

Meeting:	Executive Member for Transport
Meeting date:	11/05/2024
Report of:	Director of Environment, Transport & Planning
Portfolio of:	Cllr Ravilious Executive Member for Transport

Decision Report: Tranby Avenue Parking Problems

Subject of Report

1. The report responds to a petition received via the Ward Cllr on behalf of the residents of Osbaldwick. The petition requests that the Council deal with the dangerous and inconsiderate University related parking issues that are occurring on Tranby Avenue and Cavendish Grove in Osbaldwick. The petition states that the current level of parking is compromising highway safety and residential amenity in the area.
2. The report reviews the residents request for an amendment to the Traffic Regulation Order (TRO) to introduce 'No Waiting Monday to Friday 10am to 3pm' parking restrictions on Tranby Avenue.

Benefits and Challenges

3. The proposal will remove long term parking from the area, which is creating an issue for the residents, as it is reducing the available road width, which has on occasions created problems for buses to pass the parked vehicles. There has been reports of vehicles having to drive on the verge to be able to safely pass vehicles in the area. The introduction of the proposed restrictions would remove the requirement for vehicles to drive on the grass verge to pass the parked vehicles which would improve the local environment through the reduction in damage to the grass verges.
4. The proposal will benefit the local environment through the removal of the long-term parking which is associated with the

students staying at the nearby University of York. The University do not provide parking for students and do advise that the campus is car free and discourage students to bring cars.

5. If the proposal were to be made and the restrictions introduced it will remove the long-term parking from the area, but the vehicles will likely be displaced to other streets in the area, which may result in further complaints from those residents. The introduction of the proposed restrictions will also have an impact on the residents, as it will remove all parking in the street, so will remove availability of parking for visitors during the week.

Policy Basis for Decision

6. The Council Plan has seven priorities and the amendment of the parking bays on Tadcaster Road aims to comply with the following priorities:
 - i. Health & Wellbeing; the proposed restrictions will hopefully create an improvement in air quality in the area, through the removal of congestion due to the reduction in road space created by the parked cars, which will provide an improvement in the health and wellbeing of residents.
 - ii. Transport; through proposing a No Waiting Restriction on Tranby Avenue, the Council is looking to remove the long term parking from the road, which will help to provide a more efficient bus service and encourage greater use of a more sustainable form of traffic.
 - iii. Sustainability, the removal of the parked cars and reduction in congestion will help encourage more sustainable forms of transport and create a safer area for pedestrian and cyclists.
7. If the recommendation within the report is progressed to implementation then there will be a positive impact on the local environment, through the reduction in vehicle driving on verge to pass the parked vehicles creating an improvement within the local area for residents.

Financial Strategy Implications

8. The recommendation within the report requests approval for the statutory consultation. The costs associated with the advertisement will be covered by the associated budget.

Recommendation and Reasons

9. Advertise a proposal to amend the Traffic Regulation Order to introduce No Waiting parking restrictions on Tranby Avenue between Hull Road and Baysdale Avenue as shown in Annex A. This is the recommended option, as it allows for the views of the residents and local community to be taken into consideration whilst also removing obstructive parking.

Background

10. The Council were originally contacted about this matter in October 2021 following the introduction of the residents' Parking Scheme on Badger Hill. Following the introduction of the scheme there was an increase in parking levels on Tranby Avenue, which resulted with complaints of vehicles parking too close to the junctions of Hull Road and Cavendish Grove, as well as on Cavendish Grove near its junction with Tranby Avenue.
11. The Council created a proposal for the introduction of 'No Waiting at any time' restrictions on Tranby Avenue from its junction with Hull Road to a point 15 metre north of its junction with Cavendish Grove and on Cavendish Grove from its junction with Tranby Avenue to a point 15 metre west of its junction with Hull Road. The proposed amendment of the TRO was advertised on 14th January 2022 (Annex B), with the residents of adjacent properties, Ward Cllrs and the Parish Council made aware of the proposal and invited to comment on the proposal.
12. The consultation received 15 representations in objection and 4 in support and a report was taken to the Executive Member for Transport and Planning on 17th May 2022. The Executive Member made the decision to implement a lesser extent of restrictions than advertised, the reduced area offered protection of the junctions of Tranby Avenue/Hull Road and Cavendish Grove/Tranby Avenue.
13. The Executive Members decision was called in by Cllrs Doughty, Rowley and Warters, the matter was reviewed on Monday 27th June 2022 at the Corporate Services, Climate Change and Scrutiny Management Committee (CCSMC), where the decision was made to not refer the matter to the full executive for further review.

14. The residents of Cavendish Grove wrote a letter to the members of the CCSMC to oppose to the introduction of double yellow lines within their street, the committee only had the power to either uphold the decision or refer to the Executive for further review. Therefore, an amendment to the approved decision was not within their remit, although following the meeting, discussions between Council Officers and Ward Cllrs were undertaken and a decision was made to hold off on the initial installation of lines on Cavendish Grove, with installation to be undertaken if the situation got worse for residents.
15. The petition submitted by residents requested the introduction of No waiting 10am-3pm Monday to Friday restrictions for Tranby Avenue, from its junction with Hull Road to point 10 metres north of its junction with Baysdale Avenue. It has been advised to the petition lead that any proposed restriction would need to include an area of No Waiting at any time restriction around the junctions of Cavendish Grove and Baysdale Avenue.

