

Meeting:	Executive Member for Transport Decision Session
Meeting date:	11/03/2025
Report of:	Director of Environment, Transport and Planning
Portfolio of:	Councillor Ravilious Executive Member for Transport

Decision Report: Consideration of the representations received to the formal consultation to extend R23 Residents Parking Zone to include Government House Road and no waiting at any time restrictions on Water End slip road.

Subject of Report

1. To consider the representations received to the statutory consultation to the Notice of Proposal for the amendment of the Traffic Regulation Order, advertised on 13th September 2024, which proposed to extend the existing Resident Parking (ResPark) zone R23 (Westminster Road) to include properties on Government House Road along with the introduction of no waiting at any time restrictions (Double Yellow Lines) on Water End Slip Road, and determine what future actions are appropriate.

Pros and Cons

2. Following the Executive Meeting on 17th July 2024, where it was approved to progress to statutory consultation for the proposal to introduce Residents Parking restrictions on Government House Road and No Waiting at any time restrictions on Water End Slip Road, the statutory consultation process was followed, and the proposed restrictions were advertised on 13th September 2024.
3. This gave a three-week consultation period for written representations to be received from both local residents and the

wider community, to outline how the proposed changes may affect any current use of the unrestricted areas. If implemented, the restrictions would remove the parking amenity in the area for non-residents.

4. The introduction of full-time restrictions to both locations would likely create a disadvantage to some residents or commuters who are currently utilising the unrestricted parking. However, introducing 24-hour parking restrictions, thus removing all day parking availability within both locations, would have the advantage of removing some obstructive parking, especially on Water End Slip Road, which would improve the access to and from the river front for pedestrians and cyclists, along with supporting the majority of residents preferences. It would also comply with CYC's Local Transport Strategy's objectives and prioritises pedestrian and cycle movement between the city's orbital active travel route and riverside active travel route – both key strategic active travel routes on the Local Cycling and Walking Infrastructure Plan.
5. However, it is noted that this recommendation will then remove the availability of local parking for other users of the riverside who rely on a vehicle to travel to the vicinity for recreational purposes. There is therefore an option available to introduce a timed restriction for non-permit holders to park within the proposed residents parking scheme on Government House Road only. This would address the objections received and at the same time remove all-day commuter parking, which is currently taking place. This option would however be dependent on Department for Transport approval, as including a limited waiting time within 'entry zone' enforced residents parking schemes does not currently have a permitted regulatory sign and requires national authorisation. This can take up to 12 weeks to be received. This option may also be considered to be less supportive of CYC's Local Transport Strategy's objectives of encouraging the use of sustainable transport modes including Park and Ride services.
6. It would be advisable for the two areas of the advertised restrictions to be implemented simultaneously as the introduction of double yellow lines on the Water End Slip Road are required to reduce danger and obstructions to sustainable transport mode users on the slip road. Without the simultaneous introduction of parking

restrictions on Government House Road, there would likely be displacement of the all-day parking currently taking place on the slip road to Government House Road, in turn limiting the availability of on street parking for residents and their visitors.

7. If both recommendations are progressed to implementation, Blue Badge holders would still be permitted to park on Government House Road for an unrestricted period of time and on Water End Slip Road for a maximum of 3 hours (in locations where they would not cause an obstruction).

Policy Basis for Decision

8. To progress to implementation of the parking management measures recommended in line with the Council's objectives as stated in the Local Transport Strategy.
9. The recommendation would comply with and support the Council's Local Transport Strategy (adopted in July 2024), including the following policy focus areas: Improve accessibility; Improve walking, wheeling and cycling; Shape healthy places; and Reduce car dependency.
10. As stated, it is recommended that the restrictions proposed in the two areas be implemented together due to the risk of displaced parking if the slip road restrictions were to be implemented without restrictions on Government House Road.

Recommendation and Reasons

11. It is recommended that approval be given to implement an extension to the existing R23 (Westminster Road) residents parking zone to include Government House Road. The extension would be implemented as advertised which would be operational under entry zone signs to include residents' priority parking restrictions on Government House Road 24 hours a day 7 days a week. A plan showing the extended scheme boundary is provided as Annex D.
12. In addition, it is also recommended to implement the advertised No Waiting at any time (Double yellow line) restrictions on Water End Slip Road.

