
**Decision Session – Executive Member
for Transport & Planning**

14 September 2017

Report of the Corporate Director of Economy & Place

Consideration of objections received to an advertised proposal to make changes to the R14 Residents' Priority Parking zone on Claremont Terrace

1. Summary

To report the objections received and to determine what action is appropriate

2. Recommendation (Option One)

The Executive Member is asked:

- (i) To implement as advertised the changes to the R14: Residents' Priority Parking zone as it refers to Claremont Terrace under the regulations published in 2012 which allow enforcement by entry signage only. Thereby bringing the back lanes into the zone.
- (ii) To uphold the objections for the additional parking space and take no further action on this matter.

Reason: To prevent obstruction issues in the back lanes.

Background

3. We received a petition requesting the introduction of waiting restrictions in the back lane of Claremont Terrace, off Gillygate. The back lane on the north of the street is adopted highway, but is gated immediately behind the left hand bend. It is alleged the problem relates to vehicles associated with the businesses fronting Clarence Street parking on the back lane and preventing access or egress from the residential properties. At this time there is no problem reported on the un-gated back lane/alleyway on the south of the street.
4. Historically, we do not introduce restrictions in a back lane/alleyway where a parked vehicle creates an obstruction that the police can enforce at the time of the incident.

5. The Executive Member considered the petition on 13 April and a decision was taken to:
 - Change the residents parking scheme to a zone entry scheme with the same times and conditions as now.
 - Advertise a proposed additional parking space with a 30 minute maximum stay.

A plan of the resulting advertised proposal is included as Annex A

6. By changing the zone to zone entry signing instead of individually marked bays and signs every vehicle parked on the public highway would be required to display a permit whether it was parked in a marked bay or not. Hence if a vehicle is parked in the back lane without a permit a PCN could be issued.
7. There are no business permits allowed within the R14 Zone. Any related business parking in the zone could only be related to loading/unloading activities if the new regulations were used. Obstruction issues may still arise, but these are likely to be of a short duration.

Three Objections Received (no representations of support)

8. One representation in objection raised the following:
(Précis)

Whilst I fully understand the mischief which the order is designed to meet I would like to register an objection to it in its present form.

The reasons for my objection are as follows:

1. It is not necessary to include the alleyway to the south in the order since its present use does not give rise to any obstruction.
2. The order would have an adverse effect on the operation of my business. The area immediately to the rear of properties 20-25 Portland Street (opposite to 17-28 Claremont) is frequently used for parking for up to three vehicles without causing any obstruction by amongst others my guests and members of my staff who not being entitled to R14 permits would be unable to continue to do so. The Hazelwood (Guest House) does not have sufficient parking spaces on site to accommodate all its potential guests and/or members of staff and on occasion it is necessary to use the additional spaces in the alleyway.

I would respectfully suggest therefore that the proposed Order be amended either to exclude reference to the alleyway to the rear of properties 17-34 Claremont Terrace completely or to limit its scope to the rear of properties 29-34 Claremont Terrace

9. All objections raised concerns about the following:

The proposal (for additional parking space) will lead to an obstruction for access and egress from the back lane. It would prevent this entrance being used as a turning area there being no other stretch of carriageway on Claremont Terrace where the full width is available for this purpose.

10. One resident objected to the 30 minute allowance for non-permit holders for the proposed additional bay on the grounds that the rest of the zone only allows 10 minutes.

Analysis

11. Should we prevent parking in one back lane and leave the other unrestricted, it is likely the obstructive parking will displace into the unrestricted area and create the same problem. Consequently, we recommend this part of the proposal is implemented as advertised.

It is intended to introduce the new regulations as Community Parking (R14C), with entry signage as shown:



This will have the effect of:

- The existing bays would operate as now, for the use of household permits with a 10 minute allowance for non-permit holders.
- The back lanes could be used for permit parking; as long as that parking does not cause obstruction. There is no time allowance for non-permit holders except for loading and unloading purposes.

Permits allowed to be purchased for this zone (as recorded within the Traffic Regulation Order) are:

- Household Permits (including visitor permits)
- Guest House Permits
- House of Multi-Occupancy Permits

Subject to eligibility, the Guest House owner can purchase GM permits. This would allow his guests to park as now, in the back lane and

additionally use the overspill parking area on Lord Mayor's Walk. Portland Street would remain as now with signed and marked bays for the use of Household permits only.

There is no provision within Residents' Priority Parking Areas for permits to be issued for employees. Consequently, alternative arrangements would have to be made should the proposal be implemented.

12. The proposed additional bay was proposed with a 30 minute for non-permit holders to give some parking provision for the adjacent business outlets on a short term basis. Having revised the proposed position of the additional space we agree it would have the potential to impede access and egress from the back lane and create difficulty with turning in the area. Consequently, we recommend taking no further action on this part of the proposal.

Options

13. **Option 1 (Recommended Option)**
To implement as advertised the changes to the R14: Residents' Priority Parking zone as it refers to Claremont Terrace under the regulations published in 2012 which allow enforcement by entry signage only. Thereby bringing the back lanes into the zone.
To uphold the objections for the additional parking space and take no further action on this matter.

Reason: To remove the long-term obstructive parking in the back lanes.

14. **Option 2**
To implement the full proposal as advertised

This is not the recommended option because the proposed additional parking space would create an obstruction for other highway users.

15. **Option 3**
To implement a Residents' Parking Zone on entry signage without including the back lane to the south. This could be achieved with additional entry and exit signage at the entrance to the back lane.
To uphold the objection for the additional parking space and take no further action in this regard.

This is not the recommended option as displaced parking could cross into the other back lane and create the same obstruction issues.

16. **Option 4**
To take no further action at this time

This is not the recommended option because the back lane parking would remain unchecked and still cause obstruction.

17. **Option 5**
Not to implement the advertised proposal and advertise a proposal to place waiting restrictions in the back lane as an alternative.

This is not the recommended option because it would set a precedent for placing waiting restrictions in back lanes.

Consultation

18. Notices were placed on street and in The Press. Details were delivered to all properties within the R14 zone boundary.

Council Plan

19. The above proposal contributes to the City Council's draft Council Plan:
- A council that listens to residents

Implications

20. This report has the following implications:

Financial – Residents parking schemes are self financing once in operation. The £5k allocated within the core transport budget will be used to effect the regulatory signage change required.

Human Resources – None

Equalities – None

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

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Date: 5 September 2017

Wards Affected: Holgate

For further information please contact the author of the report.

Annexes:

Annex A: Plan of the proposal

Annex B: Plan of the R14 property boundary with available parking spaces