



Notice of a public meeting of Customer and Corporate Services Scrutiny Management Committee (Calling In)

To: Councillors Crawshaw (Chair), Fenton (Vice-Chair),

Baker, Fisher, Hollyer, Musson, Norman, Pearson and

Rowley

Date: Monday, 27 June 2022

Time: 5.30 pm

Venue: The George Hudson Board Room - 1st Floor West

Offices (F045)

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

2. Public Participation

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

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Thursday, 23 June 2022.

To register to speak please visit

www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

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

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

3. Minutes (Pages 1 - 8)

To approve and sign the minutes of the two meetings held on 9 May 2022.

4. Called-in Item: Consideration of Results from (Pages 9 - 40) the Consultation about Parking restrictions in relation to Cavendish Grove, Tranby Avenue and Moore Avenue/Osbaldwick Lane Junction

To consider the decisions made by the Executive Member for Transport on 17 May 2022 in relation to the above item, which have been called in by Councillors Warters, Doughty & Rowley in accordance with the Council's Constitution at the time of the call-in.

A cover report is attached setting out the reasons for the call-in and the remit and powers of the Customer & Corporate Services Scrutiny Management Committee (Calling-In) in relation to the call-in, together with the original report and relevant annexes, and the decisions of the Executive Member.

5. Urgent Business

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

Democratic Services officer:

Name: Fiona Young Telephone: 01904 55

E-mail: fiona.young@york.gov.uk

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

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

Contact details are set out above.

This information can be provided in your own language. 我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali) Ta informacja może być dostarczona w twoim własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

(Urdu) په معلومات آب کې اپني زبان (بولي)ميس سمي مهيا کې جاسکتي،ييں-

T (01904) 551550



City Of York Council	Committee Minutes
Meeting	Customer and Corporate Services Scrutiny Management Committee (Calling In)
Date	9 May 2022
Present	Councillors Crawshaw (Chair), Fenton (Vice-Chair), Baker, Hook (Substitute for Cllr Orrell), Looker (Substitute for Cllr Norman), Wann (Substitute for Cllr Pearson), Kilbane (Substitute for Cllr Musson) and D Taylor (Substitute for Cllr Rowley)
Apologies	Councillors Hollyer, Musson, Norman, Orrell, Pearson and Rowley BEM

9. Chair's Remarks

At this point in the meeting, the Chair reported that Cllr D Taylor would be substituting for Cllr Rowley BEM, commenting that this would not materially affect proportionality at the meeting, given his independent status.

10. Declarations of Interest

Members were invited to declare any personal, disposable or pecuniary interests not included on their Register of Interests, which they might have in the business of the agenda.

Cllr Wann declared a personal interest in that he worked for the University of York. No more interests were declared.

11. Public Participation

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

12. Minutes

Resolved: That the minutes of the meeting held on 7 February 2022 be approved and signed by the Chair as a correct record, subject to changing the Chair's initial from C to J.

13. Called-In Item: Epetition: CYC solve the University related parking, don't just MOVE it

Members considered a report which set out the reasons for the call-in of the decision made by the Executive Member for Transport on 19 April 2022 in respect of Called-in Item: ePetition: CYC solve the University related parking, don't just MOVE it, along with the Committee's remit and powers in relation to the call-in.

The decisions were contained in the extract from the relevant Decision Sheet at Annex A to the report. The original report to the Executive Member Decision Session was attached as Annex B. The decision had been called in by Cllrs Warters, Doughty and Rowley for the following reasons:

- a) "The petition requested a solution to the University-related parking problem that the Executive Member and associated Officers have by virtue of their earlier actions and decisions simply moved from one community to another.
- b) The 'decision' on the 19 April was in reality to ignore the requests of the petition and to do nothing.
- c) We find this unacceptable and request the call in of this decision."

Under the provisions of the council's constitution and the requirements of Local Government Act 2000, the following options were available:

- A Not to refer the matter to Executive, in which case the original decision would be confirmed, or
- B Refer the matter to Executive with specific recommendations.

At the invitation of the Chair, two of the Calling-In Members addressed the committee, explaining in more detail the reasons for the calling-in, and then they responded to questions put by Members. The Executive Member for Transport then addressed the committee to explain his reasons behind his decision and to respond to Members' questions. Officers responsible for the report at Annex B were then invited to address any issues raised by the Calling-In Members and they also answered questions from Members of the Committee.

The Executive Member and Officers responded in detail to questions put to them relating to:

- Civil enforcement responsibilities relating to badly parked vehicles;
- Double yellow lines on Tranby Avenue and traffic restrictions in the area;
- Residents parking schemes in Badger Hill and elsewhere;
- The Travel Plan for the University of York and potential arrangements under the Bus Services Improvement Plan designating park and ride sites into multi modal travel points with overnight parking;
- The responsibilities of the Transport Department in general, including the Schools Travel Team, to work with others to secure the fullest possible engagement with alternative modes of transport in the area concerned.

At this point, the Chair noted that a 'concessions offer' had been made by the Executive Member to work with Ward Members and Officers around his original decision regarding appropriate traffic restrictions in the area. The Chair then received procedural advice from the Head of Democratic Services and the Director of Governance and in light of the concession made by the Executive Member, and confirmation of what was achievable by Officers, he suggested that the call in need not proceed any further on the basis of the following specific concessions:

- The engagement with Archbishop Holgate School and the University of York would not be limited to just the council's Schools Travel Team.
- The review of the Travel Plan would follow high-level negotiations between the council and the University of York and include consultation with the Students Union and Ward Councillors before consideration at a future Decision Session of the Executive Member for Transport.
- There would be continued enforcement of parking in the area, where possible.
- A Commissioned Scrutiny meeting would take place within the next 6 months to examine either the Section 106 agreements or the Travel Plan, with the University, before consideration by the Executive.

