
**Decision Session–
Executive Member for Transport**

21 July 2020

Report of the Assistant Director of Transport, Highways and Environment

ResPark for the area around the University of York

Summary

1. The Heslington East Campus Outline Consent Planning Conditions (Condition 10 and associated Section 106 Agreement) state what surveys will be carried out and the consequences of what is to be done if University related parking increases by more than 20% in the vicinity of the University Development. This is for a period of 15 years from the first occupation of the Development.
2. The University of York (UoY) has agreed, in principle, to
 - fund the implementation a residents parking zone to incorporate the on street parking survey zones 5-8, complementing the existing residents parking zone R39, to incorporate on-street parking survey zones 5-8, and
 - fund the administrative costs for the issue of permits and operation of the enforcement hotline.
3. The purpose of this report is to
 - seek approval to consult with residents regarding the expansion of the existing residents' parking in the area around the University of York to suit the proposed strategy for extending the coverage of residents parking in the area around the University of York, for which the University of York has agreed, in principal, to fund its implementation (including consultation with residents) and administrative costs for the issue of permits and the operation of the enforcement hotline.

Recommendations

4. The Executive Member is asked to

Approve Option 1a – Progress the extension of Resident Parking zone R39 to incorporate on-street parking survey zones 5-8 through the Council's process for introducing residents parking and, subject to the results of the public consultation, bring forward further reports to the Executive Member prior to implementation. The scheme to be progressed on the basis that the UoY would fund the implementation process, the issue of permits and operation of the enforcement hotline, up to a maximum level of funding of £42,100.

Reasons: After several years of negotiation the UoY has agreed, in principle, to fund the implementation (including public consultation) of extending the existing residents parking zone R39 to incorporate on-street parking survey zones 5-8 and fund the issue of permits and operation of the enforcement hotline, up to a maximum level of funding of £42,100, from this point in time onwards until 15 years after the first occupancy of the Site (i.e. until 30 September 2024 as Goodricke College was first constructed and occupied in September 2009).

Failure to approve this option would result in further protracted negotiation with the UoY pertaining to the impact of UoY related parking on residential streets, the need for mitigation and the mitigation measures required, which is likely to lead to no mitigation being put in place prior to the time limiting period of 15 years after the first occupancy of the site in which to implement mitigation measures expiring.

Background

Planning Condition 10 and S106 Agreement

5. In summary, Condition 10 to planning application 15/02923/OUT (replicated at Appendix A) states

- before commencement of development the developer will carry out a survey of current on street parking and thereafter repeat annually,
 - the survey is to be carried out to a specification and at a time agreed with the LPA, and
 - within 3 months of the survey being carried out the developer will review the results and submit the review to the LPA to demonstrate whether the volume of on-street parking has increased by more than 20% of the survey as a consequence of the development.
6. In summary, the associated S106 Agreement (replicated at Appendix A) states
- The Developer is to fund the detailed survey;
 - if the survey shows that the increase is caused by students or other persons having business at the UoY, pay the council the costs of introducing a scheme of parking and waiting restrictions to cover the area or areas where parking has increased +100m around those affected areas;
 - if a scheme of waiting or parking restrictions is implemented, pay the Council the costs for having a presence to enforce them for a period of 15 years from first occupation; and
 - if the scheme of waiting or parking restrictions is implemented the Council shall pay the developer the penalty charge income (less reasonable admin. costs) for a period of 15 years from first occupation.
7. It should be noted that these obligations are only related to an increase in parking issues that can be attributed to or are directly associated with the ongoing development of the University for a period of 15 years, and if permits are required as a result of introducing a scheme, these would be at no cost to local residents.
8. At the Decision Session meeting on 26th July 2011 the Cabinet Member for City Strategy approved the introduction of parking measures on a trial basis in the Badger Hill area. These included a Residents Parking Scheme and a Controlled Parking Zone intended to alleviate the University related parking issues which arise from ongoing development at the Heslington East Campus.
9. At the Decision Session meeting on 2nd August 2012 the Cabinet Member for Transport, Planning and Sustainability approved

proposals to enhance the abovementioned trial. This included authorising Officers to enter into detailed discussions with the University of York aimed at developing a wider parking strategy that can be applied across the areas previously identified as part of the Planning Inspectors considerations.

