

**Economic & City Development Committee** 12<sup>th</sup> August 2009  
**Feasibility Report – Councillor Call for Action (CCfA) in relation to traffic issues at the junction of Water Lane and Clifton Green, Westminster Road, The Avenue and Clifton Green.**

### **Summary**

1. This report asks Members to consider a Councillor Call for Action (CCfA) submitted by Councillors Scott, Douglas and King in relation to traffic issues at the junction of Water Lane and Clifton Green, Westminster Road, the Avenue and Clifton Green. A copy of the topic registration form is attached at Annex A to this report.

### **Background information on CCfA process**

2. Ward Councillors play a central role in the life of a local authority, as a conduit for discussion between the Council and its residents and as a champion for local concerns. To strengthen Councillors' ability to carry out the second role the Government has enacted in the Local Government and Public Health Act 2007, provisions for a 'Councillor Call for Action' (CCfA). This provides Councillors with the opportunity to ask for discussions at Scrutiny Committees on issues where local problems have arisen and where other methods of resolution have been exhausted.
3. CCfA is a tool that can be used by Councillors to tackle problems on a neighbourhood or ward specific basis that it has not been possible to resolve through the normal channels. CCfA is a means of last resort when all other avenues have been exhausted and the Council has been unable to resolve the issue. A copy of the guidance to both Officers and Members regarding CCfA, along with a CCfA flowchart, are attached at Annexes B & B1 to this report.

### **Background Information on Steps Taken to Resolve the Traffic Issues at the Junction of Water Lane**

4. The topic registration form states that the following have taken place to try and resolve the traffic issues in the Water Lane area:
  - Ward Committee meeting 21<sup>st</sup> April 2009 – City of York Council Officers attended this meeting and noted residents concerns. The minutes of this meeting are attached at Annex C to this report.

- Special Ward Committee meeting on 10<sup>th</sup> June 2009 – results of recent traffic surveys were reported to this meeting. However, whilst these figures were considered to be flawed, they indicated an increase of traffic along Westminster Road and The Avenue of over 50%. The minutes of this meeting are attached at Annex D to this report.
5. A further informal Ward Committee meeting was held on 6<sup>th</sup> July, which involved holding a mobile surgery at three locations in the ward; one of which was Clifton Green. Among the issues raised by residents were the ongoing traffic problems on Water Lane and Clifton Green. Residents pointed out that the increased traffic on Westminster Road and The Avenue is a safety issue, and suggested that it be addressed by road closure or preventing motorists from turning right/left into the area. Residents also suggested that there be greater cooperation between various council departments, e.g. between Transport Planning and the Cycling City project.
  6. In addition to the above, two separate petitions have been submitted to the Council by residents from the Westminster Road, The Avenue and Greencliffe Drive areas. The first of these received on 10<sup>th</sup> June contained 95 signatures from 62 properties mainly from Westminster Road and called for the Council to instigate the closure of Westminster Road. The second petition received on 11<sup>th</sup> June 2009 came from residents of The Avenue; it contained 20 signatures covering 12 properties and also requested the closure of Westminster Road. There are approximately 158 properties along the three roads in this area. Both these petitions were also submitted to Full Council on 9<sup>th</sup> July 2009. A report regarding these petitions will be presented to the Executive Member for City Strategy at a Decision Session in either September or October this year.
  7. The topic registration form indicates, that despite the meetings and petitions detailed in paragraphs 4,5 & 6 there is still significant resident dissatisfaction and points relating to this are detailed within the topic registration form itself (Annex A to this report).

## **Criteria**

8. The three Ward Councillors believe that this topic fits with the following eligibility criteria as set out in the topic registration form:
  - Public Interest (i.e. in terms of both proposals being in the public interest and resident perceptions)
  - Under Performance/Service Dissatisfaction
  - In Keeping with Corporate Priorities
  - Level of Risk
9. The Ward Councillors also made the following additional comments on the topic registration form in support of the eligibility criteria:
  - Public Interest – The traffic issues in question are related to a major arterial road. It has links to the provision of better cycling provisions as part of Cycling City.

- Under Performance/Service Dissatisfaction – There have been significant concerns expressed from residents regarding the structure, consultation and implementation of the revision to the Water Lane/Clifton Green junction.
  - In Keeping with Corporate Priorities – It has links to the Healthier City and the Thriving City Corporate Priorities
  - Level of Risk – The level of risk was incorrectly assessed initially when this project was assessed.
10. The Assistant Director (City Development and Transport) made the following comment on the eligibility criteria:
- ‘I think it is in the public interest that the issues raised are scrutinised because of the concerns being expressed.’
11. Councillor D’Agorne, the current Cycling Champion made the following observation in relation to the criteria:
- ‘Note there is no element of working with other partners.’