Page 4

The Chair invited a vote in favour of the above 'concessions offer' and it was:

Resolved: That the call in be not proceeded with further and the 'concessions offer' made by the Executive Member and set out above be unanimously agreed

Reason: In view of the concessions offered by the Executive Member there were no grounds to proceed further with the call in.

Cllr J Crawshaw, Chair [The meeting started at 2.07 pm and finished at 4.00 pm].

City Of York Council	Committee Minutes
Meeting	Customer and Corporate Services Scrutiny Management Committee (Calling In)
Date	9 May 2022
Present	Councillors Crawshaw (Chair), Baker, Hook (Substitute), Musson, Norman, Vassie (Substitute), Wann (Substitute) and Daubeney (Substitute)
Apologies	Councillors Fenton, Hollyer, Orrell, Pearson and Rowley

14. DECLARATIONS OF INTEREST

At this point in the meeting, Members were asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. No additional interests were declared.

15. PUBLIC PARTICIPATION

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

16. CALLED-IN ITEM: REVIEW OF THE "CONTROLLING THE CONCENTRATION OF HOUSES IN MULTIPLE OCCUPATION" SUPPLEMENTARY PLANNING DOCUMENT 2012 (REVISED 2014) IN RESPONSE TO THE COUNCIL MOTION OF DECEMBER 2021

Members considered a report which set out the reasons for the call-in of the decisions made by the Executive on 21 April 2022 in respect of the review of the "Controlling the concentration of Houses in Multiple Occupation" Supplementary Planning Document 2012 (revised 2014), along with the Committee's remit and powers in relation to the call-in.

The decisions were contained in the extract from the relevant Decision Sheet at Annex A to the report. The original report to the Executive Member Decision Session was attached as

Annex B. The decisions had been called in by Cllrs Doughty, Kilbane, Pavlovic and Warters for the following reasons:

- a) "The decision reached does not satisfy the will of Full Council with regard to the motion approved on the 16th December, something of a constitutional anomaly but also the decision from Executive;
- b) Does not provide any explanation as to why a review of this HMO SPD cannot take place alongside and separate from the LP process to assess best practise policies and thresholds as used by other local authorities;
- c) Indicates that the current HMO SPD and its use when assessing new HMO applications is 'robust' when clearly it is not and has not been for some years now based on planning application determinations and of course the report from the LGSCO."

Under the provisions of the council's constitution and the requirements of Local Government Act 2000, the following options were available:

- A not to refer the matter to Executive, in which case the original decision would be confirmed, or
- B refer the matter to Executive with specific recommendations.

At the invitation of the Chair, two of the Calling-In Members, Cllrs Warters and Pavlovic, addressed the committee in turn, explaining the reasons for the call-in and their individual positions on the Full Council motion. They also responded to questions from Members of the committee. The Executive Members for Economy and Strategic Planning, Finance and Performance and Housing and Safer Neighbourhoods then addressed the committee to explain the reasons behind the Executive decision and respond to Members' questions.

The meeting was adjourned from 19:05 to 19:13 for a break after which Members put questions to the officer responsible for the report at Annex 2.

During the responses to questions, Members were informed that:

- Short term holiday lets did not fall under the umbrella description of Houses in Multiple Occupation (HMO)
- It had not been considered the best course of action to ask the planning inspector for an informal view on the

proposed change to a Supplementary Planning Document (SPD). However, the officer report to Executive had not ruled this option out.

- Officers were willing to work with Members to draft effective motions.
- More frequent information from an HMO registration scheme would provide better data for planning purposes. The licensing of HMOs would improve the quality of the accommodation provided and would also contribute to the data set.

After a full debate which centred around the potential impact of delaying the Executive Member decision further on the progress of the Local Plan and the alleged failure to comply with the motion on HMOs approved by Full Council on 16 December 2021, it was moved by Cllr Vassie and seconded by Cllr Daubeney that:

Option A be approved and the original decision not be referred to Executive.

A vote was taken it was

Resolved: That Option A be approved and that the

original decisions be not referred to the Executive for further consideration.

Reason: There being no agreed grounds to refer the

decisions to the Executive for reconsideration.

Cllr J Crawshaw, Chair [The meeting started at 5.32 pm and finished at 7.52 pm].





Customer and Corporate Services Scrutiny Management Committee (Calling In)

27 June 2022

Report of the Director of Governance

Called-in Item: Consideration of Results from the Consultation about Parking restrictions in relation to Cavendish Grove, Tranby Avenue and Moore Avenue/Osbaldwick Lane Junction

Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive Member for Transport on 17 May 2022 in respect of the above item. The report also sets out the powers and role of the Customer and Corporate Services Scrutiny Management Committee (Calling-In) in dealing with the call-in.

Background

- 2. An extract from the Decision Sheet published after the Executive Member Decision Session on 17 May is attached as Annex A to this report. This sets out the decisions taken on the called-in item. The original report to the Executive Member, together with its annexes, is attached at Annex B.
- 3. The decisions have been called in for review by the Customer and Corporate Services Scrutiny Management Committee (Calling-In) by Cllrs Warters, Doughty and Rowley, in accordance with the Constitutional requirements, for the following reasons:-
 - "The decision fails to respect the views of the majority of respondents to the 'consultation' and therefore once again brings the term 'consultation' into disrepute by CYC.
 - The decision seeks to impose double yellow lines onto sections of carriageway that are already covered by Highway Code obstructive parking that is adequately covered and can already be enforced by NYP who work closely with the Parish Council and Ward Councillors already.