13. The recommended option acknowledges the Local Transport Strategy objectives to improve accessibility, walking and cycling, shape healthy places, and reduce car dependency, and the views of the majority of residents on Government House Road. The implementation of No Waiting at any time restrictions on Water End slip road would reduce the current danger caused to pedestrians and cyclists by vehicles accessing and egressing the slip road for unrestricted parking and improve accessibility to the riverside for those using sustainable modes of transport. The area has insufficient turning area to manoeuvre safely, and parked vehicles currently overhang the footway, which is causing an obstruction to pedestrians for riverside access.

Background

14. A petition was received from a substantial proportion of residents on Government House Road in September 2020, requesting that the council consider implementing residents only parking restrictions on the street. As such the area was included within the waiting list for resident parking consultations.
15. Once the area reached consultation stage, we collated and posted the relevant consultation documentation (informal consultation) to all properties included within the proposed extended area, requesting that residents return their questionnaires, by email wherever possible, or to the Freepost address provided.
16. During the consultation, separate communication was received requesting limited waiting restrictions to be implement on the Water End Slip Road due to the long-term commuter parking taking place restricting the availability for short term recreational use.
17. A report was presented to an Executive Member Decision Session on 28th May 2024, which requested approval for the statutory consultation for the proposal to introduce Residents priority parking restrictions on Government House and a 2-hour limited parking restriction on Water End slip road.

18. This decision was deferred due to the recognised obstruction and road safety issue for pedestrians and cyclists accessing the river front due to vehicles parking on the slip road. After reviewing the parking activities taking place through parking surveys and the limited area available to safely manoeuvre vehicles in the area of the slip road, along with the footpath obstruction taking place when vehicles park, it was then recommended to introduce No Waiting at any time restrictions (DYLs). This proposal would help to ensure the footpath is kept clear of overhanging vehicles for the safety of pedestrians and reduce the possibility of any danger or conflict with cyclists and pedestrians travelling to or from the riverside cycle/walking route.
19. As such both of the recommended full-time restrictions for Government House Road and Water End Slip Road were formally consulted on by legal advertisement of the Notice of Proposal on the 13th September 2024, asking for any representations to be received within the advertisement period.

Consultation Analysis

20. A copy of the legal notice of proposals and associated plans was sent to all properties on Government House Road. In addition, notices were placed on street and the restrictions were advertised in the local press. To ensure the wider area was aware of the legal consultation, a copy of the notice of proposals and plan of the advertised restrictions was also posted to businesses and property numbers 31 – 37 Water End, who do not reside within any existing residents parking boundary.
21. During the legal advertisement period, we received 8 representations in support of the advertised restrictions (Annex A). 7 of the representations were on behalf of 8 properties located on Government House Road and 1 was from a member of the public expressing their support to both of the advertised restrictions being implemented, especially due to the dangers caused to pedestrians and cyclists by vehicles trying to access the free unrestricted parking in the areas of concern.

22. 4 representations were received against the advertised proposals (Annex B). The majority oppose the full-time ban being introduced for residential parking only and ask for some form of limited parking to be included in order to maintain access to local amenities. Most of these representations expressed the need to retain some parking availability for access to the riverside to enjoy recreational use by people who are not able to utilise the Park & Ride or are not using the area for commuting purposes. Access to the river and country park is available from the Park and Ride.
23. Within some of the representations received against the advertised restrictions, comments also related to the adoption of Government House Road. These matters have previously been addressed by CYC and are not relevant to this decision as the adoption status is confirmed to be correct.
24. All representations received are included in full within Annex A and Annex B.

