part of a point closure, but this would compromise the Park & Ride service. There is also the potential for Greencliffe Drive to become a through route if traffic continues to look for alternative routes.
57. A point closure at the junction of Westminster Road / The Avenue would result in only a slight reduction of the impacts noted above. Only residential traffic on Westminster Road that would have previously turned right, would potentially be removed from the Clifton Green junction. Residents on Westminster Road would benefit from reduced traffic flows, residents on The Avenue would receive less benefit as school traffic would need to enter and leave through The Avenue, and any residential traffic previously exiting via Westminster Road would also need to exit via The Avenue. Some school traffic could potentially use Westminster Road as a drop off point. The right turn out of Westminster Road would become more difficult than at present, due to an increase in queuing traffic.
58. Any point closure could potentially require a turning head, particularly to accommodate refuse collection vehicles. Whilst it would be possible to install a turning head at the end of Westminster Road and at the junction of Westminster Road / The Avenue, it would necessitate some removal of parking provision.
59. As mentioned in paragraph 46 above, residents were consulted on a point closure. Whilst there was overall support for a closure (60%), the opinion on where that closure should be was split, meaning that percentage support for not closing the road was higher than support for any of the three locations

suggested (Water End / Westminster Road, Westminster Road / The Avenue and The Avenue / A19 Clifton).

60. Alternative options other than a point closure were also consulted upon (see **Annex C** in the January 2009 Decision Session report), e.g. width reductions, chicanes, or banned turning movements. However, these alternatives were either not recommended by officers, or were not supported by residents.
61. If a point closure is not considered appropriate because of the additional traffic queuing and delay that would arise on the network, then another option would be to re-consider previously dismissed options for traffic management to reduce traffic flows, i.e. chicanes, and then survey residents once again. However, traffic flows are heavily weighted from Water End towards The Avenue, and officers' opinion is that chicanes would not work well in reducing traffic flow, because there would be insufficient traffic travelling in the opposite direction to cause sufficient delay.
62. Consideration has been given to the option of an experimental point closure that would allow a trial period to be examined, both in terms of the extra delay caused at the junction and at different locations, in order to test resident preference. However, the modelling has shown that any point closure would at least double the existing average queue on the Clifton Bridge approach and cause delays at the junction. What motorists would experience would be an extension of the slow moving traffic on Water End well beyond Salisbury Road.
63. An extensive options analysis process was undertaken prior to the scheme being implemented. Options considered included removal of the cobbles to create more carriageway width (dismissed for conservation reasons), removal of part of Clifton Green to create more carriageway width (dismissed as the Green is protected under legislation), cyclists off-road on both sides (dismissed due to increased conflict at private pedestrian accesses to properties and conflict with pedestrians on what would be a sub-standard facility), retaining the two traffic lanes and not marking a cycle lane, but leaving cyclists to find their own way through the traffic (dismissed as not giving cyclists assistance at the point where cyclists experience the most difficulties and consequently an increased likelihood of conflict with traffic), and a cycle lane between traffic lanes (insufficient carriageway width available).
64. Given the increase in traffic queues and delay if a point closure were to take place, mitigation works would have to be undertaken in order to allow that to happen, which would mean having to create additional carriageway width. The only means of providing additional carriageway width is to either, remove the cobbles and require properties adjacent to the junction to cut back hedges (the Council has the power to enforce or undertake the work and recharge the cost) or to use part of Clifton Green, or a combination of both. Both these options would have a detrimental effect on the conservation features in the area and it is important to maintain an attractive environment in order to encourage people to walk and cycle. Village green status is a protection through legislation, meaning that certain restrictions are placed on its use and prevents development of any kind taking place. Promoting the use of the Green could

take years of legal negotiation and may never come to fruition. The cobbles, as part of the highway are not formally protected, although the duty under the 1990 Planning Act to preserve and enhance the special character of conservation areas does extend to highway schemes. As such, The Local Authority has a legal duty to preserve or enhance the character and appearance of conservation areas.