- As residents have already pointed out after the webcast of the decision session the double yellow lines as passed by the Executive Member will make the parking situation worse for them.
- The reason advanced for introducing such restrictions is supposedly 'safety' and yet the restrictions as passed by the Executive Member clearly fail to address the problem of University related parking, which if parked where it should be would remove the need for any restrictions, fail to address genuine safety concerns further down Tranby Av which will likely be made worse by this imposition as parking is just moved.
- Passing of the double yellow line restrictions by the Executive Member so soon after Scrutiny was assured that CYC would be engaging with York University to seek solutions to the problem of University related parking is an admission that the Executive Member and Highway regulation staff have no faith in that initiative and have previously misled Scrutiny as to the likely effectiveness and/or sincerity of those involved in promoting such an approach.
- There was absolutely no consideration throughout this process of the use of single yellow lines for example with parking restrictions imposed from 9.00 am to 5.00pm which would effectively stop the long term dumping of University and school related parking whilst inconveniencing residents the minimum.
- The whole process has degenerated into a face saving exercise for highways officers to daub useless double yellow lines to carry on the long term aim of not solving the University related parking chaos the very same staff and Executive Member have deliberately transferred into Osbaldwick and Murton and to create as much disruption as possible in furtherance of pursuing Respark expansion this is not how a responsible Local Authority Highways function should operate.
- As call in Members who have followed this process closely and the many other traffic related matters under the Executive Member's portfolio these last three years we have no confidence in the ability of the Executive Member to reach impartial decisions on matters like this and see this deliberately created situation and lack of will and action to solve the issue of displaced University related parking as an abuse of office."

Consultation

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

Options

- 5. The following options are available to the CCSMC (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 decide that there are no grounds to make specific recommendations to the Executive in respect of the decision called in. If this option is chosen, the original decisions taken on the item by the Executive Member will be confirmed and will take effect from the date of the CCSMC (Calling-in) meeting; or
 - b) To make specific recommendations to the Executive on the decisions called in, in light of the reasons given for post-decision call-in. If this option is chosen, the matter will be considered at a meeting of Executive (Calling-In).

Analysis

6. Members need to consider the reasons for the call-in and the original report to the Executive Member and form a view on whether there is a basis to make specific recommendations to the Executive in respect of the decisions called in.

Council Plan

7. There are no direct implications for this call-in in relation to the delivery of the Council Plan and its priorities for 2019-23.

Implications

8. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to handling the call in of the issue under consideration.

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 reasons for calling in these decisions and decide whether they wish to confirm the decisions or to refer them to

Executive for reconsideration and make specific recommendations to the Executive on the decisions called in.

Reason: 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: Chief Officer Responsible for the report:

Dawn Steel Janie Berry

Head of Democratic Services Director of Governance dawn.steel@york.gov.uk Tel: 01904 555385

Tel: 01904 551030

Report Approved | $\sqrt{}$ Da

Date: 16/6/22

Wards Affected: Osbaldwick and Hull Road

For further information please contact the author of the report

Annexes

Annex 1 – Extract from the Decision Sheet produced following the Executive Member Decision Session on 17 May 2022, setting out the decisions made on the called-in item.

Annex 2 – Report of the Director of Transport, Environment & Planning to the Executive Member Decision Session on 17 May 2022.

Annex 1

Decision Session - Executive Member for Transport

Tuesday, 17 May 2022

Decisions

Set out below is a summary of the decisions taken at the meeting of the Decision Session Executive Member for Transport held on Tuesday, 17 May 2022. 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 Services no later than 5pm on Thursday 19 May 2022.

If you have any queries about any matters referred to in this decision sheet please contact Robert Flintoft.

4. Consideration of results from the consultation about Parking restrictions in relation to Cavendish Grove, Tranby Avenue and Moore Avenue/Osbaldwick Lane junction

Resolved:

 Implement junction protection on Tranby Avenue at it junction with Hull Road and Cavendish Grove with its junction with Tranby Avenue and explore possibility of restrictions to maintain safety at the bus stop on street.

Reason: The Junction protection will increase safety at these locations and also allow York Council Civil Enforcement Officers the ability to enforce obstructive parking near the junctions, which was the original complaint. This will also respect the views of the residents and not remove their ability to park in the area if required.

ii. is recommended that approval be given to implement as proposed for the Moore Avenue/Osbaldwick Lane Junction.

Reason: The introduction of restrictions at this location will

provide clearer sight lines for pedestrians using the tactile crossing while crossing this junction and

improve pedestrian safety.



Decision Session: Executive Member for Transport and Planning

17th May 2022

Report of the Director of Transport, Environment and Planning

Consideration of results from the consultation about Parking restrictions in relation to Cavendish Grove, Tranby Avenue and Moore Avenue/Osbaldwick Lane junction

Summary

1. To report the consultation results in response to the proposed 'No Waiting' at any time restrictions for Cavendish Grove, Tranby Avenue and Moore Avenue/Osbaldwick Lane junction and to determine what action is appropriate.

Recommendation

- 2. The Executive Member is asked to:
 - a. It is recommended that a less restriction is implemented, to provide junction protection on Tranby Avenue at it junction with Hull Road and Cavendish Grove with its junction with Tranby Avenue. Reason: The Junction protection will increase safety at these locations and also allow York Council Civil Enforcement Officers the ability to enforce obstructive parking near the junctions, which was the original complaint. This will also respect the views of the residents and not remove their ability to park in the area if required.
 - b. It is recommended that approval be given to implement as proposed for the Moore Avenue/Osbaldwick Lane Junction. Reason: The introduction of restrictions at this location will provide clearer sight lines for pedestrians using the tactile crossing while crossing this junction and improve pedestrian safety.

Background - Cavendish Grove & Tranby Avenue

- 3. We received complaints from residents of Cavendish Grove and Tranby Avenue about vehicles parking near to junctions and causing issues for vehicles entering and exiting the streets. Tranby Avenue is a bus route and resident did state that buses were having to enter Tranby Avenue from Hull Road on the wrong side of the road.
- 4. We hand delivered consultation information on 14th January 2022 (Annex A) to provide residents with information on the proposal and offer them the opportunity to provide representation on the proposal.
- 5. The Council received a petition in January 2022 (led by Cllr Warters), which requested that City of York council investigate and seek to resolve parking related issues in the geographic area of the University of York. This was considered at the April Executive Member for Transport Decision Session, this has been called in and will be considered at Customer and Corporate Services Scrutiny Management Committee on the 9th of May.