Consultation Analysis

16. As stated above previous statutory consultation for the introduction of parking restriction was undertaken in January 2022, with 15 representation received in objection and 4 representation in support.
17. The majority of representations in objection to the proposal were in relation to three main factors, which are:
 - That restrictions are not required at the junctions as this is covered by the requirements of the Highway Code, restricting vehicles from parking within 32 feet of a junction, which can be enforced by North Yorkshire Police for obstructive parking.
 - The issue of vehicles parking in this location has come about due to the introduction of a nearby residents parking scheme that has been introduced.
 - The University of York should offer free parking in their car parks for staff and students and not rely on nearby streets at the inconvenience of residents.
18. The representations received in favour of the proposal were in relation to the danger that the vehicles parking in the area were

creating. There were some requests to extend the length of proposal, to increase safety at the bend and near the bus stop on Tranby Avenue. The restrictions requested within the petition does cover this area and would remove parking from the area if implemented.

19. If approval is given for an amendment to the TRO then further statutory consultation will be undertaken with residents in the area, the Ward Cllrs and Parish Council. The response from the consultation will help provide a formal decision on if the proposal should be implemented.

Options Analysis and Evidential Basis

20. Option 1 – Advertise a proposal to amend the Traffic Regulation Order to introduce No Waiting parking restrictions on Tranby Avenue between Hull Road and Baysdale Avenue as shown in Annex A. This is the recommended option, as it allows for the views of the residents and local community to be taken into consideration whilst also removing obstructive parking.
21. Option 2 – Take no further action, this option is not recommended as it will leave area without any restrictions, so parking can continue to cause issue for vehicle movements on Tranby Avenue.

Organisational Impact and Implications

22. The report has the following impacts and implications:
 - **Financial.** The recommended option is to advertise a proposal to amend TRO on Tranby Avenue. The costs associated with the advertisement will be covered from Revenue Transport budget.
 - **Human Resources (HR),** If the proposed recommendation is approved and the restrictions do come into effect then enforcement of the proposed traffic restrictions would fall to the Councils Civil Enforcement Officers, this would not constitute an extra demand on their workload, as they are already enforcing the restriction.
 - **Legal,** The proposals require amendments to the York Parking, Stopping and Waiting Order 2014: Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

The statutory consultation process for Traffic Regulation Orders requires public advertisement through the placing of public notices within the local press and on-street. It is a requirement for the Council to consider any formal objections received within the statutory advertisement period of 21 days. Formal notification of the public advertisement is given to key stakeholders including local Ward Members, Town and Parish Councils, Police and other affected parties.

The Council, as Highway Authority, is required to consider any objections received after formal statutory consultation. The Council has discretion to amend its original proposals if considered desirable, whether or not, in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted.

- **Procurement**, Any public works contracts required at the location as a result of a change to the TRO (e.g. signage, road markings, etc.) must be commissioned in accordance with a robust procurement strategy that complies with the Council's Contract Procedure Rules and (where applicable) the Public Contract Regulations 2015. Advice should be sought from both the Procurement and Legal Services Teams where appropriate.).
- **Health and Wellbeing**, There are no Health and Wellbeing implications.
- **Environment and Climate action**, There are no Environment and Climate Action implications.
- **Affordability**, There are no affordability implications.
- **Equalities and Human Rights**, The Council recognises its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). The impact of the

recommendation on protected characteristics has been considered as follows:

- Age – Neutral;
- Disability – Positive, as blue badge holders would be able to park within the length of restrictions for 3 hours with their blue badge on display;
- 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 – Neutral;
- Veterans, Armed Forces Community– Neutral
- The report requests the approval for the advertisement of an amendment to the Traffic Regulation Order, it is recognised that Traffic Regulation Order requests may impact protected characteristics in different ways. The process of consulting on the recommendation in this report will identify any equalities implications, which may lead to an individual Equalities Impact Assessment being carried out in due course.
- **Data Protection and Privacy**, the report is requesting approval for statutory consultation to be undertaken, any responses received to the consultation by residents and businesses will be included within a future report, although any personable information will be redacted
- **Communications**, There are no communications implications.
- **Economy**, There are no Economy implications.

Risks and Mitigations

23. The report responds to a submitted petition and propose an amendment to the Traffic Regulation Order, which requires Statutory Consultation to be undertaken. If the proposed option is approved, the statutory consultation period will provide an opportunity for residents and business to raise any unconsidered risks.

Wards Impacted

24. Osbaldwick and Derwent Ward.

Contact details

For further information please contact the authors of this Decision Report.

Author

Name:	James Gilchrist
Job Title:	Director of Environment, Transport & Planning
Service Area:	Place
Telephone:	01904 552547
Report approved:	Yes
Date:	09/07/2024

Co-author

Name:	Darren Hobson
Job Title:	Traffic Management Team Leader
Service Area:	Place
Telephone:	01904 551367
Report approved:	Yes
Date:	02/07/2024

Background papers

<https://democracy.york.gov.uk/documents/s158945/Cavendish%20Grove%20Tranby%20Avenue%20and%20Morre%20Avenue-Osbaldwick%20Lane%20Junction.pdf>

<https://democracy.york.gov.uk/documents/s160202/Call%20In%20Cover%20Report.pdf>

Annexes

- Annex A: Proposed restrictions on Tranby Avenue
- Annex B: Notice of Proposals 14 Jan 2022