65. It is considered that removal of the cycle lane is inappropriate, as it would have a detrimental effect upon current cycling levels, which thus far have been increasing as a result of introducing the cycle measures. In discussion, members of the Task Group considering the CCfA also agreed that the cycle lane should not be removed. Therefore, the only means of improving the junction and retaining the cycle lane is to increase the available carriageway width, which would require the removal of conservation features. Options to remove conservation features have previously been considered and rejected, although further clarification will be required from Members of the Scrutiny Committee as to whether removal of these features would be an acceptable compromise in order to make amendments to the Clifton Green junction, but the limitations in doing so should be recognised.
66. Another option for consideration could include the hedges being cut back and removal of the cobbles to retain off-road cycle lane to the signals, but this would create a number of issues and is not recommended. Firstly, there is limited width available to accommodate pedestrians and cyclists, which would create conflict between these users. Secondly, there would be significant safety concerns regarding any layout that creates conflict points with vehicles as cyclists try to re-join the carriageway from the end of the cycle track ramp at a point where traffic would diverge and turn left across their path. Thirdly, cyclists would be positioned incorrectly for any manoeuvre other than a left turn at the junction.
67. Another option for consideration is removal of the cobbles, cutting back of the hedges and retaining an on-road cycle lane. This option was considered as part of the options analysis but was rejected by officers on the grounds of safety. The cycle feeder lane would need to be located between the two traffic lanes in order to ensure that cyclists were not in conflict with left-turning vehicles. This would require cyclists crossing a vehicle lane in order to move into the central cycle lane at a point where traffic is diverging into two lanes. An extended feeder lane back to the end of the cycle lane has also been considered, however, although this layout may work in other locations in the city e.g. Clarence Street it is not thought to be appropriate in this location due to the constrained width available to create two vehicle lanes. Cyclists would expect it to be kept clear for their use and it is anticipated that there would be an increased likelihood of conflict between cyclists and vehicles. The removal of cobbles and hedges and provision of a 1.5m cycle lane would leave extremely narrow vehicle lanes and a significantly reduced pedestrian footway (see plans in **Annex G** which sets out various options that have been considered and rejected primarily on safety grounds). This means that vehicles would be closer to the kerb and pedestrians could feel intimidated by the traffic, and cyclists would be squeezed between very narrow traffic lanes. Provision of



a cycle lane less than 1.5m is not considered safe, as vehicle lanes are already narrow and vehicles would be likely to encroach. The pre-scheme cycle feeder lane was approximately 0.7m, and was consequently almost unusable by cyclists and it is considered a retrograde step to reintroduce a facility that neither worked previously, nor was considered to be safe for cyclists.

68. As part of the engineering works to refurbish the Pelican facility at the Homestead into a Puffin crossing, and provide the new Toucan crossing at Government House Road, a duct and cable was installed linking these two locations with the signal controller cabinet at Clifton Green. This cable offers the further potential (yet to be brought into use), to moderate the flow of traffic up to the main stop line at Water End / Clifton Green by controlling when in the operating cycle of the Clifton Green signals the Puffin and Toucan crossings are allowed to operate. This facility could be used to reduce 'platooning' of traffic approaching Clifton Green along Water End, and thus reduce the likelihood of traffic speeding towards the stop line. It could also increase the amount of traffic that is able to exit the Water End approach by removing the large gaps in approaching traffic that are caused by the crossings triggering when the green signal for the Water End arm of the junction is in operation.

#### **Councillor Call for Action**

69. Simultaneous with the Water End Scheme, a Scrutiny Task Group was set up to consider a registered Councillor Call for Action (CCfA) in relation to traffic issues at the junction of Water End and Clifton Green, Westminster Road, The Avenue and Clifton Green.
70. In agreeing to review the topic, the main aim of the review was agreed as: 'to determine the best solution for the problems local residents are experiencing and to look at what lessons can be learnt in order to inform the implementation of similar scheme in the city'.

The key objectives were agreed as;

- i) To establish whether local concerns still exist in light of the executive Member's decision
  - ii) To explore whether further improvements can be made to address the current traffic issues
  - iii) From experience to date, identify those measures or actions that can be taken to assist in the smooth implementation of similar scheme in the city
  - iv) To understand the context of the Land Compensation Act 1973 in relation to the CCfA.
71. After a series of meetings, consultative and information gathering sessions, the Task Group has produced the following recommendations which were subsequently endorsed by its parent Committee, Economic & City Development Scrutiny Board on 17 May:
- i. That Council Officers urgently develop new, comprehensive proposals for the Water End junctions to improve the current junction and reduce greatly traffic flows in Westminster Road/The Avenue

- ii. That the Council should, in future, use traffic models which incorporate side streets when assessing and designing junction improvements
  - iii. That the present policy of reviewing new highway schemes only after a period of twelve months should be modified to enable a review after three months when unforeseen consequences have arisen and when Ward Members request.
72. For completeness and the information of the Executive Member, the final scrutiny report is attached as **Annex H**. The Executive will now consider this report and recommendations made at its meeting on 6 July 2010.

### **Consultation for this report**

73. Councillor D'Agorne advised that his view when considering the junction options was that there is a clear choice, if the point closure were to go ahead: If the capacity of Water End is to be increased to compensate for the extra vehicle movements by reinstating the left turn lane (albeit the substandard width that was there before), a section of the cobbles would have to go, along with whatever minimal widening could be achieved on the Green side without removing trees or post fencing that surrounds it. He also thought that pedestrian access to The Green should be provided across the junction. The cycle 'feeder' lane (which might have to either overlap with the left lane or be less than 1.5m) could be laid as at the station junction with Leeman Road, so that left turning traffic is encouraged to give priority to cyclists seeking to access the advanced stop area. He made it clear that he did not consider removal of the cycle lane to be an option, since the media profile of this scheme has become symbolic of the council's overall commitment or otherwise to the Cycling City programme. He further suggested that Members of the task group might want to sound out their respective groups on this in order to try to identify a solution that meets expectations of residents, could work, and achieve a result and provide solutions to the wider electorate and the city as a whole.
74. Councillor D'Agorne added that the scrutiny task group had heard that the left turn lane would be needed if there was a closure of the rat run, but there is not space for this together with a cycle lane, unless (as he thought could be the solution) the cobbles were removed for a section at the junction. He added that 'We could reinstate some cobbles somewhere else around the Green, but there's no way we should just put back the left turn lane without replacing something for this key part of the 'orbital cycle route'. The draft scrutiny report recommends action that will 'substantially reduce the traffic on Westminster Rd -The Avenue' I think closure is the only option, and we will have to live with the consequences of peak spread on the main roads'.
75. Councillor Gillies advised that he would like the opportunity to see the report and recommendations before commenting on a definitive basis. However, his inclination was for the reinstatement of the left turning lane as paramount. He advised that he would also be against the closure of Westminster Road. However, he did understand the need for the safety of cyclists and awaited the detail in the report.

