

Annex F

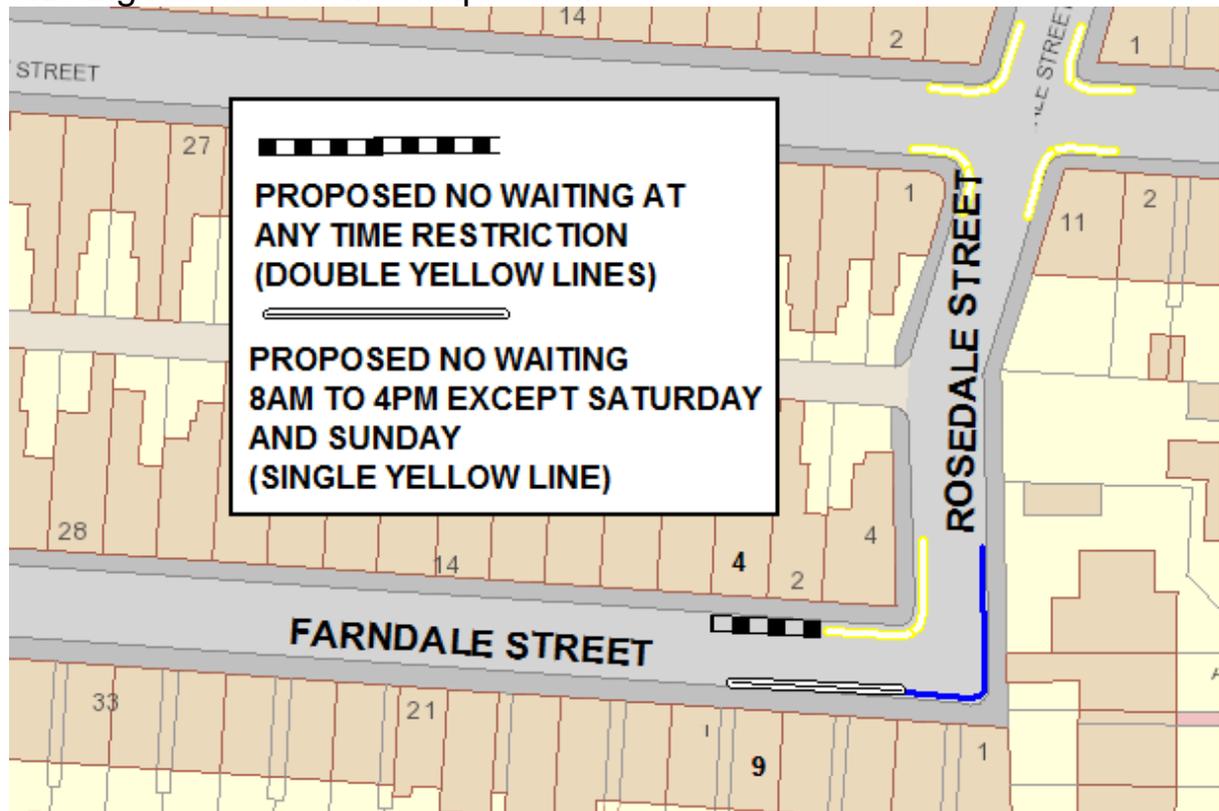
Fishergate Ward

F1

Location: Farndale Street

Nature of problem and advertised proposal.

The Waste Management team raised an issue regarding parked vehicles preventing access to complete refuse collection. An extension to the existing restrictions was requested.



Representations received.

We received 4 representations in objection and 1 in support of the proposal.

Representations in objection:

- I wish to object to the introduction of "no waiting at any time" restrictions on the north side.

The reasons for me objecting are below.

The recycling truck has no problem turning down the street with the current restrictions. I've seen this myself every fortnight for the past 2 years.

The extension of double yellow lines outside the property reduces the available parking for 2-3 vehicles in an already crowded street. This is completely needless and unnecessary.

This problem is compounded by people using the street as a car park, and it is often filled with hire vehicles. This happens a lot at night and I am aware local businesses advertise to use our street for parking. It is incredibly frustrating for people who actually live on the street to see the amount of hire vans and cars, sometimes who park on the footpaths, only inches from houses.

