

## Annex O Rawcliffe & Clifton Without Ward

**O1**

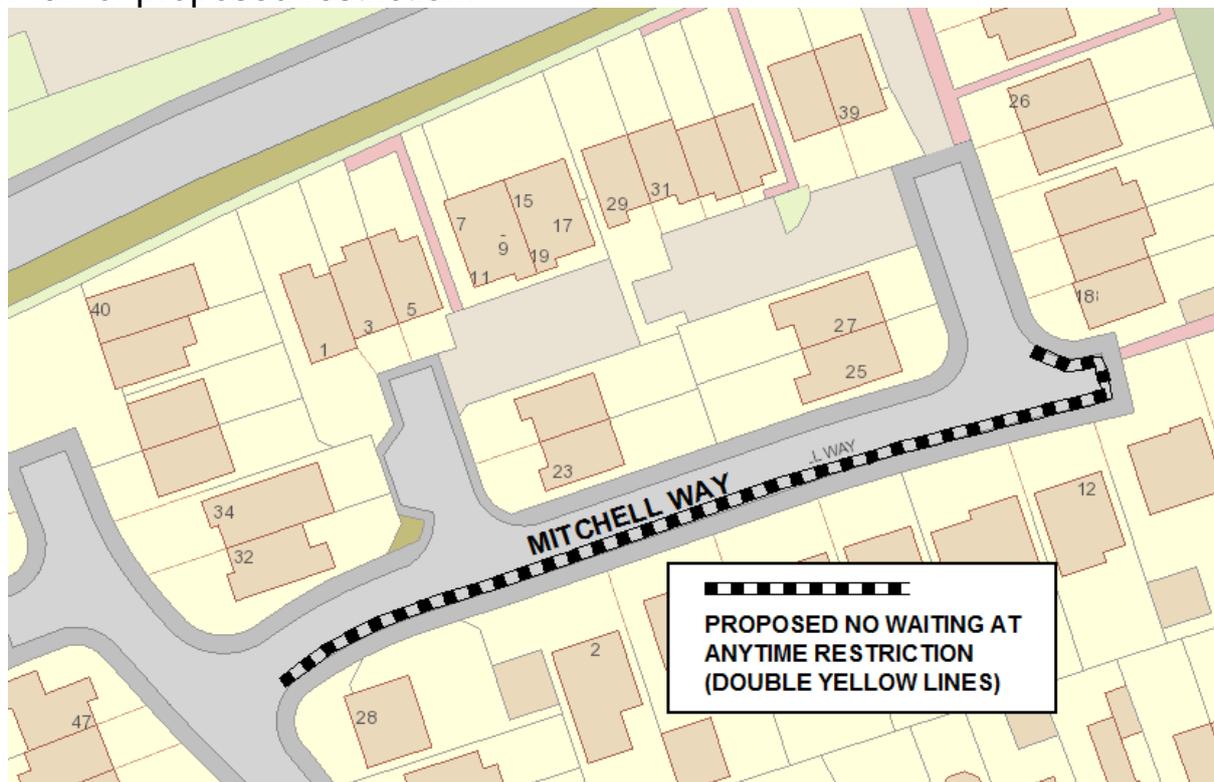
**Location: Mitchell Way**



### **Nature of problem and advertised proposal**

A resident has raised an issue of vehicles parking on the footpaths of Mitchell Way leading to pedestrians having to walk in the carriageway due to the footpath being inaccessible.

Plan of proposed restriction:



### **Representations received**

We received fifteen representations in objection to the proposal.

- Introducing 'no waiting at any time' restrictions in Mitchell Way, Clifton Without, on its south side and eastern turning area, from the eastern kerbline of Broadstone Way east for 121 metres. This would mean that those who actually live on Mitchell Way will not be able to park outside their own houses and in doing so will cause parking issues elsewhere in the area.