6. Resident Comments

During the consultation we received 15 representations in objection (Annex B) and 4 in support (Annex C) to the proposed restrictions. The majority of representations in objection to the proposal were in relation to three main factors, which are:

- That restrictions are not required at the junctions as this is covered by the requirements of the Highway Code, restricting vehicles from parking within 32 feet of a junction, which can be enforced by North Yorkshire Police for obstructive parking.
- The issue of vehicles parking in this location has come about due to the introduction of a nearby residents parking scheme that has been introduced.
- The University of York should offer free parking in their car parks for staff and students and not rely on nearby streets at the inconvenience of residents.
- 7. There was also concerns that the introduction of restrictions would lead to residents removing front gardens and grass verges to create 'concrete gardens', which would be in contradiction to a recent initiative that the Parish Council has taken forward. There is also a concern that the introduction of these proposed restrictions would move the issue further in to the village and eventually lead to the introduction of a residents

parking scheme, which is not something that the residents would be open to.

8.

The representations received in favour of the proposal were in relation to the danger that the vehicles parking on the street are creating and there was some requests to extend the length of proposal, to increase safety at the bend and near the bus stop on Tranby Avenue. There was a request for planters to be placed in the verges to help protect and stop the over running of the grass verge that is currently happening.

Officer Comments

- 9.

 The representations in objection are correct that the vehicles parking within 32 feet of a junction can be enforced by North Yorkshire police but this is not currently happening and as the highway authority has been made aware of the current situation we cannot ignore the matter and allow the parking that is obstructing the junction to continue.
- The Resident Parking Scheme was introduced and paid for by the University of York due to the requirement of a legal agreement under Section 106 of the Town & Country Planning Act 1990 in association with a Planning Application. The Highway Authority undertook the legal work to facilitate the introduction of the Residents Parking Scheme in line with the requirements of the Section 106 Agreement due to the Parking levels on the associated streets. A survey of parking levels in the University of York (Annex D) has been undertaken and it shows that parking levels within the University of York Car parks are utilised (with exception of some parking that was out of use at the time of the survey).
- Option 1: Implement the restrictions as proposed.
 This is not the recommended option as it does not represent the views of the residents and negatively affects their ability to have visitors.
- Option 2: Implement a lesser restriction to provide junction protection on Tranby Avenue at it junction with Hull Road and Cavendish Grove with its junction with Tranby Avenue. (Recommended Option)

 This is the recommended option as the Junction protection will increase safety at these locations and also allow York Council Civil Enforcement Officers the ability to enforce obstructive parking near the junctions, which was the original complaint. This will also respect the views of the residents and not remove their ability to park in the area if required.

13. Option 3: No Further Action

This is not the recommended option, as the potential danger associated with vehicles having to enter/exit the roads on the wrong side of the road will still remain.

Background - Moore Avenue/Osbaldwick Lane Junction

- 14. A resident raised an issue of vehicles parking very close to the junction leading to pedestrians having difficulties clearly seeing oncoming traffic when crossing the junction. Two site visits witnessed vehicles parked entirely on the footpath and very close to the junction.
- 15. We hand delivered consultation information on 22nd October 2021 (Annex E) to provide residents with information on the proposal and offer them the opportunity to provide representation on the proposal.

Residents Comments

16. During the consultation process we received two representations, one representation in support and one in objection of the proposal. The representation in support stated:

I am in total support of this as it gets ridiculous at the school drop off and leaving times. Also, I would like to put on record that I would like the yellow lines extending slightly more than the 10 metres as I have a drive with a dropped kerb that is unusable due to cars parking opposite on Moore Ave.

17. The representation received in objection stated:

My objection is based on the need for a wider review of the traffic issues in this area, especially Osbaldwick Lane where there is a significant problem with vehicles parking on the footway. This is dangerous for pedestrians, causes blockages and prevents the proper use of bus stops in the area. The introduction of Yellow Lines at the junction of Moore Avenue and Osbaldwick Lane in isolation will only make matters worse. These yellow lines are needed but must be done in conjunction with a

package of changes that deal with the bigger problem.

Officer Comments

- 18. Both representations received agreed that these restrictions are required to improve pedestrian safety at this location but one is requesting that more is done in the local area. A request for more safety improvements should not put a stop to proposed restrictions which will increase safety, just as the implementation of this proposal will not put a stop to any further improvements in the area.
- 19. **Option 1**: Implement the restrictions as proposed (Recommended Option).

This is the recommended option because it allows for the introduction of restrictions at this location, which will provide clearer sight lines for pedestrians using the tactile crossing while crossing this junction and improve pedestrian safety.

20. Option 2: No Further Action

This is not the recommended option as the safety concerns related to pedestrian visibility at the junction would still be there.

Consultation

21. The consultation documentation is reproduced within this report as Annex A and Annex E.

Council Plan

- 22. The Council Plan has Eight Key Outcomes:
 - Well-paid jobs and an inclusive economy
 - A greener and cleaner city
 - Getting around sustainably
 - Good health and wellbeing
 - Safe communities and culture for all
 - Creating homes and world-class infrastructure
 - A better start for children and young people
 - An open and effective council

The recommended proposal contributes to the Council being open and effective as it responds to the request of the residents to solve the problems they are experiencing.

Implications

23. This report has the following implications:

Financial –The cost of implementation will be covered by the developers.

Human Resources – If implemented, enforcement will fall to the Civil Enforcement Officers necessitating an extra area onto their work load.

Equalities – None identified within the consultation process.

Legal – The proposals require amendments to the York Parking, Stopping and Waiting Traffic Regulation Order 2014: Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply

Crime and Disorder - None

Information Technology – None

Land - None

Other - None

Risk Management - There is an acceptable level of risk associated with the recommended option.