The only and obvious solution to this is permit parking for the street. I hope this will be brought in asap.

The proposed restrictions and double yellow will do absolutely nothing to solve the problem.

- We write regarding the proposed amendments to traffic restrictions in Farndale Street and Rosedale Street, as laid out in your notice of 10 November 2023. We live at Farndale Street and will be directly and deleteriously affected by the proposed amendments. We therefore wish to object to the proposals.

We are copying this message to Conrad James Whitcroft and Sarah Wilson, Councillors for Fishergate Ward, for information.

The present restrictions at the junction of Farndale Street and Rosedale Street are a good balance between the access needs of vehicles visiting these streets and the parking needs of the people who live here. The proposed amendments are disproportionate and ill-considered, and will cause more problems than they solve. They should be withdrawn, and the present arrangements should be left unchanged.

Summary of objections:

1. The extension of both double-yellow and single-yellow line restrictions by an additional 7 metres along the street in each case is excessive and unjustified. The present restrictions are sufficient, and problems are rarely encountered. Speaking as residents who see traffic coming and going all the time, the fact is that most vehicles cope with no difficulties at all.
2. The proposed amendments will further reduce the available parking spaces in a street where the supply of spaces is already limited and where residents have no choice but to park their cars in the street.
3. The amendments do not offer any solution to the problem of large vehicles accessing Farndale Street and encountering obstructions. The existing regulations (when enforced) already provide sufficient space for reasonably-sized vehicles to access the street. Unreasonably sized vehicles should not be coming down here anyway.

In detail:

The proposed changes will not improve access to the street for large vehicles (such as the refuse lorry). The proposed extension of the present single yellow line and double yellow line restrictions will have a disproportionate effect on the ability of residents to park near their homes while offering minimal counterbalancing advantages.

The present single yellow line already provides ample space for turning vehicles during the working day. The problem is not the restrictions but the lack of enforcement: there are frequently parked vehicles, often large vans, on Grange Street near the corner with Farndale Street on both the single yellow line and, illegally, on the double yellow line, in the early morning, having been parked there overnight, and from the late afternoon.

Sometimes they remain there all day. It is these vehicles which obstruct refuse lorries and delivery vehicles and, potentially, emergency vehicles.

The extension of the double-yellow lines on the north side of Farndale Street is similarly excessive: no vehicle needing to come down Farndale Street needs that amount of space to manoeuvre. The present extent of the double yellow line is quite sufficient for any reasonably sized vehicle. If CYC refuse lorries sometimes have difficulty then the problem is in the size of the lorries, not the arrangement of the street. The vehicles should be changed to suit the street, not the street to suit the vehicles. Badly parked vehicles further down Farndale Street also of course cause obstructions, in fact that is a more common problem than obstructions on the corner, but this problem will not be addressed by the proposed amendments.

The reduction in available parking spaces caused by the proposed changes will cause significant inconvenience to Farndale Street residents. People need cars in order to get to their jobs, and those cars have to be parked somewhere. The only place where they can be parked in these streets of small terraced houses with no drives or garages is in the streets themselves. Visitors to Farndale Street households, and tradespeople carrying out work, also need somewhere to park their vehicles. The loss of parking spaces does not just affect the top of the street where we happen to live but will have a knock-on effect throughout the length of the street. The net reduction in parking spaces, varying from two to six depending on the time of day, will give little or no advantage in terms of access to the street (see above), but will make life that bit more difficult for those of us who actually live here.

If the Council wants to make a real beneficial difference to parking and access in this area, it can do so by addressing the problem of illegal parking overnight, often of light commercial and other vehicles of inappropriate size, in Rosedale Street and at the corner of Grange Street and Fishergate, where vans and cars associated with the barbers shop at that corner shop are frequently parked. In both these cases the existing regulations are ignored, junctions and driver sightlines are obstructed, and pavements are partially or wholly blocked, creating dangerous situations for pedestrians. Finally, it really is not acceptable for the Council to require citizens of York to go in person to the Council Offices to see the details of proposals that will have a significant effect on their lives. This is not the 1950s. The Council has a website and, just as with planning applications, the necessary information should be published there.