A suggestion would be to deal with those irresponsible van and minibus drivers who think it is acceptable to park on the junction which causes issues turning from Broadstone Way into Mitchell Way and also they park on the footpath, blocking the footpath and restricting access and being unable to see the road sign. It is these people who are causing issues with turning into Mitchell Way from Broadstone Way, not those on the opposite side of the road. Also if there is a HMO in Mitchell Way which has a number of cars this is an issue as well, so taking away parking in the street will cause it to spill out into other areas.

Please reconsider this proposal.

Following notice of proposal, I would like to submit objections to planned double yellow lines on Mitchell Way. Just FYI - the photo showed in Q5 annex is not relevant to proposed parking restriction, as it was taken in the north part of the street. Planned restriction/double yellow lines in any part of our street will not solve parking issues, they will only make it worse, as people will not be allowed to park in front of their own houses. This will force them to park in front of other properties e.g. ours and we do not want that, as it is already extremely busy to park here and it could make it difficult to access our own driveway.

We believe that council does not understand the source of issues we have with parking on Mitchell way. The main issue is that some houses have more cars than the number of parking spaces available to them. This makes residents constantly occupying all visitor parking spaces. Numerous times we have seen people moving their other cars to visitor parking spaces as soon as their first car was leaving the visitor parking space (so that they don't lose this parking space).

The parking issue was raised when one of the houses on our street was being converted into a HMO, but council allowed the property to become a HMO anyway. The HMO house only has 2 parking spaces belonging to the property, but they park numerous cars on our street including company cars.

Double line will not discourage people from having more cars, it will only make parking in front of our own houses impossible, as people with multiple cars will be desperate to park as close to their properties as possible - We do not need any more problems with parking than what we are already facing.

Big vehicles like bin collection vehicles never had issues with accessing our street. We have kids and are fine while using the strollers on our street too. Please cancel the plan of introducing double yellow on Mitchell Way.

- As a resident on the street, I feel obliged to inform you that I wish to OBJECT to this proposal based upon my views and opinions that are based upon how I envisage what the long-term effects will be, should the proposal go ahead.

Firstly I don't envisage that you will resolve the problem of the congestion, and in fact make the situation worse. Reducing the space for people to park their cars, because the houses on Mitchell Way were not originally designed for the number owners have now, will only force residents to park where there are no double yellow lines. This is based upon understanding that there is only a finite amount of space, and therefore based upon the current volume of cars, this situation will become worse.

Secondly, In forcing others to park elsewhere, I feel as though access to my property will become harder especially when cars parking outside my property will increase, as on numerous times, they overhang and already make access difficult. I already only have a finite amount of space available to me, and are unable to expand parking options, so the space outside my property is invaluable to me and my family.

Thirdly, I believe the proposal will have a negative impact and will most likely devalue my property, by making it less appealing to buyers, becoming harder to sell because of congestion. This is based upon potential buyers being aware of congestion problems by seeing the double yellow lines.

Fourthly, In accordance with your website, the no waiting time lines cannot be applied for the whole 121m given the amount of accesses there are to private driveways, and therefore this proposal contravenes the advice you provide on your website. Double Yellow Lines – City of York Council

The reality of the matter is that, in my opinion the current problem is caused by a particular house having a considerably larger volume of vehicles associated with it, and by reducing their volume would significantly improve the situation.

As a result of all the above, I finally highlight that this proposal victimises the residents of Mitchell Way, as they will be unduly negatively impacted by the proposal, especially when the same principles are not being applied across York unilaterally.

I therefore wish to officially object to this proposal, however I am more than happy to speak and liaise with someone directly to understand, what the original concern is based on and how a potential agreement may be found.

- I would like to object to the above Traffic Order Proposal. I live at (House number redacted) Mitchell Way and have done so since the

day my property was completed in May 2003. There has never been any issue with parking in front of my property in the whole time I have lived here.

At a time when local councils are under extreme funding pressures, with some councils declaring bankruptcy, I do not feel that the expenses involved with putting in these amendments are in any way justifiable. It is an absolute waste of Council money which is desperately needed elsewhere and completely unnecessary in any case. It would also be ineffective as it would be impossible to police. Would this then mean, without any waiting time, I could be breaking the law by having my weekly grocery delivery with the delivery van idling outside my property on double yellow lines? This would massively impact my life.

