



Decision Session: Executive Member for Transport 18 October 2022

Report of the Director of Transport, Environment and Planning

Consideration of the consultation of the parking restrictions in Chantry Lane, Bishopthorpe

Summary

1. To report the consultation results in response to the proposed 'No Waiting' at any time restrictions for Chantry Lane, Bishopthorpe to help protect the recently installed flood defence barriers junction and to determine what action is appropriate.

Recommendation

2. The Executive Member is asked to:
 - a. It is recommended to implement the proposal as advertised in Chantry Lane, Bishopthorpe, to help provide protection to the recently installed flood defence barriers.

Reason: The restrictions will help to ensure that the area in front of the flood defence gates are kept clear to ensure that the flood defence gate can operate and protect the local environment as and when required.

Background

3. As the installation works for the flood defence gate was progressed a concern was raised that a vehicle may park on the river side of the flood defence gate, which would restrict its ability to close the gate and therefore make the flood defence barriers unusable and not protect the local environment.
4. We delivered consultation information on 8th July 2022 (Annex A) to provide residents, Ward Cllrs and Parish Council information on the proposal and offer them the opportunity to provide representation on the

proposal.

Resident Comments

5. During the statutory consultation period we received 3 representations in objection (Annex B) to the proposed restrictions from one resident.
6. The objector raised concerns that the restrictions were not needed as the street does not see high levels of parking. The resident provided 5 reasons why the proposal was a waste of public money, which are:
 - Under emergency circumstances when the barrier would be used any obstruction would be removed by the appropriate emergency service i.e. the fire brigade.
 - The likely hood of these circumstances are small.
 - The likely hood of a car parked causing obstruction even smaller.
 - To implement major parking restrictions in a residential area to accommodate an exceptional event is not only unfair for visitors who may need access to this conservation area but inhibitive to owners of property on Chantry Lane who may have visitors who need to park or deliver.
 - Double yellow lines will spoil the look of the road and devalue adjacent property.

Officer Comments

7. The representation appears to give them impression that the proposed restrictions will not allow vehicle to park on the whole street, which will have an impact visitors to the street but the proposed restriction is only for a 6 metre length on the river side of the barrier. This will obviously remove the available parking amenity for one vehicle but not to an extent that will have a detrimental impact on the residents and there visitors, as the objection states that have only seen 3/4 cars parked on the street in three years.
8. **Option 1:** Implement the restrictions as proposed.
This is the recommended option as it will protect the area in front of the flood defence gate and help to ensure that the gate can be closed when required.
9. **Option 2: No Further Action**
This is not the recommended option, as this will leave the area in front of the flood gate unprotected and potentially lead to vehicle parked in the

area when the flood gate is required to be closed.

Council Plan

10. The Council Plan has Eight Key Outcomes:

- Well-paid jobs and an inclusive economy
- A greener and cleaner city
- Getting around sustainably
- Good health and wellbeing
- Safe communities and culture for all
- Creating homes and world-class infrastructure
- A better start for children and young people
- An open and effective council

The recommended proposal contributes to the Council being open and effective and safe communities and culture for all as it responds to the request from Environment Agency to solve the problem that will allow the flood gate to be closed and protect the local community from flooding.

Implications

11. This report has the following implications:

Financial –The cost of implementation and consultation process will be covered by the Environment Agency. Any enforcement costs will be met from existing transport budgets.

Human Resources – If implemented, enforcement will fall to the Civil Enforcement Officers necessitating an extra area onto their work load.

Equalities – 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). There are no equalities implications identified in respect of the matters discussed in this report. The process of consulting on the recommendations in this report will identify any equalities implications on a case by case basis, and these will be

addressed in future reports.

Legal – The Traffic Management Act 2004 places a duty on local traffic authorities to manage the road network with a view to securing, as far as reasonably practicable, the expeditious, convenient, and safe movement of all types of traffic. The Council regulates traffic by means of traffic regulation orders (TROs) made under the Road Traffic Regulation Act 1984 which can prohibit, restrict, or regulate the use of a road, or any part of the width of a road, by vehicular traffic. After the public notice of proposals for a TRO has been advertised any person can object to the making of the TRO. The recommendation in this report requires decision maker to consider all objections received during the statutory consultation period before deciding to make the TRO unchanged, to make it with modifications that reduce the restrictions or not to proceed with it. This will enable the Council to comply with the requirements of the Road Traffic Act 1984, as well as the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

Crime and Disorder – None

Information Technology – None

Land – None

Other – Flood Risk Management – the recommended restrictions will support the flood response operations at this location and safeguard the implementation of key actions in the emergency response plans of the Environment Agency, CYC and Yorkshire Water. Similar restrictions are in place to support floodgate closures elsewhere in the city.

Alternate provisions could be made to remove vehicles as and when required but this is carried out as a measure of last resort and could stretch available resources required to respond to an ongoing flood event in York or the wider river catchment and this is not seen as a reliable or resilient approach.

Risk Management - There is an acceptable level of risk associated with the recommended option.

Contact Details

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Date: 10/10/2022

Wards Affected: Bishopthorpe

For further information please contact the author of the report.

Annexes:

Annex A: Residents Consultation Letter
Annex B: Representations of Objection