## Options

76. Option one – support the findings of the evaluation data and agree that the projected increase in traffic queuing and delay at the Clifton Green junction resulting from physical alterations to the junction or changes to access in the Westminster Road area would not be acceptable.
77. Option two – support the findings of the evaluation data, but decide that the projected increase in traffic queuing and delay (over the existing situation) resulting from changes to the junction and access alterations in the Westminster Road area would be acceptable. Authorise the consideration of measures to reduce traffic flows on Westminster Road (this does not necessarily have to mean a point closure) with a reconsideration of possible options at the Clifton Green junction, which retained a cycle lane.

## Analysis

78. **Option One** – The data shows that the implementation of the cycle scheme has significantly increased cycling levels, particularly heading eastbound toward the city centre, and there is an expectation that levels will increase further over the summer and when the orbital route has been completed.
79. Traffic queues have increased, even though traffic flows have decreased as junction delay has been increased as a result of the loss of capacity. Some time has been re-gained on the Water End arm by altering the green time available at the traffic signals (PM peak only).
80. Traffic flows over Clifton Bridge have decreased as traffic has dispersed over the network to avoid the junction delay. The dispersed traffic has not caused difficulties that have been identified elsewhere on the network.
81. Modelling indicates that if a point closure were to be implemented on Westminster Road, that queues and delay would at least double over the existing situation (average queues) and would be worse at the height of the peak when queues are longer than average, and would also be worse than pre-scheme operation. If all the through traffic currently using Westminster Road has to pass through the junction, the level of additional delay on the network would severely compromise the junction and have impact on other junctions as traffic queued back. Whilst the modelling predicts that the average queues would not be as long as when the scheme was first implemented, comparison with the Trafficmaster data suggests that the model has slightly underestimated queue length and that slow moving traffic would extend back further than predicted by the model (because the model does not consider vehicles more than a certain distance apart to be queuing). The impact on the network of the additional queuing and delay is not considered to be reasonable.
82. Within this option it would be possible to consider further alterations to the traffic signals to alter the timings of the AM peak and weekend operation. There would be some impact on the Park & Ride service, but this could be minimised whilst still providing some relief to the junction.

83. In addition, it is possible that more effective use of the existing link between the crossing points and the junction could reduce the platooning of traffic arriving at the junction and improve the capacity, thus reducing the level of delay and queuing.
84. **Option Two** – The data evaluation is as option one above. The modelling suggests that some of the additional delay of a point closure could be mitigated by a partial reinstatement of the filter lane.
85. Residents could be re-surveyed on options for reducing traffic flow that did not include a point closure, but the imbalance in traffic flows make some traffic calming (e.g. chicanes) less likely to be effective.
86. An experimental closure could be trialed to understand the impact of additional traffic flows through the junction and impacts on residents. However, a trial would severely compromise the operation of the junction and is not recommended without some mitigation at the junction.
87. As the scheme has been successful in delivering an increase in cycling, it is not recommended that the cycle lane be removed to reinstate a filter lane (supported by the draft report of the Task Group). This means that the only option to retaining the cycle lane and mitigating the traffic delay is to increase the available carriageway width.
88. Removal of hedges and cobbles could be considered, but even if the carriageway was widened and the hedge cut back, the widths would not be considered sufficient for safe operation of the junction.
89. The options available for increasing carriageway width have previously been considered, but not recommended due to the detrimental impact on conservation features and the protracted legal procedure required to use the Green.
90. There is a compromise to be made, between maintaining existing levels of traffic queues and delay on Water End, reducing the traffic flow on Westminster Road and retention of conservation features in a conservation area.

### **Corporate Objectives**

91. Implementing the existing cycle scheme has improved accessibility and safety for sustainable cyclists and reduced traffic flows in the area and will contribute to the delivery of the corporate strategy specifically through the following themes:

Sustainable city – the council is committed to improve the quality of the local environment and the condition of the York's streets and open spaces. It is committed to transform York in to a 'Cycling City' through investment of the successful £3.7m bid to improve cycling infrastructure and improve opportunities to cycle.

Healthy City – investing in cycling infrastructure will encourage more people to choose active travel modes which will improve general health and wellbeing.