- Submission opposing Notice of proposals. The York Parking, Stopping and Waiting (Amendment) (No 14/59) Traffic order – Farndale Street.
 1. We wish to express our opposition to the proposals referenced above i.e. to extend double yellow lines on the north side of Farndale Street and single yellow lines on the south side of Farndale Street.
 2. The statement of reason refers to issues raised by the Waste Management Team regarding parked vehicles preventing access to complete refuse collection.
 3. The Waste Management team have confirmed that refuse collection has taken place in the area on a Monday for more than ten years. I have lived in Farndale Street since 1987 and in that time I can only recall waste collection occurring on a Monday.
 4. Within the last 11 years there have already been two alterations to parking restriction. Double yellow lines were implemented in 2012 (marked yellow on the map). Single yellow lines were implemented in 2015. (marked blue on the map). The single yellow lines were to allow access for the refuse trucks.
 5. No reason is given by Waste Management as to why further changes are required. Presumably the changes made in 2012 and 2015 were deemed to be adequate.
 6. Given also the historic continuity of Monday collections the restrictions proposed for Monday to Friday are disproportionate. S(2) (b) of the Road Traffic Act Regulation Act 1984 gives very wide powers regarding the duration of restrictions which can be “either at all times or at times, on days or during periods so specified.” An order could be made simply to apply on Mondays.

7. Furthermore the notice given of the proposals does not refer to the full duties of the authority in that they omit reference to Section 122 of the Act. When considering the making of a Traffic Regulation Order the council has a statutory duty to consider the matters detailed at Section 122 of the Act. It provides as follows:- (my highlights)

“It shall be the duty of [F2every] [F3strategic highways company and] local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off [F4the highway or, in Scotland the road].

(2)The matters referred to in subsection (1) above as being specified in this subsection are—

(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;

[F5(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; “

The full range of considerations that need to be made are emphasised by the Transport Order Guidance issued by the Planning Inspectorate on 1/1/2014, in para 5.2, namely TROs can be made for the following purposes: * avoiding danger to persons or traffic; * preventing damage to the road or to buildings nearby; * facilitating the passage of traffic; * preventing use by unsuitable traffic; *

The proposed amendments will impinge on the provision of suitable and adequate parking facilities on and off the highway, namely Farndale Street as required under s122 (1) of the Act. They will also impinge on our ability to secure and maintain reasonable access to our premises. We are finding parking our car much more difficult following the introduction of more Respark areas nearby.

The authorities' attention is also drawn to s122 (b) and the guidance above, namely the duty of restricting and regulating the use of roads by heavy commercial vehicles. Given the rationale deployed by the Waste Management Team (i.e. easier access for their vehicles) if the proposals were to go ahead as outlined this would have the effect of increasing the use of the road by heavy commercial vehicles to the detriment of residents of the street and the safety of young persons making use of the street.

8. Farndale Street was subject to a Respark consultation in 2018. The views of the residents may have been different had it been known that further restrictions on parking in the street were planned. A joined up approach was not therefore followed by the authority.

As mentioned above we are encountering far more difficulties in parking our car in the street.

9. In summary the proposals and statement of reason has;

- a) Not provided any substance as to why further changes are required
- b) Are disproportionate in duration given the historic collection day of Monday
- c) Are contrary to the full requirements of s122 of the relevant legislation
- d) The authority has not followed a joined up approach to parking restrictions in the street.

10. Accordingly it is requested that the proposals are rejected.

- Submission opposing Notice of proposals. The York Parking, Stopping and Waiting (Amendment) (No 14/59) Traffic order – Farndale Street.

1. We wish to express our opposition to the proposals referenced above i.e. to extend double yellow lines on the north side of Farndale Street and single yellow lines on the south side of Farndale Street.

2. The statement of reason refers to issues raised by the Waste Management Team regarding parked vehicles preventing access to complete refuse collection.