Until a ban on parking on footpaths throughout the country is brought into effect, the Council putting any yellow lines on Mitchell Way will NOT prevent cars from parking on the footpath. Even with yellow lines in place, I am absolutely certain the cars will still continue to park on the footpath regardless.

By putting the yellow lines along the south side of Mitchell Way I feel I am being discriminated against as a private homeowner. I would not object to yellow lines being placed on the opposite side of the road as that does not interfere with any properties or the access to those properties. I understand that the reasoning behind the council not doing it on the north side is so as not to displace cars. All of the cars which park on the north side are from other houses around the corner of Mitchell Way who are in fact in direct breach of original covenants of the Deeds of Transfer where it states no vehicles or commercial vehicles are to be parked in the road. There is an excessive amount of commercial vehicles parked on the north side.

If the council go ahead with these amendments I am going to be unfairly penalised in everyday life whilst the perpetrators of parking on the footpath will continue with their inconsiderate parking and nothing will change.

I ask the council to reconsider and completely dismiss this proposal or, if not willing to completely dismiss, then to put the yellow lines on the opposite side of the road so as not to discriminate against private house owners and affect their enjoyment of their property. Add to the comments on cars parking in the road, that these are solely from a single property of multiple occupancy with up to 6 additional vehicles (cars, vans, taxis - Re breach of covenant) and we have had no issues with people parking on the street who either work locally or visiting local shops on Clifton Moor.

There have been no incidents, accidents or threat to life that I am aware of that drive the need for this to be carried out, the cost to implement, manage and police this is a total waste of council funds with no benefit to anybody

- I would like to suggest that the double yellow lines are extended approximately 2 more metres from where it was suggested on the map to help to stop this problem as bringing in double yellow lines on the south side of Mitchell Way will most likely mean that more vehicles will cause a problem at the front of my property, The current problem which I think has caused these proposed restrictions to be introduced is a large number of vehicles parked partially blocking the footpath in Mitchell Way on the opposite side of the road to the proposed restriction many of the vehicles owned by residents of a multiple occupancy house further along Mitchell Way. As the proposed restrictions currently stand it is very likely that the problem of cars parked on the pavement in front of my property will become worse for this reason I object to the current plans

- I live at (House number redacted) Mitchell Way which is adjacent the proposed no wait area and am extremely disappointed in the proposals for the reasons outlined below:

In June 2021, the application for (HMO House number redacted) Mitchell Way to become a House of Multiple Occupancy (C4) was granted by City of York Council. This has caused the street to become significantly busier and on regular occasions there are in excess of 4 commercial vehicles (taxi's) parked opposite my property on the verge adjacent number 23 and 25 Mitchell Way. In addition to this there is a large van regularly parked on the corner as you enter the street (adjacent number 32) which are all owned by occupants of (HMO house number redacted) Mitchell Way. This limits the available parking in the area.

The properties directly adjacent the proposed no wait area (numbers 2,4,6,8,10,12) are all large properties with most being 6 bedroom detached houses. As I am sure you can appreciate this means that some of the owners have large families and as such have more than one vehicle. The drives allocated to these houses are quite small and only allow a maximum of 1-2 vehicles to be able to park on them. There are therefore occasions where occupants park on the proposed no wait area as the spaces opposite have been taken by occupants of (HMO house number redacted) Mitchell Way and other occupants who live in the flats on Mitchell Way.

There are not an excessive amount of vehicles parked on the

proposed wait area but it is a critical space to provide flexibility, especially if guests visit.

Should the proposed no-wait area go ahead this will only exacerbate the issue with parking. It will cause tension and friction between neighbours as all will try to get a parking space opposite 23 and 25 Mitchell Way and when all these spaces are inevitably taken, people will end up parking in less suitable locations (such as on the corner of the street) which could cause the risk of an accident. It will also prohibit visitors being able to park on the street and as far as we can see provides no benefit to the street in terms of either safety or ease of access. The street is wide enough to have vehicles on both sides of the road and still allow for large commercial vehicles (such as refuse collection trucks) to comfortably manoeuvre around the street.