## **Implications**

### **Financial**

92. Option One – There are no financial implications associated with this option.  
Option two – Costs would arise if this option was pursued in relation to re-surveying residents, implementing a Traffic Regulation Order to close the road or implementing other traffic calming measures and engineering measures at the junction, none of which have been costed as they are subject to further clarification by the Economic & City Development Overview & Scrutiny Committee and consideration by the Executive.

### **Legal**

93. Legal implications occur if the option of considering use of Clifton Green to create extra highway width is pursued as the Green is currently protected under village green status and therefore has statutory protection under the Inclosure Act 1857 (Section 12) and the Commons Act 1876 (Section 29). The relevant sections of these acts have not been repealed by the Commons Act 2006.

### **HR**

94. None

### **Other**

95. None

### **Crime and Disorder**

96. None

## **Risk Management**

97. The main risk associated with the report is reputational and has been assessed as 16, which requires an action plan to be developed to monitor and mitigate. The task group report is being considered by the Scrutiny Committee on 17<sup>th</sup> May and will subsequently be considered by Executive who will direct officers. A monitoring programme for traffic flows and cycle flows on Clifton Bridge is in place and the signal operation will be monitored to ensure effective operation.

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Report Approved

Date 21 May 2010

**Specialist Implications Officer(s)** *List information for all*

*Financial*

*Patrick Looker*

*Finance Manager, City Strategy*

*Tel No.01904 551633*

**Wards Affected:** Clifton

All

**For further information please contact the author of the report**

**Background Papers:**

- EMAP report, 20<sup>th</sup> October 2008 – Water End Proposed Improvements for Cyclists
- Decision Session report, 1<sup>st</sup> September 2009 – Westminster Road Petitions
- Decision Session Report, 5<sup>th</sup> January 2010 – Westminster Road Area Consultation and Survey Results
- PDF plan of pre-scheme carriageway widths

Annex A - Trafficmaster data for traffic speeds

Annex B – Junction analysis modelling of Clifton Green, as presented to the Task Group

Annex C – video camera survey data on Clifton Bridge

Annex D – Motorised vehicles turning count data

Annex E – Cycle turning count data

Annex F – Westminster Road traffic surveys

Annex G – Plans of option retaining centre cycle feeder lane at Clifton Green junction

Annex H – Economic & City Development Overview & Scrutiny Committee – Water End Councillor Call for Action, Draft Final Report



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**Scrutiny Management Committee  
(Calling – In)**

**14 June 2010**

**Report of the Head of Civic, Democratic and Legal Services**

**Called-in Item: A Low Emission Strategy for York**

**Summary**

1. This report sets out the reasons for the call-in of the decisions made by the Executive on 8 June 2010 in relation to the a report which sought approval for the development of an overarching low emission strategy for York and provided an update on the Council's successful joint bid with Leeds City Council to become regional low emission champions. This covering report also outlines the powers and role of the Scrutiny Management Committee in relation to dealing with the call-in.

**Background**

2. An extract from the decision list published after the relevant Executive Meeting is attached as Annex 1 to this report. This sets out the decisions taken by the Executive on the called-in item, together with a list of Executive comments on the Scrutiny Committee's report. The original report to the Executive is attached as Annex 2.
3. Councillors Alexander, Gunnell and King have called in the Executive's decisions for review by the Scrutiny Management Committee (SMC) (Calling-In), in accordance with the constitutional requirements for post-decision call-in. The reasons given for the call-in are that:
  - (i) *The Executive has given no clear steer to officers in terms of urgently addressing the deteriorating air quality position in York in a meaningful way, given the extremely concerning levels of damage to health, nor even of specifying when the Low Emission Strategy is to be delivered by.*
  - (ii) *Whilst recognising the need to co-ordinate the Air Quality and Carbon Management strategies, the Executive is*

- wrong to arbitrarily decide to subordinate the Air Quality strategy to the Carbon Management programme.*
- (iii) *The Executive should have elevated the status of the Air Quality Steering Group in order that regular progress reports go direct to the relevant Executive Members/Executive, as one important step in addressing the serious risk to health in the city from poor air quality."*

### **Consultation**

4. In accordance with the requirements of the Constitution, the Calling-In Members will be invited to attend and/or speak at the Calling-In meeting, as appropriate.

### **Options**

5. The following options are available to SMC (Calling-In) in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
- (a) To confirm the decisions of the Executive, on the grounds that the SMC (Calling-In) does not believe there is any basis for reconsideration. If this option is chosen, the decisions will take effect from the date of the SMC (Calling-In) meeting.
  - (b) To refer the matter back to the Executive, for them to reconsider their original decisions. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 29 June 2010.

### **Analysis**

6. Members need to consider the reasons for call-in and the basis of the decisions made by the Executive and form a view on whether there are grounds for reconsideration of those decisions.

### **Corporate Priorities**

7. An indication of the Corporate Priorities to which the Executive's decisions are expected to contribute is provided in paragraph 32 of Annex 2 to this report.

### **Implications**

8. There are no known financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in



terms of dealing with the specific matter before Members; namely, to determine and handle the call-in:

**Risk Management**

- 9. There are no risk management implications associated with the call in of this matter.