Analysis of Parking Surveys

10. The 'University of York Heslington (West) Campus Development Brief for Future Expansion' was produced by the City of York Council in consultation with the University in 1999. The purpose of the brief was to outline the policy context for future development and define specific requirements in terms of transport amongst other issues such as design, landscape and archaeology, in addition to addressing the overall development potential of the Campus. The principles set out for Campus West also applies to Heslington East Campus, restricting the number of standard car parking spaces provided. The parking cap for Campus East is 1,500 spaces, including disabled bays as well as standard bays.
11. On street parking surveys were introduced to determine whether the capping of car parking numbers on Campus resulted in the increase of parking on streets within the vicinity and surrounding residential areas of the University. The surveys were also to be used to determine the full impact associated with the Heslington East Campus development Planning Condition 10 of the Outline Permission for the Heslington East Campus (15/02923/OUT).
12. The extent of the parking surveys is shown in Appendix B
13. Results of the parking surveys from the 2009 base (relevant to monitoring the impacts of the Heslington East Campus) are shown, in graph form, in Appendix C.
14. Analysis of the primary parking surveys undertaken by the UoY show for Zones 5 -12 that, with the exception of Zone 9 the level of parking has been above the 2009 base + 20% threshold with an upward trend. Zone 9 has, since the introduction of a residents parking zone in 2011 (see also the reference to Decision Session meeting on 26th July 2011 in paragraph 8), experienced a dramatic reduction in parking such that it was below the threshold in 2018 and just above it in 2019 with an overall downward trend.

15. If primary surveys indicate parking above 20% threshold, secondary surveys undertaken in November to ascertain the intended destination of drivers associated with the parked vehicles and, specifically, determine if these are University related. The secondary surveys consist of two key elements:
 - Registration Plate Survey - Used to determine the trip purpose associated with all parked vehicles; and
 - Driver Interviews - Used to supplement the registration plate surveys.

16. Secondary Car Parking Surveys were undertaken in November 2018. However, the UoY did not initially release the results of the survey and CYC was still awaiting the results of this survey when officers met with representatives from the UoY and its planning agent O'Neill Associates on 27 March 2019. At this meeting O'Neill Associates contended that even though the secondary survey methodology is in accord with the S106, it was flawed because a substantial number of car drivers who were observed to have parked in the survey area but who didn't visit a residential property 'refused interview' when researchers approached them to ascertain whether they were parked because they had business with the University, hence why the 2018 secondary survey results had not been submitted

17. This led the UoY to express concerns regarding the suitability of the survey methodology for apportioning these 'non-responses' to University-related and non-university-related parking, because of the resultant small sample sizes producing statistically non-relevant results, and the suggestion by the UoY that a revised methodology should be agreed with CYC. CYC did not receive the 2018 Secondary Survey so could not pass comment on the suitability of the methodology.

18. A similar situation occurred in the 2019 secondary surveys. The 2019 survey also contained the 2018 survey results and showed that in some areas the number of 'refused interview' responses was higher than in 2018. In view of this, the 2019 survey set out an alternate methodology, based on comparing parking on a Saturday with parking on a Thursday, to establish the level of university related parking. Although the alternate methodology was not agreed with CYC before it was applied, officers accepted that it appeared to be a reasonable approach.

19. Initial analysis of the results indicate that parking associated with the UoY didn't exceed the threshold in zones 10,11 or 12 but did exceed the threshold in Zones 6, 7 and 8, therefore, requiring mitigation measures to be implemented.

Negotiations with the University of York and measures already implemented

20. Following the resolution at Decision Session meeting on 26 July 2011 (see paragraph 8) parking measures were introduced on a trial basis in the Badger Hill area. This subsequently evolved into ResPark Zone R39.
21. UoY funded the implementation of this zone and continue to pay CYC £11,000 per annum for providing an enforcement presence in the area.
22. In view of the results of the car parking surveys CYC discussed various options for implementing mitigation measures with UoY. The three main options considered were:
 - i. UoY increase on campus parking (up to the maximum amount permitted) – this has a negative impact on achieving other sustainable transport objectives
 - ii. UoY/CYC work in partnership to extend the existing resident parking zone R39 – likely to have the most positive impact
 - iii. UoY revise its travel plan –likely to have minimal impact
23. The various sub-options for implementing option ii (covering zones 6-9, initially) for 4 years to the end of the 15yr period within current S106 agreement) are set out below:
 - a) UoY pay for implementation and enforcement but not permits - this is in full compliance with Condition 10 and the S106 Agreement
 - b) UoY pay for implementation and permits but not enforcement and no return of PCN income - this is not in compliance Condition 10 and the S106 Agreement but the Condition and S106 Agreement could be varied
 - c) UoY pay for implementation and admin cost for issuing permits + hotline and CYC keep all of PCN income permits - this is not

in full compliance with Condition 10 and the S106 Agreement but the Condition and S106 Agreement could be varied

24. Although the secondary survey showed that for zone 5 the threshold shown not to have been breached by UoY-related parking, it would be prudent to incorporate Zone 5 now, as it is more cost effective than waiting for parking to increase to a point where the threshold is breached because of displaced parking from zones 6-9. Streets in Zones 5-9 are identified at the end of Annex D.
25. UoY has agreed in principle to fund the implementation and administration costs for issuing permits and operation of the enforcement hotline as set out in ii) c) above, subject to its funding contribution not exceeding £42,100. This figure is to include for maintaining the existing ResPark Zone R39 on the same basis for issuing permits and operation of the enforcement hotline.
26. As part of this new arrangement, CYC will absorb the cost of providing an enforcement presence in the area.