We have discussed these proposals with the neighbours on the street and we are all strongly opposed to the proposal. We all feel this will cause the street to become more congested rather than less as cars will try and park in unsuitable locations such as on bends and it will also risk damage to vehicles as cars will inevitably be parked close together in an attempt to maximise the reduced parking areas.

We strongly request that you review this proposal and do not go ahead with it as we believe there is no intrinsic benefit at all. With the exception of the increase in vehicles associated with (HMO house number redacted) Mitchell Way there are no parking related issues in the street currently so it is frustrating that City of York Council are proposing a change which will frustrate the occupants in the street and provoke arguments amongst neighbours when using the remaining parking spaces.

- I STRONGLY OBJECT to the introducing of a 'no waiting at anytime' in Mitchell way and Broadstone Way.

The reasons why I object is

1 .the side of the road where you plan to put the yellow line I will no longer be able to park over my driveway at the back or front of my house. This will also effect the value of my property which I own.

2 .the car problems in are street have come from I believe a HMO house which is is at the end of Mitchell way, I have been told there are several cars to that property. Also the limited amount of parking spaces for the block of flats of Mitchell way.

3. There has also been an issue with people parking there work vans of significant size close to a junction 4. The majority of the cars and vans which park on Mitchell way are on the opposite side of the road to the proposed double yellow lines, which is the side of

the houses of 32,23,25, 5. I believe the current proposal is not going to solve the issue as the all the cars will still be parking on the other side of the road as stated. The only people this proposal will have a significant impact on is on the private homeowners from 28 broadstone way to 18 Mitchell way, these houses are all between 4 to 6 bedrooms who longer be able to park in front of there own houses.

Once again I STRONGLY OBJECT

- Your responses to the points raised in my representation letter dated 15th November 2023 have been duly noted, however it is with regret that I must now confirm my objection to the Order as currently proposed. This is based on the following 2 issues which are inextricably linked and based on those points raised in my initial letter.

Failure of the TRO to suitably address the Statement of Reason: Whilst it is accepted that implementation of any Traffic Regulation Order (TRO) will present both direct and indirect consequences in terms of highway operability, it is the responsibility of the Highway Authority to appropriately consider those consequences when making a proposed Order and mitigate against any foreseeable adverse effects prior to its implementation. The effectiveness of a proposed TRO in addressing its underlying 'Statement of Reason' can only ever be reasonably assured when the associated restrictions are direct and proportional; that is to say that they are intended to influence driver behaviour within the specific scope and extents of regulation. The more an Order relies on indirect consequence to achieve its objectives, (i.e.restrictions intended to influence driver behaviour beyond the specific scope and extents of regulation), then the more its effectiveness can be considered speculative and unfounded.

Whilst it is accepted that there will be, some, direct benefit to this TRO in tackling the pavement parking issues currently experienced on Mitchell Way, (i.e. subsequent eradication of the problem from the south side of the street by way of 'No Waiting' restrictions), the Order falls significantly short of addressing its 'Statement of Reason' as any mitigation of the same issue on the north side of the street is based purely on indirect consequence and a speculated change in driver behaviour.

Furthermore, it is highly likely that the problem on the north side will be exacerbated by the displaced parking arising from these restrictions.

As previously mentioned, it is the north footway which receives the greater proportion of pedestrian traffic along Mitchell Way. This

footway serves as the desire-line for 28 properties on the street, of which many are housing association plots with high child occupancy. This is in contrast to just 8 properties which are accessed via the south footway. For the Highway Authority to even consider implementing an Order which poses an unmitigated risk of further worsening the situation on the north side of Mitchell Way, for what is of comparatively lesser benefit on the south side, is illogical, irresponsible and unacceptable. Unsuitability of the Proposed form of TRO: I believe that the points raised above also give validity as to why - should the Authority still elect to implement these restrictions - an Experimental Traffic Regulation Order (ETRO) would be a better method of procurement. The proposed Order forms the basis of an overarching solution significantly reliant on indirect consequence to meet its 'Statement of Reason'. As such, it presents a high degree of doubt and risk in terms of its overall effectiveness.

