

Meeting:	Executive Member for Transport Decision Session
Meeting date:	16/12/2025
Report of:	Garry Taylor
Portfolio of:	Councillor Ravilious Executive Member for Transport

Decision Report: Representations received to the advertised extension of the 'R65: Clifton Dale' residents parking scheme.

Subject of Report

1. To consider the representations received to the statutory advertisement, to implement residents parking (ResPark) restrictions as an extension of the existing R65 (Clifton Dale) zone to include properties on Compton Street, Rosslyn Street, Grove View, Westerdale Court, Compton Mews and Clifton (part). In addition to the advertised limited waiting bay on Compton Street to facilitate short term parking to assist local businesses.
2. A decision must be made to determine what action should be taken which benefits the community and takes into account the representations made.

Benefits and Challenges

3. The benefits are that we have met our statutory obligation to consult with relevant stakeholders providing them with the opportunity to voice their opinions or concerns and take those into consideration when reaching a final decision.
4. Any decision made may not be the desired results of all residents and could create other issues for residents or business owners in the local vicinity. Had we not consulted we would have breached our statutory obligations because of which we may have been considered to have acted unlawfully in respect of due process.

Policy Basis for Decision

5. Should a decision be made to implement the advertised scheme then this would support the majority of responses received during the informal consultation that were in favour of implementing ResPark restrictions along with complying and supporting the Councils Local Transport Strategy, including the specific focus area to: reduce car dependency by discouraging car use for journeys which could be made by sustainable modes.
6. In addition, it would support the councils Climate and Health commitments as described in the Council Plan, in particularly prioritising sustainable transport: *“We will work with the city, partners, residents and businesses to change the way we move through and around the city, prioritising sustainable transport and discouraging non-essential vehicle journeys”*.

Financial Strategy Implications

7. Should the advertised scheme progress to implementation the additional signing and lining required will be funded from the department’s signs and lines budget. The scheme would also put an additional pressure onto Parking Services for administration and Civil Enforcement Officers for ongoing enforcement.

Recommendation and Reasons

8. It is recommended that the Executive Member consider the advertised restrictions, and the representations received during the informal consultation and statutory consultation and approve an amendment to the York Parking, Stopping and Waiting traffic regulation order 2014 to extend the R65: Clifton Dale scheme to include properties on Compton Street, Rosslyn Street, Grove View, Westerdale Court, Compton Mews and Clifton (part). In addition, approve the advertised limited waiting parking bay on Compton Street to provide short term parking to accommodate local businesses.
9. This is the recommended option as it supports the councils recently adopted Motion for “Reforming Residents’ Priority parking

in York”(see item 18 here:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=1061&MId=14981>), removes on street commuter parking and supports

the Local Transport Strategy (LTS), (see item 16 here:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=14499>)

Background

10. A petition was received from Clifton ward councillors in May 2022 who sent paper surveys to properties on Westerdale Court, Rosslyn Street, Grove View and Compton Street requesting that residents returned the completed survey to advise if they had difficulty parking in the area and were in favour of residents parking restrictions. At the time the petition presented to the council included responses from 16 Properties with 11 being in favour of parking restrictions and 5 against. As such the area was placed on the residents parking waiting list.
11. Once the area reached consultation stage, we collated and hand delivered the relevant consultation documentation (informal consultation) to all properties included within the proposed extended R65 area in May 2025 requesting that residents and local businesses return their questionnaires, by email wherever possible or to the Freepost address provided, by Friday 23rd May 2025. The consultation documents, plan of the proposed extended R65 boundary and limited waiting restrictions are included within Annex A.
12. Due to a change in CYC procedures the results of the informal consultation, results of which can be seen within Annex B, were presented within an officer decision, this was as opposed to an Executive Decision Session. As the majority of the responses were in favour of ResPark restrictions being implemented within their area an Officer Decision was made to: Advertise an amendment to the Traffic Regulation Order and undertake the Statutory Consultation with the residents and local businesses to progress the proposed scheme to legal advertisement, please see the following for the documented Officer approval:
<https://democracy.york.gov.uk/ieDecisionDetails.aspx?ID=7500>.
This gives a further opportunity for representations to be received.