**Recommendations**

- 10. Members are asked to consider the call-in and reasons for it and decide whether they wish to confirm the decisions made by the Executive or refer the matter back for re-consideration at the scheduled Executive Calling-In meeting.

**Reason:**

- 11. To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

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**Chief Officer Responsible for the report:**  
Head of Civic, Democratic and Legal Services

**Report Approved**  **Date** 10/6/10

**Specialist Implications Officer(s)** None

**Wards Affected:**

**All**

**For further information please contact the author of the report**

**Annexes**

Annex 1 – decisions of the Executive on the A Low Emission Strategy for York (extract from decision list published after the meeting on 8/6/10) and list of Executive comments on the report  
Annex 2 – report to Executive meeting held on 8/6/10

**Background Papers**

Agenda and minutes relating to the above meeting (published on the Council's website)

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**EXECUTIVE****TUESDAY, 8 JUNE 2010****DECISIONS**

Set out below is a summary of the decisions taken at the meeting of the Executive held on Tuesday, 8 June 2010. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Support Group no later than 4pm on the second working day after this meeting.

If you have any queries about any matters referred to in this decision sheet please contact Fiona Young (tel extn 1027).

**6. A LOW EMISSION STRATEGY FOR YORK**

**RESOLVED:** (i) That the development of an overarching Low Emissions Strategy for York be supported and that the award to York and Leeds of the regional low emission championship be noted.

**REASON:** To accelerate the uptake of low emission measures in the City, helping to improve local air quality, protect health and reduce damage to historic buildings, as well as allowing a more co-ordinated approach to local air quality management and carbon reduction and enabling York to become the UK's first low emission city.

(ii) That the Air Quality Steering Group be requested in future to report on their activities via the Carbon Management Board, which should be re-named and take on a broader remit.

**REASON:** In order to integrate the work of these two bodies and prevent any conflict between the Council's efforts to reduce greenhouse gas emissions and the apparent increase in nitrogen dioxide levels.

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**Executive**

**8 June 2010**

Joint Report of the Director of Communities and Neighbourhoods and the Director of City Strategy

## **A LOW EMISSION STRATEGY FOR YORK**

### **Summary**

1. (i) To obtain support from the Executive for the development of an overarching low emission strategy for York. The strategy is required to ensure a more holistic approach to tackling York's deteriorating local air quality and to achieve a reduction in carbon emissions.

(ii) To provide an update on the successful joint bid with Leeds City Council to become 'Regional Low Emission Champions'.

### **Background**

2. Two of the current challenges facing York are deteriorating local air quality and greenhouse gas reduction. A low emission strategy is a package of measures aimed at accelerating the uptake of low emission fuels and technologies which can assist in meeting both of these challenges.
3. Currently in York local air quality management and greenhouse gas reduction are dealt with as separate issues resulting in some conflicting policies. The modal shift based Air Quality Action Plan (AQAP) is not delivering air quality improvement and planning controls do little to encourage the minimisation and mitigation of emissions. If York is to improve its' air quality, and meet its carbon reduction targets, a new holistic approach to emission reduction is needed.
4. An overarching low emission strategy for York would address the current conflicts arising between local air quality management and greenhouse gas reduction polices and would strengthen the AQAP. It would ensure minimisation of emissions from all developments and an improved level of developer contributions to mitigate against emissions. An overarching LES would also allow the development of emission based policies for the procurement of goods and services, and the management of City of York Council's buildings and vehicle fleet.

## Key Issues to Address

5. Despite initial improvements in air quality, it has worsened since 2006, with average nitrogen dioxide (NO<sub>2</sub>) concentrations increasing year on year. The highest concentrations occurred during 2009 with 25 of the 40 monitoring locations used to calculate the AQMA average being above the health based objective. The continued deterioration in air quality has led to the recent declaration of a second AQMA along the A19 corridor at Fulford. If further steps are not taken to improve air quality the declaration more AQMAs is likely.
6. As well as helping to prevent the declaration of further AQMAs, an overarching low emission strategy will assist in addressing the following:
  - Reducing the detrimental impact of poor air quality on health, including helping to prevent an estimated 158 air quality related premature deaths per year in York;
  - Reducing air pollution damage to historic buildings and artefacts, including the Minster and the city walls;
  - Reducing emissions of greenhouse gases and mitigating against the impacts of climate change;
  - Protecting and promoting the reputation of York as an attractive historic city in which to live, visit and invest;
  - Avoiding possible government fines and intervention measures due to poor performance on air quality improvement and carbon reduction;
  - Increasing the likelihood of attracting further funding for policies which improve air quality and reduce carbon emissions. For example major transport scheme bids and air quality grant funding bids.

## Current approach to air quality improvement in York

7. Air quality is monitored and reported by the environmental protection unit (EPU) within Communities and Neighbourhoods, yet the sources of air pollution and the main decisions which influence them are often managed by other directorates, for example planning and transport decisions within City Strategy. The necessity for cross-directorate consultation and action on air quality measures has long been recognised and resulted in the formation of an air quality steering group (AQSG) in 2004. The AQSG consisted of representatives from EPU, transport planning, sustainable development, city development and economic development. This group have been instrumental in the development of York's current air quality improvement policies.