In these circumstances, I believe that the making of an ETRO would be in the spirit of the RoadTraffic Regulation Act, 1984 - Section 9, and Regulations 22 and 23 of the associated Local Authorities' Traffic Orders (Procedure – England and Wales) Regulations 1996. Furthermore, it would offer reassurance to residents that the Council are actively committed to monitoring and reviewing the situation going forward and that in itself would be of significant benefit to the situation and directly apposes your response in this respect.

At no point in my representation did I preclude that further Orders may be required to supplement an ETRO. As you have stated in your e-mail response, anything outside the context of this specific Order is 'not relevant to this consultation' and so it therefore follows as a contradiction that you use the possibility of other TROs being required as a basis of argument for not making this particular Order Experimental.

At this stage, I do not wish to provide any further comments beyond those provided in my original representation and annexed above. I shall now await publication of your Officer Report in due course, for which I would be grateful if you would please include me on the recipient list.

Dependent upon the final recommendations made within that report, I may then elect to make further representation directly before the Executive Member for Economy and Transport at the ensuing Decision Session.

- I am writing to place strong objections to the proposed changes on Mitchell Way (Clifton Without) as per the notice received on the 10th November.

I have aimed to summarise my key points below:

- The proposed changes offer no improvement to the current parking issues - if anything, this is likely to worsen matters by forcing congestion at the very end of the cul-de-sac. Few cars park on the side of the proposed changes anyway.

- I would view it as a waste of council time and resources which as a taxpayer is frustrating when there are other more important issues that could be addressed.

- These changes have been brought about by 2 or 3 residents in the cul-de-sac that have ongoing objections to the house of multiple occupancy that was approved - that single property can have anywhere between 7-12 cars at any given time, hence the issues with parking. Applying double yellow lines will not change that! I have concerns it will decrease the value of the properties on this street as it makes it difficult for residents to have visitors if there is nowhere for them to park. It certainly would encourage me to look at moving away from the area as a homeowner here for the last 9 years.

- There are safety concerns that if pushing congestion further towards the end of the cul-de-sac, this could lead to overhanging cars on the corners of the street and over people's driveways, this would create a hazard by further reducing the visual field when pulling out of driveways or turning the corner.

- Unfortunately, we understand that the neighbours that have pushed for parking changes, had no intention of changes like double yellow lines, and unfortunately the changes will not directly affect them, but other people on the street.

- I also would question how this would be appropriately policed given it would be the only small residential cul-de-sac in the area with these road markings. I expect people will still continue to park there regularly as I can't imagine there are available resources to drive out to this location several times a day to check on any violations of the restrictions.

Thank you for your consideration in overturning this decision as a poor use of time, resources and funding, that ultimately offers no improvement on the current issues, which are in fact only minor.

- I would like to object to the above Traffic Order Proposal. I live at 14 Mitchell Way and have done so since the day my property was completed in May 2003. There has never been any issue with parking in front of my property in the whole time I have lived here. At a time when local councils are under extreme funding pressures, with some councils declaring bankruptcy, I do not feel that the expenses involved with putting in these amendments are in any way justifiable. It is an absolute waste of Council money which is

desperately needed elsewhere and completely unnecessary in any case. It would also be ineffective as it would be impossible to police. Would this then mean, without any waiting time, I could be breaking the law by having my weekly grocery delivery with the delivery van idling outside my property on double yellow lines? This would massively impact my life.

Until a ban on parking on footpaths throughout the country is brought into effect, the Council putting any yellow lines on Mitchell Way will NOT prevent cars from parking on the footpath. Even with yellow lines in place, I am absolutely certain the cars will still continue to park on the footpath regardless.

