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Meeting	Decision Session - Executive Member for Transport
Date	14 March 2023
Present	Councillors D'Agorne and Craghill
Officers Present	Neil Ferris – Corporate Director of Place Tracey Carter - Director of Housing, Economy and Regeneration James Gilchrist - Director of Environment, Transport and Planning Dave Atkinson – Head of highways and Transport Cathryn Moore – Legal Manager - Projects Helene Vergereau - Principal Development Control Engineer (Planning) Darren Hobson - Traffic Management Team Leader Andy Vose - Transport Policy Manager

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#### **59. Declarations of Interest (10:01)**

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

#### **60. Exclusion of Press and Public (10:01)**

Resolved: That the press and public be excluded from the meeting during the consideration of annexes D and E for Agenda Items 5 minute 63 on the grounds that they contain information relating to individuals and the financial affairs of particular persons. This information is classed as exempt under Paragraphs 1 and 2 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

**61. Minutes (10:03)**

Resolved: That the minutes of the Decision Session of the Executive Member for Transport held on 21 February 2023 be approved and signed by the Executive Member as a correct record.

**62. Public Participation (10:03)**

It was reported that there had been 10 registrations to speak at the meeting under the Council's Public Participation Scheme.

Cllr Warters spoke on the petition regarding Noddle Hill. He stated that the Council had created the lay-by issue by expelling the family from an official site and needed to solve the housing issues of the family to end the encampment.

Gwen Swinburn requested that the Council stop implementing LTN's and Residents Parking schemes until new strategy was developed. She also raised concerns regarding Monkgate which she felt had been changed to favour cyclists but endangered pedestrians.

Cllr Smalley welcomed the work undertaken on the Active Travel Programme and asked that the project to deliver part two of active travel work on Shipton Road be undertaken.

Kate Ravilious requested that active travel projects identified in York's Local Cycling & Walking Infrastructure Plan (LCWIP) be delivered and funding not be deferred. They also stated the need for accessible access between Copmanthorpe and Bioshopthorpe across the railway.

Carol Green stated that Network Rail were taking the cheapest option in relation to the Copmanthorpe Level Crossing. She noted the importance of the route for local residents and those travelling the Eborway. She confirmed that wheelchair users could use the current crossing and a new crossing could improve accessibility rather than reducing it.

Gill Shaw stated that the Noddle Hill Lay-by used to be used by commercial vehicles and could be used again. She asked why the family encamped on the lay-by who the Council was not

recommending to move were removed from official site without plans for where the family would relocate too.

Cllr Doughty spoke in favour of delivering a cycle route between Strensall and Huntington which could promote a move to cycling for Huntington Secondary school pupils. He noted that a feasibility had already been undertaken some years ago into the delivery of the route which he was happy to share with officers if required.

Cllr Melly stated that she considered the LCWIP to be five years late and was now being rushed through with the Council having delivered substandard transport infrastructure during the current administration.

Cllr Orrell spoke on the need for a Low Traffic Neighbourhood for The Old Village, Huntington. He outlined issues residents had raised and the support for interventions including some level of closure to traffic.

### **63. Response to petition regarding Noddle Hill lay-by (10:30)**

Officers outlined that the unauthorised encampment at Noddle Hill layby had many complicated legal elements that had made reaching a resolution challenging. It was noted that the recommendations outlined short, medium, and long term proposals for the use of the layby.

The layby was confirmed to be part of the old alignment of the road and its current land ownership was not known. Officers confirmed that unknown ownership of older roads was not uncommon and that work was being undertaken to identify ownership. It was confirmed that the stopping up order which was intended to lead to a green space in place of the layby would be subject to public consultation.

The Executive Members noted in accordance with their decision at minute 62 that they would enter private session to consider the exempt annexes within the report at 10:40 and returned and resumed the meeting in the public session at 10:44.

The Executive Members noted that they recognised residents' concerns and welcomed the actions proposed by officers and agreed to the recommendations in the report. They also

welcomed the new sites for Gypsy and Traveller Accommodation in the York Local Plan.

Resolved:

- i. Noted the E-Petition received;
- ii. Noted the interim situation for the unauthorised encampment at Noddle Hill;
- iii. Noted the future work proposed to increase the amount of Gypsy and Traveller Accommodation as part of the delivery phase of the Local Plan which will enable relocation of the encampment to an authorised site;
- iv. Noted the establishment of a Project Manager post by the Corporate Director of Place in Consultation with the Executive Member for Housing in regard to already committed S106 funds and to commence early engagement with the developers of strategic sites and commence planning for the provision of additional pitches;
- v. Agreed, subject to land ownership questions being clarified, to commence the process to stop up the Noddle Hill layby as being surplus to highway requirements and develop proposals for a green area to improve the amenity of the adjoining area.