Analysis

Further explanation of sub-option ii) c)

27. Currently, the cost of providing an enforcement presence in ResPark Zone R39 (parking survey Zone 9) is within the £11,000 per annum UoY funding contribution. If this were to continue, the overall contribution from the UoY over the 4 years up to the end of the 15-year period for which the planning condition and any necessary obligation applies would be £44,000 to maintain a single ResPark zone.
28. If sub-option ii) c), as agreed in principle by the UoY, were to be implemented, the contribution from the UoY for issue of permits and operation of the enforcement hotline is estimated to be £15,000. This will not be evenly distributed across the four years because it is anticipated that the administration cost for the issue of permits will be much reduced in Years 2-4 following the introduction of CYC's new parking management system. The one off costs for undertaking consultations and traffic regulation orders (TROs) to extend the Respark zone is estimated to be £27,000. The total UoY contribution, as agreed in principle by the UoY, would be approximately £42,000.

Variation to Condition and S106 Agreement

29. Approving the variations to the outline planning permission condition and associated S106 Agreement to enable the implementation of sub-option ii) c) is a function of the Council's Planning Committee, unless the Corporate Director Economy and Place or the Assistant Director (Planning and Public Protection) consider it as a minor modification in which case it would be delegated. The current view is that it is a minor modification and the variations will be made under a delegated decision.

Consultations / TROs

30. If Option 1a below is progressed then the initial consultation will contain information on how a scheme operates, this is sent out to all properties together with a questionnaire (Appendix D), the results of which are reported back to the Executive Member meeting for a decision on how to proceed.
31. If approval to proceed is granted then the formal legal Traffic Regulation Order consultation is carried out on a specific detailed scheme. This involves a Notice of Proposal being created, which is posted on Street, in a locally distributed newspaper and to all affected properties. The date of the Notice is the start of a 21 day consultation period. At the end of that period all comments will be considered and reported back to the Executive Member meeting for a decision on whether the scheme should be implemented.
32. If Option 1b below is taken forward then the scheme would progress straight to the TRO stage consultation stage.

Options for consideration

Option 1a

33. Pursue sub-option ii) c) - extend the residents parking zone R39, through the Council's process for introducing residents parking, subject to the outcome of consultation with residents, to incorporate on-street parking survey zones 5-8, the implementation of which (including public consultation) and the issue of permits and operation of the enforcement hotline is to be funded by the UoY, up to a maximum level of funding of £42,100, from this point in time onwards until 15 years after the first occupancy of the Site (i.e. until

30 September 2024). Further reports will be brought forward to the Executive Member following public consultation.

- 34 This is the recommended option because after several years of negotiation with the UoY, during which time there has been an increase in UoY-related car parking in neighbouring residential streets, the UoY has agreed to fund further mitigation measures. It is considered that, although delivery will take longer, following the standard two stage Residents Parking process will enable the final scheme to be better matched with the detailed needs of the community.

Option 1b

- 35 As Option 1a but progress the Residents Parking Scheme as an extension to the R39 Zone directly to the TRO stage. This will enable residents to receive the benefits of the Residents Parking scheme more quickly taking advantage of the free scheme for a longer period as this has a time limited end date. However there is a concern that moving straight to advertising the TRO for a Residents Parking scheme without understanding the detailed concerns of the community will increase the risk of objections being received and potentially lead to the need to advertise a revised scheme. Many of the streets in the proposed extension areas do not have off street parking which may lead to a different response to a potential ResPark scheme particularly as the current scheme includes a charge for a second permit. As a response to a Residents Parking consultation in 2018 in some streets (Sussex Rd, Sussex Close, Crossways) in the proposed extension area did not reach the level of support which is usually required to establish whether a TRO for a scheme should be advertised, it is considered prudent to understand whether the level of support would change if a time-limited free scheme was proposed prior to advertising the TRO.