By putting the yellow lines along the south side of Mitchell Way I feel I am being discriminated against as a private homeowner. I would not object to yellow lines being placed on the opposite side of the road as that does not interfere with any properties or the access to those properties. I understand that the reasoning behind the council not doing it on the north side is so as not to displace cars. All of the cars which park on the north side are from other houses around the corner of Mitchell Way who are in fact in direct breach of original covenants of the Deeds of Transfer where it states no vehicles or commercial vehicles are to be parked in the road. There is an excessive amount of commercial vehicles parked on the north side.

If the council go ahead with these amendments I am going to be unfairly penalised in everyday life whilst the perpetrators of parking on the footpath will continue with their inconsiderate parking and nothing will change.

I ask the council to reconsider and completely dismiss this proposal or, if not willing to completely dismiss, then to put the yellow lines on the opposite side of the road so as not to discriminate against private house owners and affect their enjoyment of their property.

- I DO NOT AGREE to introducing "No waiting at any time" restrictions in Mitchell Way.
- Every resident except one, appealed against number (HMO House number redacted), who purchased the property to rent out the rooms to convert the property to a HMO.

The City of York Council, had no care for other residents, but agreed to this being passed. This has caused parking issues from number 37, where we have up to 10 vehicles parked down Mitchell Way everyday, blocking the Pedestrian walk Way.

Putting double yellow lines on the South side will not help this situation at all.

I object to this proposal and ask you to think about the stress and inconvenience this will cause everybody who lives down Mitchell Way.

I propose that we have a meeting about this problem, to invite the residents and the City of York Council to discuss this issue and come up with a more realistic solution that does not affect our lives. Thank you for reading my email, I trust you understand my concerns and if you want to discuss it further, please contact me.

- I have to object this proposal as it will result in cars from the double line area to park in front of other people's driveways. This will cause problems for me and my neighbours. I also believe that this will result in the prices of properties in our area to drop.
- I strongly oppose yellow lines outside of my house. There are 5 of us at the address. We need to keep the road in front of our house clear for visitors and also when my twin daughters learn to drive in just over 2 years. It's possible we may need the road outside for parking. Our council tax is already exuberant, so please do not take away our right for parking outside of our very own house!
- I would like to advise you that I OBJECT STRONGLY to the traffic enforcement proposals outside my house – this is going to cause no end of issues when myself & other neighbours when we have people visiting our properties!  
The house concerned which has been causing all the issues in the street now seems to have moved their cars somewhere-else!  
I hope that common sense will prevail with this matter.

### **Officer analysis and recommendation**

The proposal to advertise restrictions on the south side of the carriageway was to minimise the displacement of parking on the north side and to then provide enough space to encourage vehicles to park wholly on the carriageway. Five site visits at various times of the day, including at 6pm in the evening, have witnessed the issue of footpath parking remains on both sides of the carriageway and is leading to the footpaths on both sides being inaccessible or blocked entirely.

Please find below some images taken during the site visits:





Some of the residents who provided representations have advised the issue has reduced but the images show when vehicles are parked opposite each other the footpaths are inaccessible to pedestrians, particularly with prams or mobility scooters.

The resident who originally raised the issue, although didn't comment in the consultation, has contacted us to ask when the yellow lines will be implemented as the issue of being unable to walk on the footpaths with a pram remains due to the parked vehicles.

#### **Options.**

- 1. Implement as advertised-** Recommended. The issue of the footpaths being inaccessible still remains due to footpath parking on both sides of the carriageway.
- 2. No further action-** Not recommended
- 3. Implement a lesser restriction-** Not recommended
- 4. Advertise a proposal for placing the restrictions on the north side-** Not recommended