Consultation Analysis

13. During the initial consultation a total of 101 consultation documents were hand delivered to properties within the proposed extended R65 area. Of which 42 were returned with 27 in favour of introducing residents parking restrictions and 15 against any restrictions being implemented. Of the 42 responses in favour of a scheme 18 preferred a full-time restriction. The full table of returns is included within Annex B.
14. Written representations received during the informal consultation are included within Annex C. 3 were against the proposed resident parking scheme stating it was unnecessary and would cause a financial burden to residents. 11 representations were received in favour of restrictions being introduced mainly stating that a large amount of non-resident parking was taking place reducing the ability for residents to park within close proximity to their properties on a regular basis.
15. When the proposal progressed to Statutory Consultation documentation was hand delivered to residents within the advertised extended boundary, included as Annex D, in addition notices were placed on street and in the Press.
16. During the statutory consultation we received 5 further written representations against the introduction of ResPark restrictions (full responses are included within Annex E), the main concerns relate to the cost of permits and the effect the additional finance pressure would have on residents. Residents also suggested that they felt there was no evidence or justification to proceed to implementation and there are no current parking issues to resolve, as such they believe restrictions are not required and unnecessary.
17. It was also expressed that recent changes to transport provision by St Peters School for its students and staff has resulted in a positive improvement to parking within the residential area, as such restrictions are no longer required. It should be noted that if these changes have commenced, they are unenforceable and could be withdrawn at any time.

18. Representation in objection received from a resident of Clifton Dale residing within the existing R65 zone raised concerns about the ResPark boundary being extended to include additional streets due to an increase in traffic and parking which would be caused within the existing boundary, as such a separate scheme should be implemented. However, it is common officer policy to extend nearby existing residents parking zones rather than creating several small individual zones as this gives greater flexibility and does not isolate individual streets. As permits are required to park on Clifton Dale, should the advertised R65 extension progress, we would not expect parking to alter within the existing zone as non-residential parking will be removed from the proposed extended area allowing those residents to park more easily closer to their residing property.
19. 6 additional representations were submitted at the Statutory Consultation stage in support of the advertised restrictions (these are included in full within Annex F). The majority of the written representations in support expressed that parking in the area for residents is often difficult and has become progressively worse due to a number of non-residents vehicles, including drivers parking for accessing St Peters School, Holiday let properties, commuting into the city or train station and vehicles from surrounding restricted parking areas avoiding the need to purchase permits for their specific street.

Options Analysis and Evidential Basis

Option 1 (Recommended Option)

20. Progress the advertised extended R65 resident's priority parking scheme and limited waiting bay on Compton Street to implementation by amending the York Parking, Stopping and Waiting Order 2014.

This is the recommended option as it supports the CYC transport strategy and commitment to reduce traffic congestion by discouraging driving into the city centre. Making this location into a ResPark area would remove the ability for commuters to park whilst the limited waiting bay on Compton Street ensures that local businesses are not adversely affected maintaining short stay

parking for customers. It would also increase parking accessibility for local residents.

Should this option be progressed to implementation then this would meet the purposes in sections 1(1) (a) (c) (d) and (f) of the 1984 Act – namely for:

- a. (a) avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such arising;
- b. (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians);
- c. (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property; and
- d. (f) for preserving or improving the amenities of the area through which the road runs.

This option meets the Council's duty under section 122(1) of the Road Traffic Regulation Act 1984 as it would:

- a. Support the *“convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway”* (RTRA 1984, Section 122(1)). The changes proposed will make the area safer to use for people walking and cycling whilst ensuring that on street parking remains available for residents.
- b. *“Consider the effect on the amenities of any locality affected”* (RTRA 1984, Section 122(2)(b)). By restricting parking in the advertised extended ResPark area, the local amenity for residents and customers to the local businesses would be protected by reducing the amount of on street commuter parking taking place, then reducing car dependency by discouraging car use for journeys which could be made by sustainable modes.
- c. Consider *“any other matters appearing to the local authority to be relevant”* (RTRA 1984, Section 122(2)(d)). Consideration has been given to the Council's Local Transport Strategy and the views expressed by the residents of the extended area

Having balanced the considerations identified in this report, it is considered that it would be expedient to progress this option to implementation.

Option 2

21. Take no further action and remove the area from the residents parking waiting list.

This is not the recommended option as it does not take into account the responses received from residents or remove the commuter parking taking place which is impacting local residents.

