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Meeting	Decision Session - Cabinet Member for Transport, Planning & Sustainability
Date	19 July 2013
Present	Councillor Merrett (Cabinet Member)
In Attendance	Councillors Healey, Reid, Richardson and Semlyen

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#### **6. DECLARATIONS OF INTEREST**

At this point in the meeting, the Cabinet Member is asked to declare any personal, prejudicial or pecuniary interests he may have in the business on the agenda. None were declared.

#### **7. MINUTES**

Resolved: That the minutes of the last decision session held on 20<sup>th</sup> June 2013 be approved and signed as a correct record subject to the following amendment:

#### **8. PUBLIC PARTICIPATION - DECISION SESSION**

David Munley spoke on behalf of Mayfield Community Trust. He advised that he supported Option 2 to award the future management of the Mayfield Grove land to the Mayfields Community Trust. He referred to the Section 106 agreement which identified the land both as a public open space and a single entity and objected to options 1 and 4 which proposed to split the land. He also objected to Option 3 on the basis that it removes community involvement.

Gordon Campbell-Thomas spoke further to a written report he had submitted (available with the online agenda). He referred to the formation and success of the Friends of St Nicholas Fields which had also started out as a new group with no formal experience of land management. He referred to his past involvement with YNET and advised that in his opinion the current membership of YNET does not reflect the involvement

and wishes of the local or even the wider community. He urged the Cabinet Member to choose a community orientated organisation to manage the land.

Margaret Silcock spoke as a local resident. She advised that she had lived in the area for a number of years and had seen the land decline. She had joined Chase Residents Association in order to do something about the land. She stated that she supported option 2 as the only reasonable option on the table.

John Parkinson spoke as a local resident. He advised that his home overlooks the land. Although a member of Chase Residents Association he was speaking in his own right. He reluctantly supported Option 1 and believed that outsourcing supported localism.

Richard Bevan spoke in support of YNET and the pond bailiffs. He advised that group members had a wealth of knowledge on fishery management. Meetings are held regularly to discuss issues such as weather conditions and how the pond may be affected and the environment agency is notified of any issues. He stated that as a group things are going well and YNET have put a lot of hard work in to the land.

Anne Leggett spoke as Chair of the Chase Residents Association and as one of the 3 residents who discovered the presence of a notifiable weed and consequently that the section 106 agreement had not been enacted. Despite the efforts by residents over the last 4 years an agreement had still not been reached and the loser is the environment. She advised that 320 homes adjacent to the land and many other users who deserve an agreement to be reached. She urged support for Option 2 for the Mayfield Community Trust to be given a trial period for a new beginning for the land.

Barry Potter spoke as Chairman of YNET and advised he had close involvement with the Mayfield Grove site for the last 20 years. He advised that the Localism issue assumes residents should be the group to manage the site but YNET has strong support also. He stated that he found it difficult to support any of the options.

Robert Dick spoke as the Trustee Director of YNET. He referred to the Decision Session meeting held in September at which the Cabinet Member had suggested further discussions to take

place between YNET and MCT to see if an agreement could be reached. He felt that this process had had the opposite effect and had instead put the organisations up against each other. He supported option 3.

Councillor Semlyen spoke as Ward Member. She advised that she had been involved in the issue for the past 2 years but was aware of the long history of problems. She asked the Cabinet Member to end the controversy and pick a group to manage the land, preferably the residents association. She asked that the land be kept as a whole, as it was given as a whole, and advised that she supported Option 2.

Councillor Reid spoke as Ward Member. She referred to her written comments (published online) and stressed that Option 1 is the worst option and isn't practical. She advised that she agreed with Councillor Semlyen and felt Option 2 was the best option.

**9. FUTURE MANAGEMENT ARRANGEMENTS FOR LAND AT MAYFIELD GROVE, YORK.**

Consideration was given to a report which confirmed the arrangements for the land at Mayfield Grove, York which was allocated as Public Open Space in a Section 106 Agreement (s106) dated June 1997.

Annexes 1 to 4 attached to the report outlined the decisions taken at previous meetings relating to the process for selecting a suitable organisation to undertake the long term management of the land.

The Officers report contained the following 4 options:

Option 1 - The council take on overall management and co-ordination of what is now council land, and work with local groups CRA / MCT and YNET as appropriate to allow them to undertake some management works. The pond could be licensed separately and this offers the potential for income to offset the management costs. Working with local groups may also offer access to grant aid for improvement works. This arrangement can be subject to review at an appropriate time. The current situation is unsatisfactory and creates uncertainty.

It has been confirmed that the 2 interested groups cannot work together. The competitive process agreed by the council may have contributed to this situation. The overriding objective / priority should be the appropriate management of the land in accordance with the s106 agreement. The council now holds title to the land and is ultimately responsible for its management. If the council takes overall management responsibility, but works with groups as appropriate to co-ordinate works, this could help to build confidence and trust in the local community and improve relations. The pond could be licensed separately to provide some income to offset the management costs. The minimum standards of management will be secured. The arrangement can be reviewed in future.

Option 2 - Award management to CRA / MCT – initially on a short term (18-24 month) licence – with a need for appropriate performance monitoring. The CRA / MCT bid to manage the land was assessed as being acceptable in 2012 and has now been modified as paragraph 11. However, the Mayfield Community Trust as a newly formed organisation has no track record of delivery, and a short term license with performance monitoring will require ongoing council involvement.