8. Air quality management in York is currently delivered via two main policy documents:
- i. The Air Quality Action Plan (AQAP) which forms Annex U of City of York Council's Local Transport Plan (2006-2011)
  - ii. Policy GP4b of the current draft local plan

### **Air Quality Action Plan**

9. The AQAP was drawn up by EPU following public consultation, the final measures in the AQAP being determined by the AQSG and revised in 2006 to allow integration into the second local transport plan (LTP2). The current AQAP contains some low emission measures, but mainly modal shift measures aimed at increasing levels of walking, cycling and public transport use. Only the modal shift measures have been delivered to date.
10. In order to increase the rate of air quality improvement and meet the health-based air quality objectives a greater emphasis needs to be placed on reducing emissions from traffic. This requires a shift to delivering air quality improvement measures that encourage the uptake of ultra low emission vehicles<sup>1</sup> (ULEVs) and also ensure infrastructure is provided for the operation of such vehicles.

### **Planning Policy GP4b**

11. New development gives rise to emissions of both local and global air pollutants from both the new buildings and the transport movements related to their use. Policy GP4b of the draft local plan seeks to control emissions of local pollutants mainly from transport related to development. The policy requires developers to submit air quality impact assessments if their proposal meets one or more specified criteria. For example, if the development has more than 300 car parking spaces and / or if it will give rise to a more than a 5% increase in local traffic flows. Where air quality impact assessments are submitted EPU can advise the planning department on the suitability of the application in terms of air quality and / or require air quality mitigation measures to be put in place.
12. Whilst the current system requires developers to predict the air quality impact of their proposals in terms of changes in on street concentrations of pollutants it is often the case that the predicted changes in on street concentrations turn out to be negligible or insignificant, even where large changes in vehicle numbers are occurring. There are two reasons for this

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<sup>1</sup> Ultra low emission vehicles (ULEVs) are vehicles that have zero or close to zero emissions. They include electric vehicles and hydrogen powered vehicles.

- a. There is not a linear relationship between the amount of emissions emitted and the resultant concentrations of NO<sub>2</sub> in the atmosphere
- b. The models used to predict future concentrations of pollutants due to development assume that vehicles become cleaner over time. So even with no change in vehicle numbers developers can report a predicted improvement in air quality.

In practice the uptake of cleaner vehicles may not be as rapid as models assume (due to economic factors), and in some cases the emissions from newer vehicles are not as low as expected. This is particularly the case for newer diesel engines that give rise to a higher proportion of NO<sub>2</sub> emissions than was previously recognised. The real air quality impacts of development can therefore be higher than air quality impact assessments suggest.

13. There are some fundamental flaws in the current air quality planning controls:

- i. Only the largest developments are subject to air quality assessments because only changes in traffic flows greater than 5% are worthwhile modelling. However, most new developments are likely to have a small residual emission impact that will accumulate over time, particularly in areas of intense redevelopment.
  - ii. No air quality assessments are currently required for heating and power generation systems, unless they are unusually large or use biomass.
  - iii. Developers can generally demonstrate a negligible impact on air quality without making any effort to reduce emissions from vehicles and heat/power systems. This means there is currently no requirement for developers to minimise emissions from their developments.
14. To improve air quality through the planning system more emphasis must be placed on minimising emissions from all new developments. This will require measures such as emission based access restrictions, provision of electric vehicle infrastructure and reduced parking provisions. Developers will also need to be required to contribute more towards the cost of tackling poor air quality, and to use best endeavours to minimise emissions from heating /power systems.



## How an Overarching LES would Add Value to Existing Strategies

### Carbon management policies

15. Local air pollution and global climate change are often assumed to have the same causes, effects and solutions. In recent years the emphasis both nationally and locally has been on the reduction of greenhouse gas emissions (mainly CO<sub>2</sub>) for the purpose of reducing the impact of climate change. Some of the resulting policies have assisted with local air quality improvement, but others have had negative effects. If approached in the right way tackling climate change can provide an excellent opportunity to improve air quality. DEFRA have recently produced a document titled 'Air Pollution – Action in a Changing Climate' which highlights the additional benefits that can be achieved through closer integration of air quality and climate change policies.<sup>2</sup>
16. Some carbon reduction measures such as more wind and solar power and improving energy efficiency in buildings will also help to improve local air quality. However, other policies may have negative implications for local air quality e.g. the planning requirement for 10% renewable energy provision on new developments. Generally the easiest and cheapest way for developers to meet this obligation is to install a biomass burner. Biomass burners are marketed as being almost carbon neutral as the carbon released through the burning process is taken up again by new plants grown as future fuel for the burner. However, often overlooked, is the increase in particulate and NO<sub>x</sub> emissions that can arise when changing from a conventional natural gas plant to biomass plant. These increases may be acceptable in rural environments where there is no population and relatively low background pollutant concentrations, but in city centre and suburban environments single large scale biomass burners, or clusters of smaller installations can result in a deterioration in local air quality. The number of biomass burners in York is likely to increase in future years

### Procurement

17. There are currently no specific policies in place, which ensure the impact on local air pollution is considered during the procurement process, yet there are many opportunities to reduce the council's emissions of both local and global pollutants through procurement. Examples of some of the types of goods and services the council procures that could have an impact on local air quality include:
  - office supplies – where do they come from, how are they transported and what emissions are produced?
  - School buses / taxis – how old are they? What are their emission standards?