Organisational Impact and Implications

22. This report has the following implications

- **Financial:** should the proposals progress to implementation the ongoing enforcement and administrative management of the additional residents parking provision will need to be resourced from the department's budget, funded through income generated by the new restrictions.
- **Human Resources (HR):** If the advertised restrictions are progressed to be implemented on street, enforcement will fall to the Civil Enforcement Officers adding an extended Resident Parking area and limited waiting restrictions. New or extended zones/areas also impact on the Business Support Administrative services as well as Parking Services. Provision will need to be made from the income generated from new or extended schemes to increase resources in these areas as well as within the Civil Enforcement Team as and when required.
- **Legal:**
 - Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996 apply.

When considering whether to make or amend a TRO, CYC as the Traffic Authority needs to consider all duly made objections

received and not withdrawn before it can proceed with making an order.

A TRO may be made where it appears expedient to the Council to do so for the reasons set out in section 1 of the Road Traffic Regulation Act. These are:

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- (b) for preventing damage to the road or to any building on or near the road, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
- (f) for preserving or improving the amenities of the area through which the road runs or
- (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

In deciding whether to make a TRO, the Council must have regard to its duty as set out in section 122(1) of the Road Traffic Regulation Act 1984 to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) as well as the provision of suitable and adequate parking facilities on and off the highway so far as practicable while having regard to the matters specified below:

- (a) the desirability of securing and maintaining reasonable access to premises;

(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and

(d) any other matters appearing to the Council to be relevant.

The Council is under a duty contained in section 16 of the Traffic Management Act 2004 to manage their road network with a view to securing the expeditious movement of traffic on the authority's road network, so far as may be reasonably practicable while having regard to their other obligations, policies, and objectives. This is called the network management duty and includes any actions the Council may take in performing that duty which contribute for securing the more efficient use of their road network or for the avoidance, elimination, or reduction of road congestion (or other disruption to the movement of traffic) on their road network. It may involve the exercise of any power to regulate or coordinate the uses made of any road (or part of a road) in its road network.

- **Procurement:** any change, or additional signage has to be procured in accordance with the Council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015.
- **Health and Wellbeing:** there are no Health and Wellbeing implications.
- **Environment and Climate action:** The recommended option reduces the capacity of free commuter parking and encourages people to use alternative sustainable modes of transport, helping to reduce carbon emissions from travel.

- **Affordability:** If restrictions progress to implementation residents required to park on street will need to pay for and purchase a residents parking permit (or other permits as applicable) along with visitor permits. The impact on residents is likely to be high as the area consists of terraced streets with limited access to off street parking. In addition, local businesses would, if eligible and necessary, be required to purchase a business parking permit which would allow one vehicle to park on street. However, on street parking would no longer be available for all current users, including staff. As such they would be required to seek alternative measures such as changing transport modes. Drivers currently utilising the area for commuting would have to make alternative arrangements, possibly at a cost (car parks, pay and display or Park & Ride), change transport mode or change destination. It should be noted that Blue Badge holders can park free of charge with no limits in ResPark areas and limited waiting bays.

- **Equalities and Human Rights:** The Council recognises its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). The impact of the recommendation on protected characteristics has been considered as follows:
 - Age - Neutral
 - Disability – Neutral. Blue Badge holders can park in ResPark areas and limited waiting bays free of charge for an unlimited duration of time.
 - Gender - Neutral
 - Gender reassignment - Neutral
 - Marriage and civil partnership – Neutral
 - Pregnancy and maternity – Neutral
 - Race – Neutral
 - Religion and belief – Neutral
 - Sexual orientation – Neutral
 - Other socio-economic groups including:
 - Carer-Neutral

- Low income groups-Neutral
- Veterans, Armed Forces Community-Neutral
- **Data Protection and Privacy:** The data protection impact assessment (DPIAs) screening questions were completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being processed to set these out, there is no requirement to complete a DPIA at this time. However, this will be reviewed following the approved recommendations and options from this report and a DPIA completed if required.
- **Communications:** no issues have been identified
- **Economy:** no issues have been identified

Risks and Mitigations

23. In compliance with the Council's risk management strategy there is an acceptable level of risk associated with the options listed for consideration.

Wards Impacted

24. Clifton

Contact details

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Background papers

[Decision details. Proposed Extension of R65 Residents Priority Parking area](#)

Annexes

- **Annex A:** Informal consultation documents sent to residents
- **Annex B:** Table of results
- **Annex C:** Comments received during the informal consultation
- **Annex D:** Statutory consultation documents sent to residents
- **Annex E:** Representations received against statutory consultation
- **Annex F:** Representations received in support of statutory consultation