Reason: To ensure the long-term solution to the unauthorised encampment at Noddle Hill and reflect the legal protections afforded to the individuals on the encampment.

**64. PROW: Public Footpath Copmanthorpe No 2. Proposed closure of Copmanthorpe Level Crossing - update (10:50)**

Officers introduced the report noting that Network Rail were continuing with their initial proposals for the closure of Copmanthorpe Level Crossing and a new step footbridge to replace it. This decision by Network Rail to proceed with a stepped bridge is been made despite concerns raised about the equality impacts of a stepped bridge and the decision taken previously by the Executive Member to reject an application submitted under s119A of the Highways Act 1980 - Rail Crossing Diversion Order as the proposed footbridge would not provide provisions to allow disabled pedestrians to use the

crossing. The footbridge proposal being unlight and enclosed was also considered to be an unsafe crossing particularly at night.

The Executive Member noted that he felt that Network Rail were not meeting their duty to remove barriers to walking and cycling particularly for disabled users. He also noted that a new housing development nearby would likely increase the use of any crossing.

Resolved:

- i. To delegate authority to the Director for Environment, Transport and Planning in consultation with the Executive Member for Transport, in accordance with paragraphs 15 or 16 of this report (as the case may be), to:
  - a) formulate and submit an objection to the TWA Order; or
  - b) formulate and submit a representation in support of the TWA Order; or
  - c) submit a representation that neither supports nor objects to the TWA Order i.e. effectively adopt a neutral position with no positive case in relation to the principle of the TWA Order.

Reason: So that an outline decision can be made to Network Rail's TWA Order application before the restrictions of the pre-election period come into effect, by giving specific delegation to an Officer to complete and submit the detail of the relevant submission on behalf of the Council, within the 6 week statutory consultation period, or to review that decision if circumstances change.

## **65. Respark Schemes and Low Traffic Neighbourhood Updates (10:55)**

The process for Residents Parking Schemes were outlined, noting the role of petitions and requests to start the process to consider an area for residents parking. The process for implementing a Low Traffic Neighbourhood it was noted was less clear due to the broader nature of implementing, in these cases Officers confirmed that they were always considered by

the Executive Member and experimental trails were implemented to ensure they were working effectively.

To plan how to consider and deliver Low Traffic Neighbourhoods where they were desired it was agreed that they would be filtered into a work stream with Residents Parking Schemes to identify which to progress as standalone projects and which to be considered as part of a wider piece of work.

Resolved:

- i. Agreed that petitions submitted will be filtered into one stream of work and progressed in the order that they are received.

Reason: This will help provide a better oversight of work programs and not give an unrealistic timescale for progression of requests.

#### **66. Dft Micromobility trial update (11:03)**

Jessica Hall from TIER Operations Ltd who have been delivering the Council's micromobility trail joined the meeting to discuss the report. She noted that TIER were now the world's largest provider of micromobility and that York was the companies first city. She confirmed that there remained potential for expansion of the trail in areas such as Acomb and Huntington. She also confirmed that demand for the use of e-scooters and e-bikes continues to increase.

The Executive Member thanked TIER for their work with the Council on the trail and welcomed the potential for expansion including to areas outside of the outer ring road. Noting that the trail was in its final year it was confirmed that no guidance from Government had yet been published.

Resolved:

- i. Noted that a report will be presented to the Executive Member for Transport once further details of the legislative changes impacting micromobility are announced;

Reason: The Council requires information from Government legislation regarding the changes impacting micromobility.

**67. York Local Cycling & Walking Infrastructure Plan Update (11:13)**

The Executive Member considered the progress report and welcomed the evidence base being developed and looked forward to a LCWIP being adopted. The Executive Member noted that schemes such as the changes to Coppergate which had reduced traffic had seen an increase in footfall for shops in the area. It was noted that the Systra Ltd proposals would go to public consultation after the local elections in May 2023. Officers confirmed that once the LCWIP was adopted it would be a living document that would be updated with new schemes when ready.

Resolved:

- i. Acknowledged the progress made to date towards completion of York's LCWIP.

Reason: To ensure the Executive Member is up to date and to enable him to highlight any concerns.

Cllr A D'Agorne, Executive Member for Transport  
[The meeting started at 10.00 am and finished at 11.27 am].