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<sup>2</sup> Air Pollution: Action in a Changing Climate, DEFRA, March 2010

- Council vehicle fleet – what types of vehicle do we buy? What are their emissions in terms of nitrogen dioxide, particulates and carbon dioxide?
- Heating equipment for council buildings? What is the local air quality impact of biomass?

In the current financial climate there may be a tendency to move towards cheaper suppliers, who may use older vehicles and technology. This could be a significant threat to air quality and climate change, unless a strategy is put in place to control all sources of emissions.

### **Council Fleet**

18. The recent green fleet review by the Energy Savings Trust has highlighted a lack of low emission vehicles within the council's own fleet and a reliance on the use of the 'grey' fleet (private vehicles used for council business), with an average age of greater than 10 years old. Phasing out of the grey fleet and switching the fleet to low or zero emission vehicles (electric, hybrid, biomethane, depending on use), potentially via a car club, would lead to considerable savings in emissions and costs.

### **The National Picture**

19. Poor air quality is a feature of most urban environments in the UK with 237 local authorities having declared one or more AQMAs to date. The response to local air quality improvement has been varied, ranging from almost do-nothing in some authorities through to the introduction of congestion charges and low emission zones (LEZ) in London.
20. In recent years there has been increased interest nationally in the uptake of low emission based measures, with Oxford introducing a LEZ for buses and others such as mid-Devon, Sefton and Sheffield developing advanced low emission based planning policies. In South Cambridgeshire a LES is being built into plans for a new town and Cambridge City Council has recently announced plans to introduce an emissions cap for bus companies. In the north east of England an extensive electric vehicle plug in point network has been established and rapid expansion of this network is planned through the Plugged in Places (PiP) initiative. The recently published coalition government agreement indicates that roll out of electric vehicle technology and the production and use of bio-gas are to remain high on the political agenda under the new government.
21. In 2007 the Low Emission Strategies (LES) Partnership was formed to assist in the roll out of low emission measures. Funded by Communities and Local Government (CLG) and the Department for the Environment, Food and Rural affairs (DEFRA), the LES Partnership has been tasked with disseminating good

practice in reducing emissions of both local pollutants and greenhouse gases. The LES Partnership specifically seeks to accelerate the deployment and penetration of low emission transport fuels and technologies by supporting local authorities in the adoption of low emission policies, strategies and measures. In January 2010 York and Leeds successfully bid to become one of three 'Regional Champions' groupings tasked with rolling out low emission measures at a regional level.

22. As 'regional low emission champions', York and Leeds will be expected to roll out low emission measures within their own areas and encourage other local authorities and organisations to do the same. Some of the key aims of the Leeds City Region grouping are:
- To develop an exemplar overarching LES in York
  - To demonstrate the use of bio-methane as a vehicle fuel for HGVs (trials with refuse trucks have already commenced in Leeds)
  - To demonstrate the use of hybrid-electric buses
  - To obtain PiP funding for the development of an extensive electric vehicle plug in network in Yorkshire
  - To develop regional and national LES planning and procurement guidance

### **Scope of a Low Emission Strategy for York**

23. Despite the declaration of two AQMAs, the existence of an AQAP and air quality planning policies, air quality in York is continuing to deteriorate and the Council is failing to meet the health based air quality objectives in York. Some existing climate change actions, procurement and the council's own vehicle fleet are contributing to the deterioration in air quality. Failure to improve air quality will result in adverse impacts on human health, further damage to the historic environment and the declaration of further AQMAs. It may also result in significant government fines.
24. Whilst corporate working within the Council has been good there needs to be a more holistic approach to addressing and balancing the issues of air quality, climate change and other policies and strategies via an overarching low emission strategy. Staff from strategic partnerships, fleet management and procurement have recently joined the AQSG, now renamed the low emission steering group (LESG), to develop this concept.
25. By developing an overarching LES York could become the UK's first low emission city, with a national and international reputation for sustainability and clean air. This may attract tourism, inward investment and new jobs and protect

York's historic buildings. York would be transformed from a polluted, congested city to a cleaner, greener, quieter, less congested city.

