



## **Decision Session: Executive Member for Transport 22 March 2022**

Report to the Corporate Director of Economy and Place Directorate

### **Consideration of representations received to the advertised Residents Priority Parking scheme for 5-11 Main Street, Fulford – R67C**

#### **Summary**

1. To consider the formal representations made to a recently advertised Traffic Regulation Order to implement a new resident's priority parking scheme adjacent to 5-11 Main Street for the use of these 5 properties only.

#### **Recommendation**

2. It is recommended that option 1 be approved to uphold the objections and take no further action to formalise a residents priority parking scheme at this time.

Reason: To listen to residents' concerns whilst taking into account the number of properties against the number of objections received. Consequently not disadvantaging residents by formalising parking restrictions which in turn reduces the available on street parking amenities.

#### **Background**

3. We originally received a petition from residents in October 2018 asking for numbers 5-11 Main Street (5 properties, one of which is a guest house and would not be eligible for Guest House permits due to the existing off street car parking available) to be considered for resident's priority parking. Although the area is considerably smaller than usual zones this initiated a formal consultation which took place in February 2021.

The results of the consultation were considered at an Executive Member Decision Session on 11<sup>th</sup> May 2021, at this session it was resolved to amend the consultation proposal and to legally advertise the introduction

of residents priority parking scheme with the exemption of the one previously proposed bay located outside number 11, this was due to sight line and access/egress issues in the area and to also keep access to the bus clearway free from obstruction. Original comments received from St Oswald's Church have been included within Annex C which determined the amended advertised proposal. This decision was made to provide residents with priority parking for the limited area available whilst mitigating some concerns. The approved scheme which was legally advertised is included as Annex A.

4. The legal advertisement for the required Traffic Regulation Order to introduce the approved scheme, which provided on street parking for approximately 7 vehicles, was advertised on 22<sup>nd</sup> October 2021. This included formalising 2 bays to the front of the 5 properties which would be restricted 24 hours a day 7 days a week with a 60minute wait for non-permit holders. With double yellow lines being implemented on the remaining lengths of carriageway.

### **Consultation**

5. The proposal was advertised in the usual manner of notices placed on street, in the local press, to the statutory consultees and delivered to the adjacent properties. Nearby properties not included within the proposed scheme boundary were also provided details along with St Oswald's Church.
6. During the advertisement period from the 4 primarily affected properties we received two formal objections, one representation in support and comments from St Oswald's Church. All representations are included in full within Annex B.

Both objections express concerns over the reduced amount of on street parking which would be provided by introducing the legal proposal and requested that all current parking availability remains as existing. Along with additionally including an existing limited waiting bay located opposite the properties as joint residents parking and limited waiting. This bay is currently limited to 3 hours parking only and can accommodate 8-9 vehicles on a first come first served basis.

St Oswald's Church have made comments that they would like the limited waiting for non-permit holders within the proposed residents parking bays located to the front of 5-11 Main Street to be increased to 90 minutes and advised that they often utilise the bay opposite especially

during usual services and events, however still struggle finding adequate parking for larger events and 60 minutes is not sufficient. They would now not like to see existing parking arrangements removed to make things more difficult for nearby residents and with caution can navigate the current parking arrangements.

## 7. **Options for consideration**

### **Option 1** (recommended option)

Uphold resident's objections and do not progress the proposals any further until such time when a larger area requests to be consulted, this could be at a time when on street parking demand may become problematic due to possible nearby school expansion.

Regulations are in place which must be followed when formalising on street parking bays this commonly reduces the number of spaces which residents may have previously been utilising. Grass verge parking cannot be formalised or condoned which is also currently taking place by residents at this location. If a scheme was to be implemented then all verge parking would have to cease or vehicles would be liable to receiving a penalty charge notice. Currently no enforcement can take place to vehicles parking on grass verges, if no restrictions are in place to the front of the verge area, however if the scheme was implemented any vehicle parking on the grass verge behind the residents parking bays or double yellow lines would be liable to receive a Penalty Charge Notice from City of York Council Civil Enforcement Officers. It has also been suggested that if progressed bollards should be provided via ward funding to prevent access to the verges. Currently no proposals have been legally advertised to include the opposite bay within the proposed residents parking scheme.

### 8. **Option 2:**

Implement the proposed resident's priority parking scheme as advertised providing 7 on street parking spaces for the 5 properties which are included within the zone boundary, to be enforceable 24 hours with a 60-minute wait for non-permit holders.

This option would provide a limited amount of spaces for residents whilst keeping all sightline and access requirements clear from obstruction. The bay opposite would still be available on a temporary basis for

residents and visitors alike for a three hour period.

However, if this option was progressed this would not address residents' concerns over lack of parking amenity which is being reduced from approximately 10 to 7 spaces to the front of the properties.

#### 9. **Option 3**

Keep the consulted area on the residents parking waiting list and combine if any further petitions are received from the nearby area.

This option will retain the resident's position and enable City of York Council to look at a possible larger area which would provide additional on street parking should the time come when surrounding properties or streets request for them to be considered for resident's priority parking.

#### 10. **Council Plan**

This report is supportive of the following priorities in the Council plan in addition to the One Planet York principles, that the Council champions:

- A focus on frontline services; and
- A Council that listens to residents.

#### 14. **Implications**

This report has the following implications:

**Financial** –If the option to progress to implementation was agreed then the £5k allocated within the core transport budget will be used. The ongoing enforcement and administrative management of the additional residents parking provision will need to be resourced from the income generated by the new measure.

**Human Resources** – If implemented, enforcement will fall to the Civil Enforcement Officers necessitating an extra area onto their work load. 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 new schemes to increase resources in these areas as well as within the Civil Enforcement Team.

**Equalities** – The impact of the proposals on protected characteristics has been considered as follows:

- Age – Neutral impact as the area would remain as existing. If implemented this would have a negative impact for other car users who will not be able to park on this section of highway for church visits if space was available;
- Disability – Neutral as residents who hold a Blue Badge and provide the relevant supporting documentation can generally apply to have a bay provided outside their homes, dependant on location. Any Blue Badge holder can park in Residents' Parking areas free of charge;
- 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 – Positive if the order is not progressed as recommended however could have a negative impact if a scheme is implemented as low income residents who use on street parking will need to pay for a parking permit. The charge is the same for all residents in the zones regardless of their circumstances;
  - Veterans, Armed Forces Community – Neutral.

Access to the new online parking permit system – details have been agreed so that the wider Residents' Parking Service can help those that either don't have access to the internet or the skills to use the online system to access the parking system as they do with other similar ICT access requirements.

**Legal** – If progressed to implementation 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** – no Crime and Disorder implications identified

**Information Technology** – any new residents’ parking scheme will need to be included in the new online parking permit system so additional IT resources may be required to set up the proposed scheme

**Property** – no Property implications identified

**Other** –no other implications identified

**Risk Management** – In compliance with the Council’s risk management strategy there is an acceptable level of risk associated with the recommended option.

## **Contact Details**

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**Date:** 1<sup>st</sup> February 2022

## **Specialist Implication Officers**

Finance – Patrick Looker (Service Finance Manager)

Legal – Cathryn Moore (Legal Manager, Projects)

## **Wards Affected: Fulford & Heslington**

**For further information please contact the author of the report.**

## **Annexes:**

**Annex A:** Advertised residents parking scheme

**Annex B:** Representation made to the advertised proposal

**Annex C:** Original representation from St Oswald's Church. Most recent representation included within Annex B