Options Analysis and Evidential Basis

Option 1 (Recommended Option) (Annex E)

25. Amend the Traffic Regulation Order to introduce new Residents' Priority Parking restrictions for Government House Road, to operate 24hours Monday to Sunday, to be an extension of R23. In addition, it is recommended to introduce No Waiting at any Time restrictions (DYLs) on Water End Slip Road to restrict parking 24 hours a day as outlined on the plan included as Annex E. Signs will be placed on street at the entrance to Government House Road and additional double yellow lines would be marked on Water End Slip Road
26. This is the recommended option as it supports the Council's Local Transport Strategy objectives, support residents' cycle and pedestrian access needs to the cycle route networks and riverside paths, addresses the parking displacement issues which would arise if restrictions were only implemented in one area, and acknowledges the views of the majority of residents on Government House Road.

27. A TRO may be made where it appears expedient to the Council to do so for any of the reasons set out in section 1(1)(a) to (g) of the Road Traffic Regulation Act 1984. The TRO also needs to meet the wider duty of the Council under section 122 of that Act.
28. The recommended option 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.
29. 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 Slip Road safer to use for people walking and cycling to access the riverside whilst ensuring that on street parking remains available for residents and Blue Badge holders;
 - b. *"Consider the effect on the amenities of any locality affected"* (RTRA 1984, Section 122(2)(b)). By restricting parking on the slip road, accessibility to the riverside amenity by walking, cycling and wheeling is improved. Local amenity for the residents of Government House Road would also be protected by reducing the risk of parking displacement through the Resident Parking scheme.
 - 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 Government House Road.

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

Option 2:

31. Amend the Traffic Regulation Order to introduce new Residents' Priority Parking restrictions for Government House Road, to operate 24 hours Monday to Sunday, with a limited waiting period of 90 minutes (or 2 hours if deemed required) for non-permit holders, to be an extension of R23. In addition, to introduce No Waiting at any Time restrictions (DYLs) on Water End Slip Road to restrict parking 24 hours a day. It should be noted that Department for Transport approval would be required before this option could be implemented on street. No further consultation would be required as this is a lesser restriction than the 24-hour restriction advertised.
32. This is not the recommended option as this does not provide as much support to the Council's Local Transport Strategy objectives as outlined above. This could also lead to a reduced area of on street parking being available for residents and their visitors along with an increase in vehicle movements entering and exiting the street in search of available parking.
33. However, 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.

34. It would also meet 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 Slip Road safer to use for people walking and cycling to access the riverside whilst ensuring that on street parking remains available for residents and Blue Badge holders;
- b. "*Consider the effect on the amenities of any locality affected*" (RTRA 1984, Section 122(2)(b)). By restricting parking on the slip road, accessibility to the riverside amenity by walking, cycling and wheeling is improved. Local amenity for the residents of Government House Road would also be protected by reducing the risk of significant commuter parking displacement through the Resident Parking scheme and the limited waiting period.
- 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 Government House Road.

Option 3:

- 35. To introduce No Waiting at any Time restrictions (DYLs) on Water End Slip Road to restrict parking 24 hours a day and take no further action on the implementation of residents parking restrictions on Government House Road and remove the area from the residents parking waiting list.
- 36. This is not the recommended option because it does not address the issues of commuter parking (in line with Local Transport Strategy

objectives). It would also go against the clearly expressed preference of the majority of residents on Government House Road.

37. However, 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.

38. It would also meet the Council's duty section 122(1) of the Road Traffic Regulation Act 1984 as it would:

- d. 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 Slip Road safer to use for people walking and cycling to access the riverside whilst ensuring that on street parking remains available on Government House Road;
- e. "*Consider the effect on the amenities of any locality affected*" (RTRA 1984, Section 122(2)(b)). By restricting parking on the slip road, accessibility to the riverside amenity by walking, cycling and wheeling is improved;
- f. 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 Government House Road.

Organisational Impact and Implications

39. This report has the following implications:

- **Financial;** Funds allocated within the core transport budget will be used to progress the advertised residents parking scheme and no waiting restrictions 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 parking services across the city.
- **Human Resources (HR);** Once implemented, enforcement will fall to the Civil Enforcement Officers adding a relatively small area to an existing Resident Parking scheme. New 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 the parking service to increase resources in these areas as well as within the Civil Enforcement Team as and when required. As the proposed changes are for relatively small areas, the impact of the proposed measures on workloads are likely to be very limited.
- **Legal;** The proposals require an amendment 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.