### **Aims and objectives**

26. An overarching LES would aim to:

- i. Deliver the health based air quality objectives for NO<sub>2</sub> at all locations in the city to protect the health of York's residents and visitors
- ii. Ensure a holistic approach to the delivery of carbon reduction targets and help minimise the impacts of climate change, avoiding conflict between policies.
- iii. Further reduce all emissions to air from vehicles by incentivising and accelerating the uptake of low emission vehicles and the infrastructure to support them.
- iv. Develop a comprehensive package of planning based emission assessment and mitigation policies for all air pollutants to ensure that the cumulative air quality impacts of development are fully addressed and that emissions from new developments are minimised as far as possible. Obtain funding via the planning process to support low emission measures and infrastructure.
- v. Improve economic development and provide "green" jobs<sup>3</sup>, needed to support the roll out of such a strategy both locally and beyond
- vi. Minimise all emissions from the council's own vehicle fleet and estates
- vii. Introduce and develop the concept of low emission procurement
- viii. Protect and enhance the city's historic and natural environment
- ix. Develop York's role as 'regional low emission champion' (see paragraph 22) and work towards becoming an internationally recognised exemplar 'low emission city'.
- x. Prepare York for any future legislation to improve air quality and reduce climate change, noting the new government's announcement of their ambitions for a low carbon and eco-friendly economy, including a national recharging network for electric and plug-in hybrid vehicles, reducing carbon emissions and measures to promote energy from waste.

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<sup>3</sup> Possible new jobs and industries include; specialist car dealerships and technicians to provide and service electric and other low carbon vehicles; suppliers, fitters and maintainers of electric hook up points and other low carbon infrastructure e.g. bio-methane; consultancies and engineers specialising in emission reduction assessments, advice and solutions.

Further information on the key issues to be addressed by the overarching LES, links to current policies and what the LES will mean in practice can be found in a background document to this report available at:

[www.jorair.co.uk/reports/background.pdf](http://www.jorair.co.uk/reports/background.pdf)

### **Process and timescales**

27. Existing staff in EPU would lead development of an overarching LES with support from the LESG and city strategy's sustainability and transport planning teams. A draft overarching LES could be brought forward for Executive Member approval by the end of 2010, prior to consultation with the Environment Partnership and LSP board. The LES will be supported by a revised air quality action plan (AQAP3) to be included in LTP3.

### **Consultation**

28. This report has been discussed with representatives on the LESG and other stakeholders throughout the council. Once the LES and action plan have been developed, stakeholders including business, the public and others will be consulted.

### **Options**

29. (a) Support the development of an overarching LES for York and note the regional champions award  
  
(b) Note regional champions award and decide against the development of an overarching LES for York.

### **Analysis**

30. Option (a) will enable the council to develop a regional and national role in terms of LES and to adopt relevant LES policies across York. This will help to promote the uptake of low emission measures in the city resulting in air quality improvements, health improvements, reduced damage to historic buildings and a more joined up approach to managing local air quality and greenhouse gas emissions. York will also have the opportunity to become the UK's first low emission city and will be able to take advantage of the economic benefits this could bring (including new inward investment opportunities and attracting further grant funding).
31. Option (b) will enable the council to assist in the regional development of low emission strategies but York will miss out on an opportunity to lead nationally on low emission strategies and may be subject to possible fines and the implementation of compulsory air quality improvement measures in the future. Air quality will continue to deteriorate, leading to poor health amongst some local

residents and there will be no effective link with climate change policies. York is also unlikely to attract further grant funding to support low emission measures and other air quality improvements. York's reputation may suffer in terms of funding, inward investment and tourism.

### **Corporate Priorities**

32. The LES feeds into the council's corporate strategy in a number of areas:
- Sustainable City – protection of the local and global environment
  - Healthy City – protection of public health
  - Thriving City – could attract inward investment and will support sustainable development and tourism
  - City of Culture – protects the historic environment and health of people attending outdoor events
  - Effective Organisation – promotes partnership working
  - Inclusive City – promotes a unified approach to air quality issues across the city

### **Financial Implications**

33. The cost of a LES will be met from existing budgets and from government grants. Therefore there are no financial implications associated with this report.

### **Human Resources**

34. There are no other human resource implications.

### **Equalities**

35. There are no equalities implications.

### **Legal Implications**

36. There are no legal implications.

### **Crime and Disorder**

37. There are no crime and disorder implications.

### **Information Technology (IT)**

38. There are no IT implications.

### **Risk Management**

39. Measured in terms of impact and likelihood, the risk scores for failing to adopt a LES has been assessed as ranging from 12 to 20, placing the issue in the MEDIUM to HIGH category. The development of a LES, together with an AQAP and climate change action plan should reduce the risk to at least MEDIUM and potentially LOW for some of the risks within 5 years.

## Recommendations

40. The Executive is advised to:

**Approve option (a)** - Note the successful joint bid to with Leeds City Council to become regional low emission champions award and support the development of an overarching LES for York

*Reason:* This option will accelerate the uptake of low emission measures in the city, helping to improve local air quality, protect health and reduce damage to historic buildings. It will also allow a more co-ordinated approach to local air quality management and carbon reduction and allow York to become the UK's first low emission city.

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**Report Approved**  **Date** 20 May 2010

**Wards Affected:**

**All**

**For further information please contact the author of the report**

## Background Papers:

National Air Quality Strategy

Air Quality Update – Executive Member for Neighbourhoods (15<sup>th</sup> Sept 2009)

Adoption of an AQAP for York – Meeting of the Executive Member for Environment and Sustainability (13<sup>th</sup> October 2004)

York Climate Change Framework and Action Plan - update and draft consultation version – Report to Executive Meeting on 8<sup>th</sup> June 2010

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