3. The issue raised regarding parked vehicles preventing access to complete refuse collection may involve cars/work vehicles parked in contrary to existing restrictions. If this is true then no extension is necessary.

4. Existing restrictions; " no waiting at any time" on the north side and "no waiting 8am to 4pm except Saturday and Sunday" on the south side already enable a collection to be completed prior to 8am on Mondays which is the historical practice (10 years+).

Further restrictions may be implemented for a specific day of collection if necessary without increased burden/inconvenience to existing residents. In addition I attach 2 photographs taken on Monday 27th November 2023. They both show that the waste management vehicle is able to turn the corner with enough space to remain on the road. The 2nd photograph shows that this is true despite a car parked legally in front of No. 2 Farndale Street (within the current restrictions). It is also clear on this photograph that the decision of the waste management team was not to continue to turn and bring waste from further down the street to the area the waste management vehicle had remained stationary.



5. Previous amendments in 2012 and 2015 were already implemented in order to improve against for refuse collections. We feel it is therefore unnecessary to implement further restrictions for the same given reasons. I

6. The proposed amendments will impinge on the provision of suitable and adequate parking facilities on and off the highway, namely Farndale Street and the council has not fulfilled its statutory duty to make reasonable considerations that are required in the legislation.

7. Further restrictions will impinge on our ability to secure and maintain reasonable access to our premises. Any increase in resident or work vehicles activity cited would make parking more difficult with the removal or 2-3 spaces on north side and restrictions for up to 4 vehicles on the south side of an unpermitted road with cars commonly parked on both sides.

8. The cited reason for amendments (i.e. easier access for Waste Management Team Vehicles) may also lead to unwanted use of the residential road for commercial work vehicles who already use this un-permitted road within this residential area. This potential adverse effect must be considered and mitigated prior to these amendments being implemented. It is already the case that local businesses advertise to park on Farndale street to customers.

9. Farndale Street was subject to a Respark consultation in 2018. The potential restriction/amendments proposed in 2023 to reduce the amount of road available for parking was not included/foreseen at that time. The views of current residents 5 years later have not been sought with this significant change in circumstances and therefore the local authority have not made this proposal following a joined up approach. We feel that further consultation should be considered on this issue and potentially permit restrictions prior to any implementation of amendments.

In summary our representation of objection to the proposals are as follows:

- a) The statement of reason alone is not sufficient to conclude that these amendments/further restrictions are necessary.
- b) The proposed amendments are disproportionate in duration due to the cited reason affecting a small part of the working week (usually only the 1st hour on Mondays although collection may be complete before 8am)
- c) The full considerations of all aspects of the implications for residents have not been considered as is the statutory duty of the council.
- d) The authority has not followed a joined up approach to parking restrictions in the street.

Accordingly it is requested that the proposals are rejected in full.

Representation in support received from the Waste Services team:

- Please find below further details supporting the request for parking restrictions.

We have an ongoing issue with legally parked vehicles blocking the access of refuse collection vehicles to residential properties in this area. The streets that are affected when access is blocked are Farndale Street & Lavington Terrace. Introducing the requested parking restrictions will reduce the likelihood of parked vehicles blocking access.

- The blocked access results in waste remaining on the public highway in front of domestic dwellings until access is available, sometimes up to several days. This causes:
- Distress to residents
- Adds cost to the waste collection plan due to multiple visits to collect the waste
- Increases emissions from the refuse collection vehicles

I have listed comments expressed by residents directly to City of York Council and on social media, all of these were driven by blocked access at the point highlighted in this report:

- There's a big pile of uncollected rubbish on the corner of Farndale St at the river end. It was supposed to be collected on Monday 17th. I'm guessing it's because the van can't get past the parked cars but didn't see any note on the waste collection updates page.
- Hello, The household waste wasn't collected Monday 25 May, nor Tuesday. when there should have been another attempt, and no one has been today either. The bin men emptied large amounts of bags out of the bins on to the streets, which is disgusting and unacceptable. They have now been out in the rain for days and things are getting worse.