Contact Details

Author:

Darren Hobson

Traffic Management Team

Leader

Transport

Tel: (01904) 551367

Chief Officer Responsible for the report:

James Gilchrist

Director for Transport, Highways and

Environment

Date:9/5/222 Approved: X

Wards Affected: Osbaldwick and Hull Road

For further information please contact the author of the report.

Annexes:

Annex A: Residents Consultation Letter Cavendish Grove Tranby Avenue

Annex B: Representations of Objection Annex C: Representations in Favour

Annex D: Survey Report

Annex E: Residents Consultation Letter Moore Avenue-Osbaldwick Lane





The residents of: Cavendish Grove; 333 & 335 Hull Road; 1 – 9 (odd) & 2 – 24 (even) Tranby Avenue; York

Page 23

Place Based Services

West Offices Station Rise York YO1 6GA

Contact: Darren Hobson Tel: 01904 551367

Email: darren.hobson@york.gov.uk

Ref: ADB/DH/516

Date: 14th January 2022

Dear Occupier

Proposed Waiting Restrictions - Cavendish Grove & Tranby Avenue, York

It is proposed to introduce 'No Waiting at any time' restrictions in Cavendish Grove & Tranby Avenue, York to the extent described in the 'Notice of Proposals' (Notice) and as set out in the plan. This is to maintain safety at a location being adversely affected by indiscriminate/obstructive parking. Should you require any further information in regard to this item then please contact the project manager, Darren Hobson, telephone (01904) 551367, email darren.hobson@york.gov.uk.

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

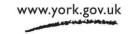
Yours faithfully

Darren Hobson Traffic Management Team Leader Network Management

Enc. Documentation

Director: Neil Ferris

Cc – Cllr Martin Rowley & Cllr Mark Warters



Page 24 <u>CITY OF YORK COUNCIL</u> <u>NOTICE OF PROPOSALS</u> <u>THE YORK PARKING, STOPPING AND WAITING (AMENDMENT) (NO 14/52)</u> TRAFFIC ORDER 2022

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

Introducing 'No Waiting at any time' restrictions in Murton, as follows:

- (a) Cavendish Grove, on both sides, between the projected western kerbline of Tranby Avenue and a point 15 metres west from the said line;
- (b) Tranby Avenue, on both sides, from the projected northern kerbline of Hull Road to a point 15 metres north from the projected centreline of Cavendish Grove.

A copy of the draft Order, Statement of Reasons for making it and relevant maps can be inspected at the Reception, West Offices, Station Rise, York, during normal business hours. Objections or other representations specifying reasons for the objection or representation should be sent to me in writing to arrive no later than 4th February 2022.

Dated: 14th January 2022 Director of Economy & Place

Network Management, West Offices, Station Rise, York, YO1 6GA

Email: highway.regulation@york.gov.uk



www.york.gov.uk

Director: Neil Ferris

This email should be taken as an objection to the "No Waiting at any time" proposal as stated in your letter dated 14th January.

Please see the attached photographs taken yesterday of the traffic congestion on Tranby Ave (approx. 50 yards from Cavendish Junction) caused by students from the university, parking

indiscriminately/obstructive on the public highway for days and sometimes weeks on end, rather than using the empty car parks at the university.

The issue with parking in the area has become worse since the introduction of the residents parking scheme on Badger Hill. The addition of further restrictions on Tranby Avenue and Cavendish will just make the problem in our area much worse. Cars that will be displaced by the introduction of double yellow lines will only move further down Tranby Avenue making the current situation worse and even more dangerous.

Any vehicles parked causing an obstruction and that contravene the Highway Code should be enforced by NYP and does not constitute a reason for imposing double yellow lines.

The answer is not to continue to push the issue further into Osbaldwick by adding further restrictions but to address the cause of the problem, which you are aware of and has been well documented.

I trust you will see sense on this matter.

Thank you

I would like to register my objection to the above proposal and double yellow lines.

I have been a resident of Osbaldwick for many years and, until recently when parking has been forced into our village from the university and surrounds, we have not had an issue.

I am not aware of a single incident occurring before the Badger Hill scheme, residents parking or Respark I think it is called, was introduced; albeit I presume that Badger Hill residents had similar issues.

I am genuinely incensed at the lack of awareness of, or unwillingness to do anything about, the actual issue.

The university car parks are totally empty, albeit with cash raising meters all over the place I noted on my last visit, and surely they were originally planned for use by staff and students (plus related visitors or contractors).

I'm sure that planning permission for such extensive parking would have been refused if the design brief had stated "Parking for staff, free, and for very wealthy students whom can afford the luxury but everyone else can park in Badger Hill (now Osbaldwick)" now would it? There has been a significant increase in parking in Osbaldwick since the Badger Hill scheme then moved the problem here.

Making our villagers effective parking areas smaller will only make the problem worse in my opinion.

Please do not add yellow lines to our village, or heaven forbid even propose an unnecessary residents parking scheme with the cost that comes along with it (I have had experience previously in the city!), and note my objection to the current inappropriate course of action.

I do not know what planet you and York City Council are living on, that you are willing to make the residents of Osbaldwick and Badger Hill (although Badger Hill has been taken over by HMOs housing students) suffer and are quite unconcerned that there will be a major accident because you are too cowardly to take on the University. One thing I am certain of is that none of you live in Osbaldwick otherwise this problem would have been resolved.

We are the people who pay your salaries (which you are always giving yourselves a raise), pay Council Tax, no student in York who lives in a HMO pay and neither do the people who own these properties!! You have absolutely no idea how many HMO's there are, yet you bend over backwards to accommodate the University (the money you spent on renovation and have then leased it to the University) Council Tax payers money.

The thousands of pounds you paid to get rid of a council member for which you were reported for by the Auditor, again York Residents money.

I lived for the first 60 years of my life in the same house, ten years ago I had no option but to move because of students, shooting air rifles at tin cans at 1am in the morning. Having wild parties in the garden and throwing tine cans at my garage door whilst I was nursing my dad through terminal cancer also drug taking. The University did nothing nor did the Council. You are allowing Osbaldwick to be taken over in the same manner as the Hull Road area.