## **Consultation**

12. The following persons were consulted as part of the feasibility process and comments received are set out at Annex E to this report:
- Councillor Stephen Galloway - Executive Member for City Strategy
  - David Carter - Head of Network Management - CYC
  - Richard Bogg - Divisional Head - Traffic, Development & Transport - CYC
  - Damon Copperthwaite - Assistant Director - City Development & Transport - CYC
  - Ruth Egan - Transport Planning Unit - CYC
  - Jonathan Pickles - Senior Engineer - City Strategy - CYC
  - Graham Titchner - Programme Manager - Cycling City, York
  - Paul Hepworth - CTC, National Cyclists' Organisation
  - Richard Smyth - Head Teacher - St Peter's School
  - Cllr Watt - Ex Cycling Champion - CYC
  - Cllr D’Agorne - Current Cycling Champion - CYC
  - Clifton Ward Councillors
13. Apart from the Executive Member for City Strategy and the Assistant Director (City Development & Transport) these consultees were chosen as they had all been involved at some time or other with the meetings detailed in paragraphs 4, 5 & 6 of this report.
14. In terms of responses received, representatives of CYC have in places, amalgamated their responses or expressed their views through the Assistant Director. Comments were not received back from St. Peter’s School but this may be due to it being the school holiday period.

## Options

15. Members have the following options open to them:

- Option A** Proceed with the CCfA and progress this topic to review
- Option B** Suggest alternative avenues that could be explored by the Ward Councillors to assist with resolving the current issues
- Option C** Alternatively Members may wish to consider giving Officers time to respond to the petitions submitted and defer the decision until after the Executive Member for City Strategy has received a report in relation to them
- Option D** Do not proceed with the CCfA

## Analysis

- 16. Comments from the Executive Member suggest that he has not received representation from the Ward Councillors regarding this matter (Annex E to this report refers).
- 17. Comments from various consultees indicate that traffic monitoring is ongoing but 'a settling in period' is required before proper 'after scheme' monitoring can take place. The speed cushions removed to enable the works on St Peter's School would also need to be replaced to assess the 'before' and 'after' effect on traffic movement (Annex E refers).
- 18. Two petitions have been presented to Council on the traffic issues and Officers are currently preparing a response to these. This will be presented to the Executive Member for City Strategy at a Decision Making Session in either September or October of this year (paragraph 6 of this report refers along with Option C in paragraph 15)
- 19. Taking all the evidence into consideration, especially that contained within Annex E to this report, Members need to consider whether the three Ward Councillors have explored all possible avenues open to them.
- 20. Members should also take into consideration whether it is timely to proceed with this topic at present, especially in light of the officers comments (Annex E refers) on the need to continue traffic monitoring, the need to reinstate the speed cushions in Westminster Road and the pending report to the Executive Member regarding the petitions.
- 21. If the Committee decides that there are further ways in which the Ward Councillors could try to resolve the issues rather than undertaking a scrutiny review then these should be suggested to them at this meeting.

22. If Committee decide that all avenues for resolution have already been explored and exhausted then they can chose to proceed with a scrutiny review of this topic.
23. Members have the option of forming a small task group to undertake any review that they choose to progress. This may have the advantage of giving Members further scope to work more immediately and flexibly on a review topic. They will also need to take into consideration commitments already in their work plan and decide where any review would be best placed.

## **Conduct of Review**

24. Should Members chose to proceed with this review it is suggested that the Committee look at the following:
  - History of the traffic issues and residents concerns in the Water Lane area
  - The possible solutions to the issues affecting the area along with timescales and costs for implementation
25. If the review were to go ahead Members may wish to consider consulting the following:
  - The Executive Member for City Strategy
  - Relevant Officers from the City of York Council
  - Residents of the affected area
  - Car and Cycling Groups
  - Police
26. Should this be progressed to review the topic registration form indicates that this ought to take between 1 & 3 months to complete.

## **Implications**

27. **Financial** - There is a small amount of funding available within the scrutiny budget to carry out reviews. There are no other financial implications associated with this report however; implications may arise should the review be progressed.
28. **Human Resources** – There are no Human Resources implications associated with the recommendations within this report.
29. **Legal** – There are no direct legal implications associated with the recommendations within this report; however implications may arise should the topic be progressed. The Land Compensation Act 1973 has been raised as a potential issue in this matter and would clearly need further investigation should this topic proceed to review.
30. There are no known equalities, property, crime & disorder or other implications associated with the recommendations in this report.

## Risk Management

31. In compliance with the Council's risk management strategy there are no risks associated with the recommendations in this report.

## Recommendations

32. Based on the evidence set out within this report and its annexes Members should firstly decide whether all avenues of resolution have been explored and exhausted. If they consider that the Ward Councillors have exhausted all possible avenues, then they should proceed with the CCfA and progress this topic to review as per Option A of this report (paragraph 15 of this report refers). If Members consider there are still other avenues to be explored then they should proceed with Option B, C or D (paragraph 15 of this report refers).

Reason: In order to address the issues of the recently raised CCfA.

## Contact Details

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Feasibility Study  
Approved



Date 31.07.2009

### Specialist Implications Officer(s)

None

Wards Affected: Clifton Ward

All

For further information please contact the author of the report

### Background Papers:

None

### Annexes

- Annex A** Topic Registration Form  
**Annex B** Guidance on CCfA for Officers and Members  
**Annex C** Minutes of Ward Committee Meeting held on 21<sup>st</sup> April 2009  
**Annex D** Minutes of Ward Committee Meeting held on 10<sup>th</sup> June 2009  
**Annex E** Comments from Consultees