

Meeting:	Executive Member for Economy and Transport
Meeting date:	14 November 2023
Report of:	Director of Environment, Transport & Planning
Portfolio of:	Cllr Kilbane, Executive Member for Economy & Transport

Decision Report: Tadcaster Road TRO Consultation

Subject of Report

1. The report outlines the consultation responses to the proposed amendment to the Traffic Regulation Orders, as a result of the recent works undertaken on Tadcaster Road, which has slightly changed the road layout. The new road layout required the proposed introduction of 'No Waiting at any time' restrictions on Tadcaster Road.
2. A decision on if the proposal should be implemented or not is required to ensure that the traffic restrictions on street match the restrictions within the Order.

Benefits and Challenges

3. The proposed changes to the Traffic Regulation Order are proposed in combination with the scheme for improvements to Tadcaster Road. The scheme for Tadcaster Road will help the road cope with current and future travel demands, in a safe and attractive environment, whilst supporting and encouraging more active or sustainable travel options, such as walking, cycling and using the bus.
4. The Tadcaster Road improvement scheme will make improvement to support and encourage people to walk by introducing additional pedestrian crossings and creating safer more attractive routes for people on bikes and on foot. The improvements and changes to the highway network have required the reduction of a parking area

near the shops on Tadcaster Road, which has created a concern about long term parking in the bay reducing the availability of parking for customers of the shops.

Policy Basis for Decision

5. The Council Plan has seven priorities and the Tadcaster Road Scheme as a whole scheme aims to comply with the following priorities:
 - i. Health & Wellbeing; the improvements of the scheme aim to improve air quality in the area, which will provide an improvement in the health and wellbeing of residents.
 - ii. Economy: the scheme looks to support the local economy and wider area through the reduction of congestion and improved safer routes for motorists, cyclist, whilst also making a more convenient and reliable bus service. The proposal is not looking to create any parking charges on the bays near the local amenities to help to continue to encourage residents to shop local.
 - iii. Transport; through creating a more sustainable route along Tadcaster Road, which will support and encourage people to walk, cycle and the bus, due to the more attractive routes and convenient and reliable services.
 - iv. Sustainability, the creation of safer and more attractive cycle route and introduction of additional pedestrian crossings, will help to encourage more sustainable methods of transport.
6. The proposed changes to the traffic restrictions which were consulted on do not propose the introduction of any Pay and display parking bays and does propose that availability of unrestricted parking bays in the area remain. This helps to create affordable parking near the local amenities for use by customers.

Recommendation and Reasons

7. Option 1 - implement the proposed 'No Waiting at any time' restrictions as they were proposed, this option is recommended as it will help to achieve the original benefits of the scheme as it was proposed. The introduction of the 'No waiting at time' restrictions will also remove any potential parking away from the laybys on Tadcaster Road, which will reduce the congestion in the area.
8. Option 2 - Engage in further consultation with the businesses, local residents and Ward Cllrs about potentially creating limit time

parking for the laybys, to remove the all-day parking that has historically occurred. This will help create a better parking amenity for the local businesses.

Background

9. The proposal of 'No waiting at any time' Restrictions were required due to the changes to the highway, which included the introduction increased footpath width and off-road cycling provision. The approved designs for the Tadcaster Road created the requirement to undertake the Statutory consultation for the proposed changes to the traffic restrictions to ensure that new road layout was able to meet the desired requirements of the scheme. The changes to the road layout reduced the position of the lay-by, which would have left areas of unrestricted carriageway and may have led to vehicles parking and obstructing the vehicle/cycle lane and reducing the successfulness of the proposed scheme, by increasing congestion and restricting the active travel aspects of the scheme.

The proposed changes to the Traffic Regulation Order was advertised on 28 July 2023, with notification of the proposal posted on Street, in the Press, delivered to local businesses/residents and Ward Cllrs. A copy of the letter, Notice of Proposal and plan of the proposed amendments which were delivered to the businesses/residents (Annex A), made the businesses/residents aware and provided them with information on how they could provide representation on the proposal. The Consultation process provided a three weeks' period for representation to be received.

10. The plan, which was taken from the design drawings, and which were proposed to be used for the lining drawings, did wrongly show that the whole of the bay on the north side of the road as a loading bay. A new plan has been created with the removal of loading bay marking contained to the area it was prior to the proposal (Annex B).
11. This changes to the loading bay shown in the plan were not proposed as an amendment to the restrictions and was never part of the planned changes with the scheme. It would restrict the use of the bay and affect the viability of the businesses in the area, which would have a negative impact on the local economy, which would be in direct opposition to the proposed outcomes from the scheme.