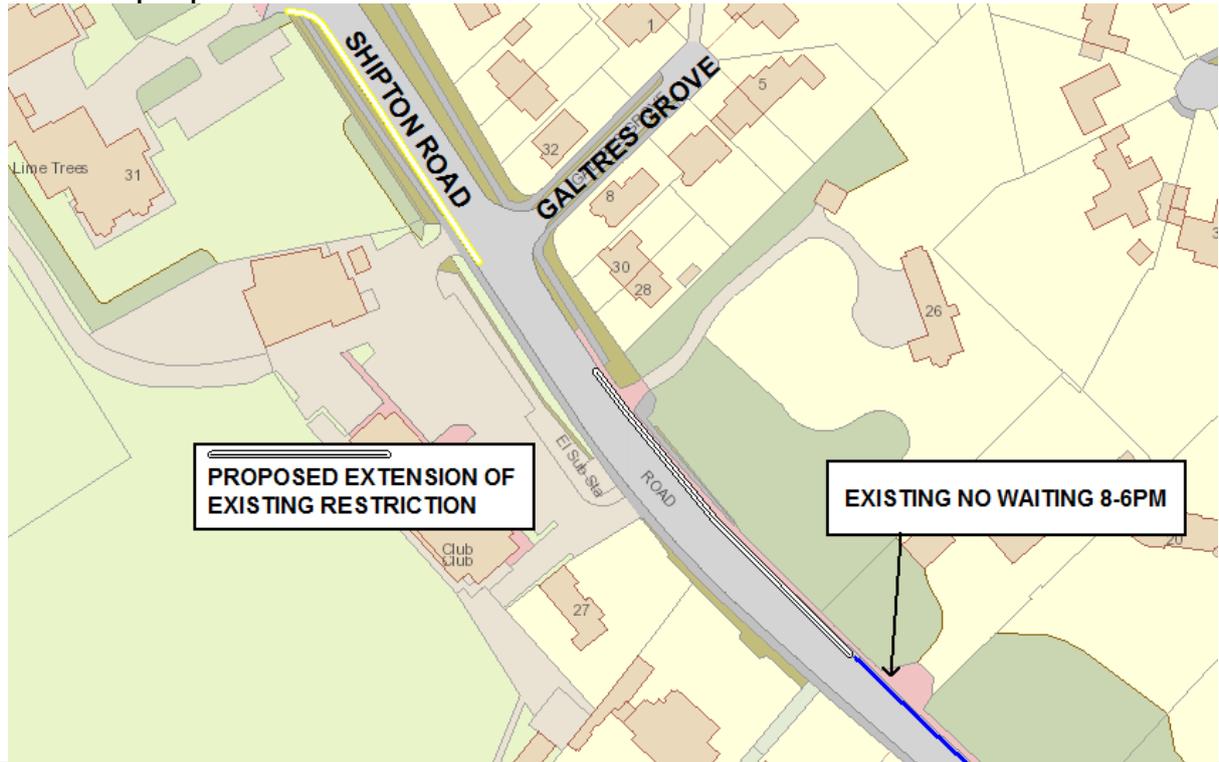
**02**

**Location: Shipton Road**

**Nature of problem and advertised proposal**

Cllr. Smalley and a resident have requested an extension to the existing no waiting restrictions on the east side of Shipton Road due to parked vehicles encroaching on the narrow footpath.

Plan of proposed restriction:



**Representations received**

We received one representation in support and two in objection to the proposal.

Representation in support:

- We support this proposal and consider that extending the no waiting zone will constitute a significant improvement in so far as the very narrow pavement on the east side of Shipton Road will be unencumbered by parked cars. It will also make the road considerably safer and allow free flow of traffic ( including buses) with no parked cars to navigate during the day.