Students are always moaning about how poor they are, ask yourselves how come that a large percentage are running about in cars!! If they can afford to run a car they should be able to pay car parking fees on University property.

I totally support what Mark Warters stated (see below) you are only making the lives of the residents of Osbaldwick unbearable.

The imposition of double yellow line parking restrictions here or indeed anywhere on the highway network achieves absolutely nothing to solve a problem all that results is a moving of the problem along the highway leading of course to the highway authority proposing a greater and greater length of such restrictions.

This proposal involves parking restrictions at two junctions, the one at Cavendish Grove and the Junction of Tranby Avenue and Hull Road, both junctions are covered by the requirements of the Highway Code, parking within 32 feet of these junctions can be enforced as obstructive parking by North Yorkshire Police, there is no need for double yellow line restrictions to maintain safety at these junctions.

If such restrictions are imposed the obvious consequence will be to create more parking further down Tranby Avenue to the detriment of highway safety.

I also object to the council tax paying residents of Osbaldwick and Murton in that location being inconvenienced on the odd occasions they may need to park outside their properties or have workmen, visitors etc and find they can no longer park due to these proposed restrictions to alleviate problems caused by CYC.

There were eight cars parked round the bend in Tranby this morning, last week my neighbour from Kirkdale Road had to serve onto the grass verge to avoid a head on collision, the car was also travelling at speed (probably hoping to get past the parked cars quickly). Common sense should tell you that hat you are proposing will only move the problem further down Tranby Avenue, and onto Bedale and other roads off Tranby.

I am sure you will already have had many emails on this proposal. This will not solve the problem. It will just push it further down Tranby Avenue & into the side streets. The main problem is people parking at the bend in the road in Tranby Ave as when driving towards Hull Road you cannot see if there is another car approaching past the long, (very long) line of parked cars.

Could the owners of the cars be approached & asked why they are parking there?

Why is the University not taking responsibility for the problem as I feel sure that many of these cars belong to students or staff from the University.

I am not sure of the answer to the problem but the one you have so far proposed will be of no use at all for the reasons stated above. Thank you for reading this email.

I would like to object to your recent proposal regarding yellow lines and residents permits.

I am a local resident that has to avoid the parked cars on the narrow road of Nursery Gardens from the students studying at Archbishop Holgate School. This situation could easily be solved if both the University and AHS allowed free parking in their grounds. The narrow streets of Osbaldwick will not benefit from either yellow lines or a permit scheme.

I would like to object to your recent proposal regarding yellow lines and residents permits.

I am a local resident that has to avoid the parked cars on the narrow road of Nursery Gardens from the students studying at Archbishop Holgate School. This situation could easily be solved if both the University and AHS allowed free parking in their grounds. The narrow streets of Osbaldwick will not benefit from either yellow lines or a permit scheme.

Please accept this email as a complete objection to the "No Waiting at Any Time" restrictions proposed on Tranby Avenue and Cavendish Grove.

I really do not see why you are required to double yellow the top of Tranby Avenue near the roundabout and the corner of Cavendish Grove as the junctions are protected and enforceable by the Highway Code as cars should not be parking within 32 feet of a junction anyway.

The issue with parking has only become apparent following the introduction of the respark scheme at Badger Hill and beyond. The addition of further restrictions on Tranby Avenue and Cavendish will just exaserbate the problem in our area. Cars parking on the end of Cavendish Grove and Tranby will be forced to park further into the Cavendish Grove small cul-de-sac making the situation untenable for the residents. We already have an issue with cars parking either side of the street making it difficult to get down the street and on and off driveways. It will also make parking worse further down Tranby Avenue where the bend is. The parking there is already making the use of the road unsafe.

The answer here is not to continue to push the issue further into Osbaldwick by adding further restrictions. Residents parking is also not the answer as it is not something the residents of my street are willing to pay.

At what point will York Council realise that there wouldn't be a problem in this area if you hadn't introduced the Respark at Badger Hill?. It is high time that discussions were had with the university to enable free parking for their students and staff and to stop them parking in residential side streets.

I really hope that objections are considered and York Council really think about the knock on effects to residents in this area. No consultation with the Osbaldwick community occured when introducing the Badger Hill Respark and my previous objection to it fell on deaf ears.

I urge you to listen to the residents who are becoming increasingly fed up problems created by York Council.

Osbaldwick PC fully support the stance taken by Councillor Warters with regard to ADB/DH/516 and strongly OBJECT to the proposal for double yellow line parking restrictions which will merely move a problem rather than solve it.

The PC are in the third year of offering free small trees to residents to plant in front gardens to improve the look and environment of the area in a small way, this was after all suitable Verge planting areas for street trees were used.

Imposing double yellow line parking restrictions on Tranby Avenue, spreading a parking problem expressly created by CYC further across Osbaldwick and then CYC likely trying to impose a Respark on the whole of Osbaldwick will lead to the wholesale removal of gardens and likely verges across the Parish to create 'concrete gardens' for parking with adequate examples of such affects over in Badger Hill, Newlands Park Drive etc etc.

The PC have tried in a small way to green front gardens in the Parish it appears CYC are looking to compromise such initiatives.

Further to the proposal to introduce waiting restrictions to part of Tranby Avenue and Cavendish Grove, Murton Parish Council feel that this will only move the problem further down Tranby Avenue or elsewhere within Osbaldwick, which would then lead to a greater profusion of yellow lines to try and alleviate the problem caused by the initial proposal.

The two junctions which will be affected by the restrictions surely come under the Highway Code advice/requirement of not parking within 32 feet of a junction and so any vehicles parked within that distance should be dealt with by North Yorkshire Police for obstructive parking.