Consultation Analysis

12. The Statutory Consultation process resulted in a number of letters of objection (Annex C) and resident asking for additional information, due to concerns about the incorrectly marked loading bay. Additional information and confirmation that there was no proposed change to the loading bay was provided, with apology for the miscommunication.
13. The businesses did have justified concerns about the potential for an extension to the loading bay as it would remove the availability of parking for customers and potentially affect the profitability of the businesses, as previously stated this is not a desire of the scheme.
14. The responses were very much around the useability of the parking areas on each side of the road, as the road reconfiguration will reduce the availability of parking. One respondent commented that the bay prior to the works was used for all day parking by 2-3 vehicles which reduced the opportunity for customers to park, although they did state that those vehicles were not generally creating an adverse effect for their customers. The concern was that if the all-day parking continues with the reduced parking bay, then there will be a negative impact on the businesses. There were requests to look at limited time parking in the bays, to remove the all-day parking from occurring.
15. Over the years the area has been subject to many changes to road layout and different restrictions proposed for the local area, this is a concern for the businesses as they feel that their views on the area are not consulted on or listened to. This is creating an issue of distrust from the businesses towards the Council, as they do not feel that their businesses are being given enough consideration in the proposals/schemes that have been progressed over the years.
16. Several the responses also communicated about their frustration about the duration of the works and the inconvenience/disruption to their business operations, which has also resulted in the loss of earnings, due to an inability to access the businesses. A response to these concerns was sent to businesses by the project Engineer responsible for the scheme and they have continued to have discussion around the scheme as it progresses.

17. This consultation process has helped to identify that these businesses would like to engage with the Council in the future on any further schemes/proposal for the area, to help provide a better joined up approach and ensure that the future operation of those businesses is not detrimentally affected.

Options Analysis and Evidential Basis

18. Option 1 – Implement the proposed ‘No Waiting at any time’ restrictions as they were proposed, this option is recommended as it will help to achieve the original benefits of the scheme as it was proposed. The introduction of the ‘No waiting at time’ restrictions will also remove any potential parking away from the laybys on Tadcaster Road, which will reduce the congestion in the area.
19. Option 2 – Take no further action, this option is not recommended as it will leave areas of Tadcaster Road unrestricted and potentially encourage parking within those areas, which will have a detrimental effect on traffic and congestion in the area.
20. Option 3 – Engage in further consultation with the businesses, local residents and Ward Cllrs about potentially creating limit time parking for the laybys, to remove the all-day parking that has historically occurred. This will help create a better parking amenity for the local businesses.

Organisational Impact and Implications

21.
 - **Financial**, The original scheme proposal included within the cost implications a requirement for an amendment to the traffic regulation order, so the cost related to the proposal will be met by the project.
 - **Human Resources (HR)**, The enforcement of the proposed traffic restrictions would fall to the Councils Civil Enforcement Officers, this would not constitute an extra demand on their workload, as they are already enforcing the restriction.
 - **Legal**, The proposals require amendments to the York Parking, Stopping and Waiting Order 2014: Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

The statutory consultation process for Traffic Regulation Orders requires public advertisement through the placing of public notices within the local press and on-street. It is a requirement for the Council to consider any formal objections received within the statutory advertisement period of 21 days. Formal notification of the public advertisement is given to key stakeholders including local Ward Members, Town and Parish Councils, Police and other affected parties.

The Council, as Highway Authority, is required to consider any objections received after formal statutory consultation. The Council has discretion to amend its original proposals if considered desirable, whether or not, in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted.

- **Procurement**, there is no requirement for any further procurement as the requirement for any lining works associated with the scheme, is included within the original contract for works.
- **Health and Wellbeing**, There are no Health and Wellbeing implications.
- **Environment and Climate action**, There are no Environment and Climate Action implications.
- **Affordability** There are no Affordability implications.
- **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;
 - 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

Risks and Mitigations

22. The report summarises the comments of residents to the statutory TRO consultation and responds to these with mitigations where possible and appropriate that officers think can be delivered in a safe and affordable way.

Wards Impacted

23. Dringhouses & Woodthorpe

Contact details

For further information please contact the authors of this Decision Report.

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Date:	06 November 2023

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Annexes

Annex A – Residents Letter, Tadcaster Road Cllr

Annex B – Amended Lining Plan

Annex C – Residents & Businesses response to Consultation