Option 3 - Award management to YNET – initially on a short term (18-24 month) licence – with a need for appropriate performance monitoring. The YNET bid to manage the land was assessed as being the stronger bid in 2012. However, the decision made in Sept 2012 minutes concern in relation to the arrangements for effective community engagement. Despite the clarifications submitted, the communities and equalities team confirms that only a short term license with the need for performance monitoring would be appropriate, which will require ongoing council involvement.

Option 4 - Award management of the site on a split basis where the site is divided by Nelsons Lane into 2 areas - the southern area, including the pond and the northern area including the meadow. An initial award, on a short term licence (18-24 months), with a need for appropriate performance monitoring. There is significant interest from both groups in managing the land and both have been actively involved in organising works in the last 18 months; YNET to the southern area around the pond and CRA / MCT to the northern area between Nelsons Lane

and Hobmoor. This area is also directly related to the Children's Play area. Splitting the site management mitigates against a holistic approach. However, this would allow each organisation to manage areas of interest and promote different activities to the local community. There is perhaps the potential for this to prove that a joint working approach could work.

The Cabinet Member commented that in terms of Option 1, he still had some concern about keeping the Council in the middle of the issue when the Council should be engaging with the community. In reference to options 2, 3 and 4 he advised that he had heard strong views for and against both YNET and Mayfield Community Trust as well as strong representations in support of the current operator YNET to continue managing the land from a number of anglers. The other issue was the lack of a track record in land management for the Mayfield Community Trust. He agreed to implement Option 4 as he considered the site to be well split by the road. He agreed this option on the basis of a 24<sup>th</sup> month cycle to allow for 2 growing seasons and subject to the agreement of use of residual section 106 monies. He stressed that both organisations need to demonstrate ability in managing the land.

Resolved: That the Cabinet Member approved Option 4 and awarded management of the site on a split basis where the site is divided by Nelsons Lane into 2 areas - the southern area, including the pond and the northern area including the meadow. An initial award, on a short term licence (24 months), with a need for appropriate performance monitoring.

Reason: This option will enable each organisation (YNET and Mayfields Community Trust) to manage areas of interest and promote different activities to the local community and will explore the possibility of a joint working approach.

**10. 20MPH IN THE WEST OF YORK - SPEED LIMIT ORDER CONSULTATION AND PETITION RESPONSE**

Consideration was given to a report which outlined the consultation response to a 20mph Speed Limit Order was which

was recently advertised for residential roads across the West of York urban area. The report also detailed the receipt of an e petition entitled "Stop the 20mph Proposals" and this was also given due consideration.

It was reported that 6 people had registered to speak on the item:

Nick Love advised that he was opposed to the 20mph proposals. He queried whether the scheme should be a priority for York, the cost involved and if the cost was justifiable. He stated that York is a low risk area for road accidents and in the top 8% for low casualty rates and that the proposals were not based on any statistical evidence.

Mr Ellerton had registered to speak as a local resident. He felt that the public consultation had not been long enough and that the money would be better spent elsewhere. He stated that the leaflets distributed had been too complicated.

Mr Vaus had registered to speak as a local resident. He advised that some roads were not suited to having 20mph limits, although he agreed that most residential areas should be 20mph. He suggested that the money would be better spent improving dangerous junctions such as the junction with Green Dykes Lane and Melrosegate.

Councillor Semlyen spoke in support of the proposals as she had been a 20mph campaigner for a number of years. She advised that 20mph limits protect vulnerable people as well as having health benefits and a positive impact on traffic flow. She urged the Cabinet Member to approve the scheme.

Councillor Reid had registered to speak as some of the area covered by the 20mph speed limit proposals were in her Ward. She raised concern about the lack of support from residents for the scheme and the lack of an evidence base for introducing the scheme.

Councillor Healey spoke to advise that small cul-de-sacs were not suitable for such a scheme. He referred to the graphs on page 109 of the agenda which showed casualty data for other cities adopting 20mph limits and questioned if enough research into capital cost against benefits had been carried out.

Officers outlined the report and advised that in light of representations received, Trenchard Road and Portal Road would be removed from the scheme, if approved.

The Cabinet Member commented that the 20mph agenda was not specifically driven by road safety but had always been about improving the environment and about making York a pleasant place to live and to promote cycling and walking. This proposal would also bring a degree of benefit in safety. He advised that the Speed Limit Order was advertised and circulated to approximately 13,000 affected households as per the standard York approach with such a legal order and only 0.07 per cent of people had objected. It is not proposed to introduce the 20mph limit to major roads. The scheme is also reflective of the Governments approach and 20mph limits have cross party backing at a national level, if not local. In light of the small amount of objections to the proposals, he agreed Option 3.

Resolved: That the Cabinet Member approved Option 3 and over ruled the objections wishing to see no 20mph scheme implemented but upheld the representation suggesting Trenchard Road and Portal Road are removed from the scheme.

Reason: To progress the citywide 20mph scheme in line with the council plan, but removing two short cul-de-sacs where there is little negative consequence arising from their exclusion.

Cllr Merrett, Cabinet Member

[The meeting started at 4.30 pm and finished at 5.40 pm].