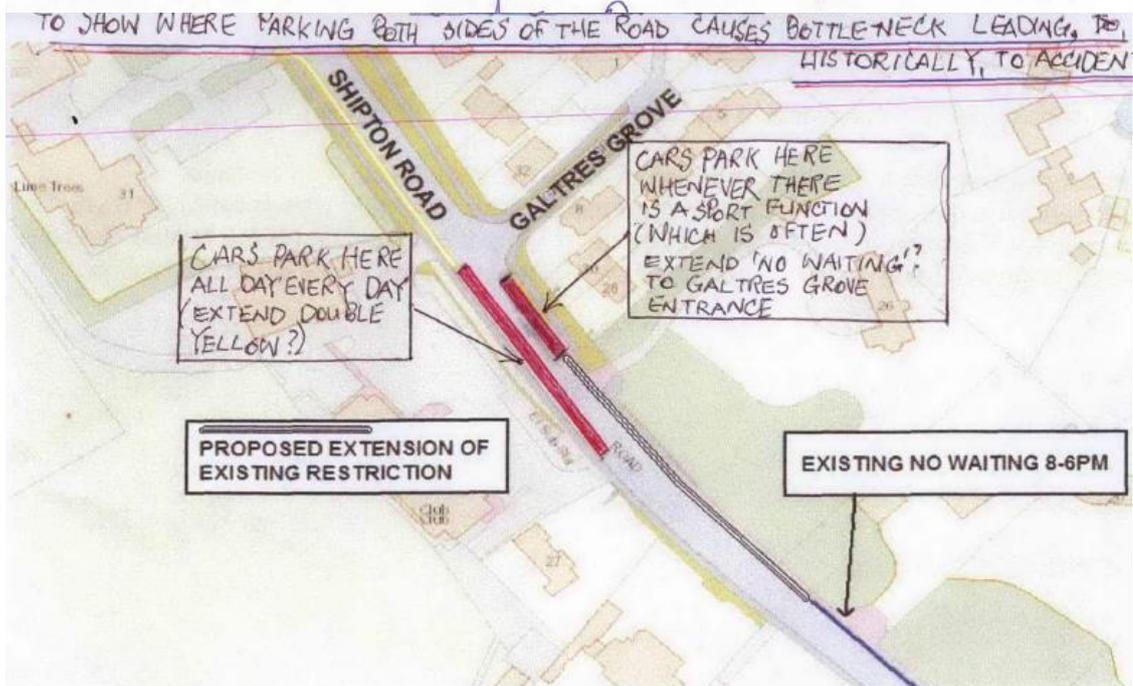
Representations in objection:

Thank you for the letter asking response to your planned introduction of N. Western boundary line of No. 25 Shipton Rd. + the N. Western property boundary line of 26, Shipton Rd.

I make the enclosed suggestions as someone who has lived and witnessed the traffic problems here over 47 years. The problems have been greatly aggravated since the construction of the 'new' clubhouse.

It is now not only sporting functions which incur vastly greater parking demands - but also regular, almost weekly function lettings - to outside agencies.

Yours faithfully,



- The residents of Galtres Grove would be considerably affected by these proposals because, as it stands, the intention to extend no

waiting to the edge of 32 Shipton Road, whilst welcome in itself for all the reasons outlined by (Name redacted) in his letter to you of 23 November IE improved sightlines, reduction of obstacles on a bend in the road etc), by limiting the amount of parking along Shipton Road at that point you are likely to drive more vehicles to park in Galtres Grove itself. The Grove is a short cul de sac and is very narrow. Every household has a car and some park on the road. It is already crowded and potentially dangerous and our attempts to make it safe for children to play in have been hampered.

It is used of course by bin lorries and by a considerable number of delivery vans and they are already sometimes forced to drive on the verge (in at least one case damaging a tree, in another crashing into a parked car) which we are trying to preserve to keep the character of the area. We already have considerable experience of this. Whenever the club opposite has an event we suffer with cars parked on our street, often churning up the verges and blocking exits. The club itself has been effectively deaf to our requests to discourage parking on our street. Sight lines for exit onto Shipton Road become obscured and there have been several accidents close to us on the main road for this reasons. We associate ourselves with (Name redacted) comments but add these further issues to be taken note of. We would like a scheme which helps to limit these intrusions into our street, not one which will encourage them.

#### **Officer analysis and recommendation**

The proposed extension to the existing restriction will provide full access to the narrow footpath(1m wide) and some unrestricted parking outside of 28 and 30 Shipton Road. The requested extension of the restrictions and further restrictions on the south side of the carriageway could be considered as part of the next review of traffic restrictions project.

#### **Options.**

- 1. Implement as Advertised-** Recommended and place the requests for further restriction in the next annual review.
- 2. Take no further action-** Not recommended.
- 3. Implement a lesser restriction than advertised-** Not recommended.