We believe the problem has been made worse by the extension of the Badger Hill Resident Parking Scheme and the car park charging fees levied by the University of York which has displaced these vehicles into surrounding streets and that the proposed waiting restrictions are not the solution. Perhaps the University could be prevailed upon to

open some of their ample spare land for free parking for students and visitors in an effort to clear the neighbouring roads.

We have just received notice of this proposal dated 14th January. Whilst we note that any objections should arrive no later than 4th February we would like our objection to be considered as owners of the property.

Our property is rented each year to students and none of our tenants have owned a car in recent years. We have not been informed on any difficulties regarding parking on Tranby Avenue so we would be grateful to see any evidence of this on the street.

In our opinion, imposing parking restrictions would merely cause any people to park on the path or grass verge which would be a greater problem to the local environment and to pedestrians. Alternatively, we believe any indiscriminate / obstructive parking would simply be moved further down Tranby Avenue and Cavendish Grove.

Could we suggest that if parking is deemed to be a problem then restrictions could be limited to residents only during key times. Many thanks for considering our objections. We would be happy to be contacted to receive any information you have or to discuss this further.

I write to object to the above proposed double yellow lines on a small section of Tranby Avenue and Cavendish Grove. This plan will not maintain the safety at a location being adversely affected by indiscriminate/ obstructive parking because the problem is already worse further down Tranby Avenue where the road bends and where I have witnessed an accident. The proposal will cause more vehicles to be parked further down Tranby Avenue and other adjoining streets increasing the hazardous situation for drivers, cyclists and pedestrians and obstructing buses and emergency vehicles. Extending the double yellow lines will just push the problem further and further into the village, it also penalises residents or their visitors who want to park outside their homes. The issues on Tranby Avenue only started in October 2021 when residents parking was introduced in Badger Hill. The parking issues on Badger Hill have just been pushed onto Tranby Avenue and the current proposal will just push the problems elsewhere too. Hoping you can come up with a better solution to solve the problem whilst not penalising residents.

As a resident of Osbaldwick for 52 years I wish to object to the proposal to double yellow line part of Tranby Avenue. This will only move the problem further down the avenue and make the situation

worse in Cavendish grove.

I am sure you are aware those parking are there because of the Badger Hill restrictions and the University of York attitude to campus parking. Please find a solution that addresses the cause of the problem.

With regard to the attached TRO I wish to object in the strongest possible terms to these proposals put forward to alleviate parking problems expressly created by the CYC Highway Regulation department and the Executive Member for Transport when the Badger Hill Residents Parking Scheme was extended without any thought as to the displaced University related parking and displaced Archbishop Holgate's school parking was going to go.

I initially bought this was down to the incompetence of those involved but now, especially in the light of this TRO believe this situation has been brought about as the result of deliberate, malevolent acts by those involved and especially with regard to the Executive Member for Transport a mindset devoid of practical reality.

I also believe that this initial proposed imposition of double yellow line parking restrictions is merely the start of another anti-car led CYC initiative that will led to double yellow lines being daubed for many more yards along Tranby Avenue and side streets before CYC offer residents the poison pill of a Respark scheme across the whole of Osbaldwick to solve the issues that CYC have created.

Before stating my reasons for objection might I point out that the legal measurement for the public highway in the UK is miles and yards, road signs have to be in miles and yards and yet on TROs you are using metres, if you are going to use metres then it ought to be in brackets as a secondary measurement after the distance is displayed in yards, I'll forward these concerns to the Transport Minister.

We wish to strongly object to the proposed waiting restrictions on Tranby Ave and Cavendish Grove. Although we live further along off Tranby Avenue this proposal will eventually impact on all residents living in Osbaldwick. Does this mean that eventually we will follow in the footsteps of Badger Hill and have the ResPark Scheme? It seems that it is human nature to use a car rather than walk or cycle, so the problem of car parking will never go away. This particular problem seems to stem from students and staff working at the University parking nearby rather than paying for parking on the campus. Surely 'the powers that be' at the University need to recognise what an impact this has on residential areas and meet with

the Council to try and come to an agreement. The volume of students is on the increase and by the end of the decade we understand that it will be in the region of 30,000!

This is a great cause for concern. Something must be done now, as you will be simple moving the problem to another area. The University must be encouraged to provide sufficient car parking spaces for the future.

I write to express concern over the number of cars parking in Tranby Avenue creating obstructions to moving traffic and inconvenience to residents.

Mark Warters has raised this issue with you. I agree with him that this issue must be resolved between the University who's staff are mainly responsible for parking and CYC.

Installing yellow lines is simply not the answer especially when there is more than sufficient parking on the University Campus. It is time the University took responsibility for their staff parking and not dump it on the residents of Osbaldwick.

I wish to object to the 'No Waiting at any time' restrictions proposed in Cavendish Grove and Tranby Avenue, I believe this to be a complete waste of tax payers money.

The restrictions will unnecessarily reduce the number of available on street parking spaces for residents and visitors, they are an unnecessary measure if people obey the highway code.

I believe that the indiscriminate/obstructive parking should be controlled by way of issuing penalty notices to vehicles parking illegally.

I refer to the Highway Code Rule 243 which states, Do not stop or park:

- Anywhere you would prevent access for emergency services
- At or near a bus stop (Cavendish Grove bus stop serves both sides of the road)
- Opposite or within 10 metres of a junction
- On a bend

No restrictions are required, just penalty notices to those who are not obeying the law.

In addition, I would like to add that many of the vehicles causing the problem belong to people attending the University of York and I suggest that the University address the issue by providing on site free parking to remedy the issue.

One of the people parking outside my property daily has told me they park there because the University has refused to allow them to have a parking permit.

I request that you take my objections into consideration before making a decision.



Thanks for your letter regarding the double yellow lines due to the problem with University parking.

I'd like to add that I think it doesn't go far enough and needs to come to at least No. 17 Tranby Avenue because of the problem with cars parking opposite the bus stop and completely blocking the road. As you know, this problem has been caused by stopping the university from parking in Badger Hill so all this proposal will do is force the problem further down the avenue. As it's already so dangerous on the curve that starts at my house it will only get worse.

