

**Decision Session – Executive Member for
Transport**

20 February 2020

Report of the Assistant Director of Transport, Highways & Environment

**Consideration of Objections Received to the Proposed Residents’
Priority Parking Area on Fulford Cross**

Summary

1. We have received two objections and two representations in response to an advertised proposal to introduce a Residents’ Priority Parking Area on Fulford Cross. The report asks the Executive Member to consider the proposal with the objections received and decide the way forward on this matter.

Recommendations

2. The Executive is asked to approve Option (i) (Recommended Option)
 - (i) To over-rule the objections received and authorise implementation of the Residents’ Priority Parking Area and additional restrictions as advertised and defined in Annex A.

Reason: To improve residential parking amenity for the residents of Fulford Cross. On consultation, the majority of residents who responded supported the introduction of a Resident Parking Area.

Background

3. A precis to the background information is as follows:
 - A petition was received requesting Resident Parking in 2017
 - Properties were consulted on the Danesmead Estate, Broadway West, Westfield Drive & Fulford Cross at the end of May 2018
 - The results of the first consultation were reported to the Executive Member on 25th October 2018. At this time the Executive Member resolved to take forward a scheme for Danesmead Estate only and

undertake a second consultation with Fulford Cross on an amended scheme

- The second consultation with residents of Fulford Cross was undertaken in November 2018
- The issues were complicated by an area of Education Land and the proposed transfer of Danesgate School to the South York Multi Academy Trust
- The results of the second consultation were reported to the Executive Member on the 7th February 2019 who resolved:

That delegation be given to the Corporate Director of Economy and Place to approve the advertisement of an amendment to the York Parking, Stopping and Waiting Traffic Regulation Order to introduce Residents' Priority Parking Area for Fulford Cross... on the condition that the Executive agree that the area of Education land at the front of the school, that has highway rights over it, be transferred to the Highway Authority.

A letter informing the residents of the decision taken was delivered to residents on the 13th February 2019. The letter included a plan of the approved scheme which would be advertised in line with the Executive Member's decision when the land issues were resolved sufficiently to enable us to do so. For information a copy of the letter is included in the report as Annex C.

- In August 2019 the Executive Committee resolved to transfer the land required for the Resident Parking Area, currently under the remit of Education to the Local Highway Authority.

We advertised the proposal to amend the Traffic Regulation Order to include a Residents' Priority Parking Area for Fulford Cross as detailed in Annex A on the 8 November 2019. Although the land is still under the remit of Education, the Council is now in a position to initiate process to transfer the land to Highways. Education have given us authority to proceed to implementation in the interim period.

Objections Received

4. We have received two objections to the proposal, one from a Resident of Fulford Cross and one from York Steiner School. Two residents of Fulford Cross have made representation requesting we do not extend the 10 minute time allowance for non-permit holders. All representations have been reproduced verbatim in Annex B.

The main points of the objections are:

5. **Objection from Resident**

- The scheme is unnecessary
- The scheme is based on the opinions of a few residents rather than evidence or facts
- A solution is possible which does not require a Residents' Parking scheme; i.e mediation should be used to get the schools to change the behaviour of their staff, pupils and parents and use more sustainable methods of travel in line with CyC Council plan
- The Council is biased and has advertised the scheme as a "done" deal
- The process for applying for Resident Parking is not fit for purpose and undemocratic
- There are negative economic consequences for some residents

6. **Officer Response**

Residents have received two consultation documents about Resident Parking Schemes for Fulford Cross. A letter explaining we would be taking this forward to the legal process was delivered in February 2019 (Annex C). All the previous comments and consultation results have been published and considered at Public Decision Sessions. Residents Parking is only introduced after a majority of residents responses to our consultation process have expressed a desire/support for it. This is the main criteria considered when taking forward a scheme.

First Consultation (May 2018)

29 Properties Consulted, 21 Responses were received (72%)

From the 21 Responses 12 supported Resident Parking

Second Consultation (November 2018)

29 Properties Consulted, 16 Responses were received (55%)

From the 16 Responses, 10 supported Resident Parking with an additional 4 in support if we included the Education Land as part of the Resident Parking Area. Consequently the scheme taken forward had support from 14 of 16 responses.

We have no way of enforcing parents/carers to transport their children to school by means other than the private car. The School Travel Co-ordinator at City of York Council will work with any school to educate and encourage sustainable modes of travel when asked.

7. Objection from York Steiner School

- 10 minutes for non-permit holders is inadequate. 30 minutes as introduced on Danesmead Estate is the bare minimum for essential communication between parents and staff
- We have several disabled children/parents – essential we can offer manageable drop off and pick up time periods for disabled members of the school community
- There are still ample spaces to park on Fulford Cross during the school day
- CyC should introduce additional parking on the grassed area and introduce a one way system around the grassed area to improve traffic flow
- York Steiner School have requested 14 permits for staff/school volunteers to alleviate the effect this restriction and the recent implementation of resident parking on Danesmead Estate has on the school.

8. Officer Response

At this time we are not proposing any additional time allowance for non-permit holders on Fulford Cross, other than 10 minutes between 9am and 5pm. There is a 30 minute time allowance on Danesmead which is accessed via a safer signalised junction from Fulford Road onto Broadway West. The entrance from Fulford Road onto Fulford Cross is narrow and less suitable for high traffic flows. Danesmead Estate is a more suitable environment for short term parking to take place and the manoeuvrability of vehicles for access, egress and turning.