When considering whether to make or amend a TRO, the Council as the Traffic Authority needs to consider all duly made objections received and not withdrawn before it can proceed with making an order. Those objections are included for consideration in this report.

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 proposal detailed in this report is considered to align with the objectives of the above-mentioned duty.

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.

The proposals described in this report are considered to fulfil that duty.

- **Procurement:** The additional required signage will be procured in accordance with the Council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015. The Commercial Procurement team will need to be consulted as required should any purchasing for additional signage take place.
- **Health and Wellbeing:** The introduction of DYLS on Water End slip road aims to ensure that the area is kept clear of the majority of vehicles to reduce the danger of conflict arising and increasing the attractiveness of sustainable transport modes. This should have a positive impact on the health and wellbeing of users of the riverside by enabling the cycle route network to be easily accessible with no vehicle conflict and pedestrian routes to be clear from obstruction.
- **Environment and Climate action;** implementing residents parking restrictions will restrict the number of vehicle movements looking to find on street parking and encourage the use of more sustainable transport modes for non-residents by reducing the opportunities to park in or close to the city centre, in line with Local Transport Strategy objectives.

- **Affordability:** residents and their visitors requiring on street parking on Government House Road will be required to purchase a resident parking permit (or other permits as applicable) along with any visitor permits which would also be required. The financial impact on the residents of Government House Road is likely to be limited as most dwellings have sufficient off-street parking available to cater for the day to day needs of the dwellings. DYL restrictions on Water End Slip Road will remove any free on street parking in the area. The drivers which currently park on the Water End Slip Road are likely to have to find somewhere else to park, possibly at a cost (car parks, pay and display bays or Park & Ride), change transport mode, or change destination. Blue Badge holders will still be permitted to park for a maximum of three hours (or for an unlimited time on Government House Road).
- **Equalities and Human Rights:** No direct equalities and human right implications have been identified.

The proposals have been considered against the nine protected characteristics age, disability, gender reassignment, marriage and civil partnership, pregnancy, race, religion or belief, sex, and sexual orientation) and there should be no adverse impact. This proposal would affect those residents living in the proposed extended area and any other residents who may currently utilise the existing unrestricted parking available on both Government House Road and Water End slip road.

It is important to note however that Blue Badge holders are able to park in resident parking areas free of charge for an unlimited duration and on DYLs for a maximum of three hours.

Blue Badge holders would therefore be able to continue parking on Government House Road without any additional costs or time restrictions and on Water End Slip Road for a limited time period.

The Council has had due regard to the needs set out in section 149(1) of the Equality Act 2010. It considers that the proposals are consistent with the public sector equality duty, which it has discharged.

It is not considered that the proposed restrictions will have any potential interference with individuals' human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property). The Council is entitled to affect these rights where it is in accordance with the law, necessary (in the interests of public safety or economic well-being, to prevent disorder and crime, to protect health, or to protect the rights and freedoms of others), in pursuit of a legitimate aim and proportionate to do so. The proposals within this report are considered to be in accordance with the law, necessary, in pursuit of a legitimate aim and proportionate.

- **Data Protection and Privacy**; no issues identified.
- **Communications**; no issues identified.
- **Economy**; no issues identified.
- **Specialist Implications Officers**; no issues identified.

Risks and Mitigations

40. In compliance with the Council's risk management strategy there is an acceptable level of risk associated with the recommended option.

Wards Impacted

Clifton

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

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Background papers

1. Consideration of results received from the consultation to extend R23 Residents Parking Zone to include Government House Road and a decision to be made on placing limited waiting restrictions on Water End slip road.

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=1061&MId=14560>

2. Consideration of results received from the consultation to extend R23 Residents Parking Zone to include Government House Road and a decision to be made on implementing restrictions on Water End slip road.

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=1061&MId=14883>

Annexes:

- **Annex A:** Representations received in support of the advertised restrictions
- **Annex B:** Representations received against the advertised restrictions
- **Annex C:** Legal Notice of Proposals

- **Annex D:** extended R23 residents parking boundary
- **Annex E:** advertised restrictions for recommendation to be implemented on street