I know that the 20 limit will not be enforced but it was introduced to make the avenue safer and now, due to all the displaced university parking, it's the most dangerous it's ever been.

As soon as the cars are parked it's causing constant issues with the bus, general traffic, getting into or out of any of the drives etc and the proposal will not solve any of this.

I hope this proposal can be extended further down the street, the chicane the parking is creating is not very safe.

Thank you for your letter dated 14th January which I received last week.

I am emailing to state that I welcome and support the proposed introduction of the restrictions but need to raise concerns as to the 'knock on' effects this will have further down Tranby Avenue. Since moving to my property in 2010, I have witnessed the introduction of a new bus route (number 20) which now travels down Tranby Avenue into Osbaldwick Village with no official bus stops introduced yet the bus still stops and at times can wait outside my property which prevents me from leaving my drive as I have a lamp post which restricts movement of my vehicle. I could never understand why a bus would need to wait on Tranby Avenue when the University bus station is so close and it would be more sensible and safer for a bus to wait there?

More recently, we have seen a significant increase in university cars parking on Tranby Avenue due to the introduction of restrictions in Badger Hill. This is already causing major issues for the buses and residents to safely move along the road especially on the first bend which can become blind due to the numbers of cars parking there. This section of the road is equally being adversely affected by indiscriminate/obstructive parking

By introducing these restrictions, it will help at the top of the road but simply move this concern further down the road towards the blind bend which I can only assume will result in further health and safety issues arising. The ideal solution would be to extend the double yellow lines past the blind bend. This would ensure safe passage for the buses and all vehicles from the roundabout and past the blind bend.

I hope you will seriously consider this amendment to your current proposals.

With regard to your letter to some of my neighboring residents, dated 14th January 2022. I fully support whatever parking measures that the council wish to impose in this area.

Additionally, would you consider installing more roadside planters as installed elsewhere in Osbaldwick to prevent the grass verges becoming a third traffic lane for some particularly impatient and irate drivers!!!

May I apply for a roadside planter to be installed outside my house, how do I go about that? I would be happy to pay if required. Thank you

I just want to say I completely back these proposals. I live at 7 Tranby and see daily the impact of thoughtless parking and of an abundance of students' cars scattered everywhere at the top of Tranby. I wish more pressure could be put on landlords to provide more parking at their properties.

My only concern is that once this happens, the students who park at the top of Tranby will then start to park in Cavendish which is already crowded by cars - many of whom don't live on Cavendish. Can I ask what plans are place to avoid this?

Page 37

Survey of car park usage at University of York 11 November 2021

A visual survey of the occupancy of the University of York Car Parks was undertaken by Ian Stokes between 11:30 and 14:00 on Thursday 11 November 2021. The survey results are presented as 'approximate percentage occupied' or as otherwise indicated.

Car Park Locations are as shown in the following images:



Campus West car parks

Page 38

Survey of car park usage at University of York 11 November 2021



Campus East car parks

Campus West car park occupancy			
Car Park Ref. No.	Occupancy (%)	Comments	
1.2	100	Staff Permit Holders Only	
2.1	0	Not in use as a car park	
2.2	97	Staff Permit Holders Only	
		Some disabled spaces unoccupied	
2.3	5	Majority of car park taken up for site compound/storage	
2.4	100	Pay & Display	
3.1	60	Pay & Display	
6.1	100	Pay & Display	
6.2	100	Psychology car park with 5 reserved parking spaces	
6.3	95	Pay & Display	
		Occasional spaces unoccupied	
6.4	60	Pay & Display	

There are several other Staff Permit Holders Only car parks for various faculties on Campus West

Campus East car park occupancy			
Car Park Ref. No.	Occupancy (%)	Comments	
8.1	90	York Science Park Permit Holders Only Occasional spaces unoccupied	
9.1	100	Pay & Display and Park & Ride	
9.2	95	Pay & DisplaySome spaces unoccupied	

Note York Sports Village Car Park in Area 10 is for patrons only



Economy & Place Directorate

West Offices Station Rise York YO1 6GA

Email:highway.regulation@york.gov.uk

Ref: Annual Review Date: 22nd October 2021

Dear Resident/Occupier,

Proposed amendments to the Traffic Regulation Order -

It is proposed to introduce or amend traffic restrictions near to your property as described in the 'Notice of Proposal' attached and as set out in the accompanying plan. Should you require any further information in regard to this proposal then please contact:

highway.regulation@york.gov.uk

Your enquiry will be forwarded to the officer dealing with this issue.

I do hope you are able to support the proposals but should you wish to make representation in support or objection then please write, giving your grounds for objection, to the Director of Economy and Place at the address shown on the Notice or to the e-mail address above, to arrive no later than 14th May as specified in the Notice.

Yours faithfully

Traffic Management Transport

Enc: Notice of Proposals

Plan

CITY OF YORK COUNCIL NOTICE OF PROPOSALS THE YORK PARKING, STOPPING AND WAITING (AMENDMENT) (NO 14/50) TRAFFIC ORDER 2021

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

Introducing 'No Waiting at any time' restrictions in York as follows:

- (a) Moore Avenue, on both sides, between the projected north western kerbline of Osbaldwick Lane and a point 10 metres north west of the said line,
- (b) Osbaldwick Lane, on its north west side, between points 10 metres north east from the projected north eastern kerbline of Moore Avenue and a point 10 metres south west from the projected south western kerbline of Moore Avenue.

A copy of the draft Order, Statement of Reasons for making it and relevant maps can be inspected at the Reception, West Offices, Station Rise, York, during normal business hours. Objections or other representations specifying reasons for the objection or representation should be sent to me in writing to arrive no later than 12th November 2021.

Dated: 22nd October 2021 Director of Economy & Place

Network Management, West Offices, Station Rise, York, YO1 6GA

Email: highway.regulation@york.gov.uk