The restriction on Danesmead Estate or Fulford Cross will not be detrimental to any disabled blue badge holder. Any vehicle displaying a blue badge can park in any Resident Parking Area/Zone for as long as required.

There is no scope within the existing Traffic Regulation Order or the proposal to provide York Steiner School with any permits to park within the R63 zone, on Danesmead Estate or Fulford Cross. York Steiner School has not been included within the Residents Parking Area. The consultation documentation we have issued has not included this as a possibility or an option to be considered. The proposal we have initiated assumes staff and parents/carers who require longer term on-street

parking will use other nearby unrestricted streets or the Park & Ride route from Designer Outlet which drops off and picks up nearby.

9. **Representations from two residents**

- The waiting time for non-permit holders should remain at the proposed 10 minutes. Fulford Cross should be treated differently from Danesmead on this issue because of the additional traffic generated by taxis/mini buses delivering pupils to Danesgate School as well as other factors. (See Annex B)

10. **Officer Comments** – we agree with the above comments

Consultation

11. Residents have been consulted prior to the legal proposal and received details of the legal advertisement on the day of issue. In addition letters have been sent to adjacent schools and HomeYork House. Ward Councillors receive details as a matter of procedure. To meet Highway Regulations we inform Emergency Services and Haulier Associations of the Proposal. Any interested party has 3 weeks to make representation from the date of advertisement.

Options

12. **Option (i) Recommended Option:**

To over-rule the objections received and authorise implementation of the Residents' Priority Parking Area and additional restrictions as advertised and defined in Annex A.

Reason: To improve residential parking amenity for the residents of Fulford Cross. On consultation, the majority of residents who responded supported the introduction of a Resident Parking Area.

13. **Option (ii):** This is not a recommended option (see Analysis/16)

Uphold the objections and take no further action on this matter

Analysis

14. **Option (i):** Implement as Advertised. This is the recommended option because:

- The details of the Residents' Priority Parking Area as advertised were formulated as a result of the consultation process and residents' views/concerns raised through the process. Because of circumstances, some of which were outside highway officers' control, this issue has already been a long and drawn out process
- Further amendments to the scheme may require us to re-consult and re-advertise causing additional delays. If we implement the scheme as advertised, any requested amendments could be considered at a later date
- We now obtained written authorisation from the Education Department to proceed to implementation in the interim period whilst the transfer of land (to highways) is being processed.

15. **Option (ii):** Uphold objections and take no further action. This is not the recommended option because:

- A majority of residents who responded to our consultations have indicated they support a resident parking scheme on their street
- Although the scheme may impact on the daily routines of staff and parents at York Steiner School, the information we have received from residents suggests the main problem with parking issues on street is as a result of the parking associated with the adjacent schools.
- We do not consider the process for introducing Resident Parking Schemes within our Authority is flawed or undemocratic. Residents are updated on the process and given opportunity to comment as well as attend and speak public decision sessions.
- Highway Regulations are followed for the legal process.

Council Plan

16. The above proposal contributes to the City Council's Council Plan:

Aiding communities to take ownership of improving their local area:

A council that works in partnership with local communities:

The council has listened to local residents and tried to deliver an amended proposal to meet their needs where possible to deliver a requested Resident Parking Scheme

The Consultation process has been open, transparent and democratically led.

Implications

17. **Financial** – Funding is available through the Traffic Team’s annual budget allocations.
18. **Human Resources** – The enforcement of additional waiting restrictions will fall to the Civil Enforcement Team and increase their work load accordingly
19. **Equalities** – None identified within the consultation process
20. **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
21. **Crime and Disorder** – None
22. **Information Technology** – None
23. **Land** – None
24. **Other** – None identified

Risk Management

25. There is an acceptable level of risk associated with the recommended option

Contact Details

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Report Approved **Date:** 11.02.20

Wards Affected: Fishergate

For further information please contact the author of the report

Background Papers:

Earlier reports and Decisions are available on the City of York Council Website:

1. Consideration of Petitions received 22nd June 2017
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=738&MId=9855&Ver=4> 22nd June agenda item10.
Fulford Cross Petition arrived on the 19th June and was reported verbally at the meeting where it was added to the waiting list – see Decision sheet, item 10
The Petition recorded 34 signatures from 18 properties on Fulford Cross.
2. Results of the Consultation – whereby Fulford Cross was deferred for a second consultation and Danesmead was taken forward 25th Oct 2018
Land ownership can be seen at Annex G Steiner School objection is recorded in Annex F
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=738&MId=10860&Ver=4> Agenda Item 7
3. Results of the second consultation for Fulford Cross – 7th February 2019. Danesgate School withdrew their permission to use Education Land 2 days before and consequently this affected the options available. See Decision sheet for Decision made at that time.
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=738&MId=10864&Ver=4> Agenda Item 5
4. Consideration of objections for Danesmead Estate – 20 June 2019, Annex B is objection recorded by York Steiner School
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=738&MId=11566&Ver=4> Agenda Item 4

Annexes

Annex A: Details of the Advertised Proposal (Advertised 8th November 2019)

Annex B: Full wording of representations received

Annex C: Information Letter to residents 13th February 2019

Annex D: Flow Chart