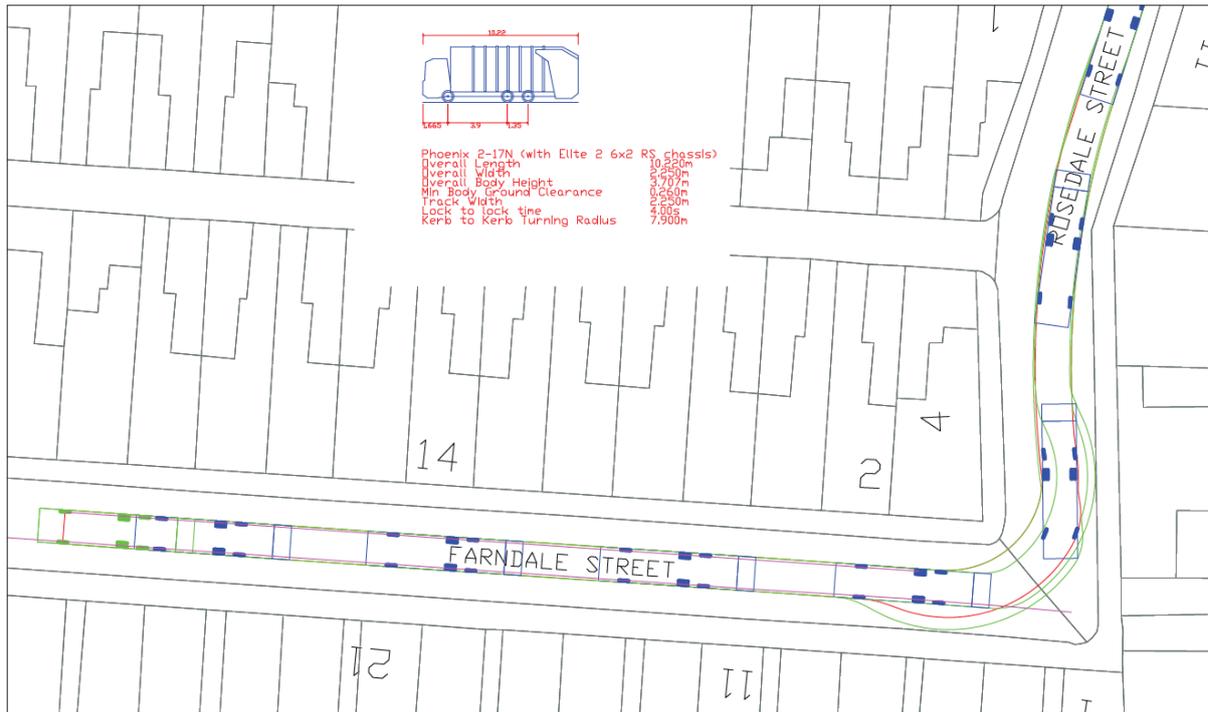
There are some works going on at the end of Farndale Street, but as I've mentioned previously, there is access via Hartoft Street, and the bags shouldn't have been thrown out and left like this. All the full wheelie bins are still out in the street as well. Can you please confirm this will be dealt with ASAP?

- Black bins not collected again for the second week running on Farndale Street. Mountains of bin bags in the street. Welcome to York!
- I have personally spoken to the son of an elderly couple who live in Lastingham Terrace who expressed the distress of his parents when waste is not collected due to blocked access.

Officer analysis and recommendation

The Waste Management Team have provided evidence they have been unable to collect refuse on a number of occasions at this location. The image supplied shows there in no vehicles parked on the south side of the carriageway. Vehicles travelling in opposite directions are also currently approaching the bend unsighted and in the centre of the carriageway.

The below vehicle tracker information below shows the south side timed restriction does need to be extended and the proposed no waiting at any time restriction on the north side does not.



The extension of the no waiting 8am to 4pm on the south side will provide the required carriageway clearance for the refuse truck to safely enter and exit the street. There was a further Respark consultation completed in 2021 and was resolved to take no further action at a public decision session 21st September 2021.

Options.

1. **Implement as advertised-** Not recommended
2. **No further action-** Not recommended.
3. **Implement a lesser restriction-** Recommended(as per plan below)