Option 2

- 36 Pursue sub-option ii) a) – extend the parking zone in compliance with the current Condition and S106 Agreement (i.e. as outlined in Option 1 above but the UoY pay for implementation and enforcement but not permits).
- 37 Although this option is in full compliance with the condition and S106 Agreement, this option is not the recommended option

because the costs (predominantly enforcement costs) are likely to be prohibitive and the UoY is unlikely to agree to funding this option. This could lead to continued protracted negotiations resulting in no mitigation being put in place prior to the time limiting period of 15 years after the first occupancy of the Site in which to implement mitigation measures expiring.

Option 3

- 38 No further action at this time
- 39 This is not the recommended option, because surveys have shown that UoY-related car parking in neighbouring residential streets (zones 5-8) has increased and is likely to increase in the future.

Council Plan

- 40. Progressing these proposals would meet the Getting around sustainably Council Plan Key Outcome – Review and deliver enhanced resident parking and pay-on exit at council car parks.

Implications

- 41. **Financial** – CYC will experience a loss of potential income through not charging the residents for permits for the 4 years up to the end of the 15 year period. After that period it is anticipated that residents will have acknowledged the benefits of the residents' parking scheme and they will be consulted again in advance of charging residents for permits.
- 42. **Human Resources** – The proposals would involve the continued use of Civil Enforcement Officers with a potential need for an increase in presence for a short period after implementation. These proposals also need to be considered in terms of demands on Officers/ available resources for any future design/ feasibility/ implementation works.
- 43. **Crime & Disorder** – None
- 44. **Equalities** – None
- 45. **Legal** – Variations to an existing planning permission condition and associated S106 Agreement are required. These are currently

considered to constitute minor modifications, so these variations can be made under a delegated decision.

46. **Property** – None

47. **Sustainability** – None

Risk Management

48. In compliance with the Council's risk management strategy there are no risks associated with the recommendations in this report.

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**Report
Approved**



Date 09.07.20

Wards Affected:

Derwent*
Fishergate
Fulford*
Heslington*
Hull Road
Osbaldwck*

*In that they are all within the area covered by the car parking zones 1-13. This could be reduced to Fishergate and Hull Road if considering car parking survey zones 5-9 only.

For further information please contact the author of the report

Annexes:

Appendix A – Condition 10 and S106 Agreement for Outline Planning
Permission 15/02923/OUT

Appendix B – Map of parking survey zones

Appendix C – Parking Survey results (2009 Baseline)

Appendix D – Draft Residents' Consultation Letter

Appendix A

Condition 10 and S106 Agreement for Outline Planning Permission 15/02923/OUT

Existing Condition 10

Before the commencement of development (which shall exclude any works associated with the undergrounding of overhead electricity lines carried out as 'permitted development' or any evaluation works associated with the Archaeological Remains Management Plan), the developer will carry out a survey of current on-street parking on highways within the area shown on plan 3 and thereafter repeat the survey annually. The surveys shall be carried out to a specification and at a time agreed with the Local Planning Authority.

Within three months of the annual survey being carried out, the developer will review the on-street parking survey results and submit the review to the Local Planning Authority to demonstrate whether the volume of on-street parking in any of the areas shown on the plan has increased by more than 20% of the first annual survey as a consequence of the development.

If this percentage figure is exceeded then remedial measures agreed with the Local Planning Authority shall be undertaken.

REASON: To determine a baseline of on-street parking against which the impact of University expansion can be monitored and thereafter to determine the impact of University expansion on the volume of on-street car parking and in the interests of highways safety.

Existing S106 Agreement

3 Off Site Parking Measures

- 3.1 In the event that a planning condition is attached to the Planning Permission requiring surveys to be carried out for on street parking, and that condition requires remedial measures to be taken in any of the Parking Survey Areas as a result of an increase in on street parking, the Developer shall: -

- 3.1.1 fund a detailed survey to be undertaken to a specification to be agreed with the Council to identify the origin of the increase in on street parking so identified;
- 3.1.2 in the event that the detailed survey identifies that such increase is caused by students attending the University of York, employees working at or visitors visiting any building situated upon any part of the Site or the land shown on Plan 4, pay to the Council the costs incurred by the Council in introducing a scheme of parking and waiting restrictions cover the area or areas where on street parking has increased and an area 100m around that affected area or areas;
- 3.1.3 if a scheme of parking or waiting restrictions is implemented under paragraph 3.1.2 above, pay to the Council the costs incurred by the Council in employing a presence in the area to enforce the parking restrictions for a period of 15 years from the first occupation of the Development.
- 3.2 If a scheme of parking or waiting restrictions is implemented under paragraph 3.1.2 above, then the Council shall pay to the Developer a sum equivalent to income from any penalty charge notices (less a reasonable administrative charge) for a period of 15 years from the first occupation of the Development.

Appendix B - Map of parking survey zones

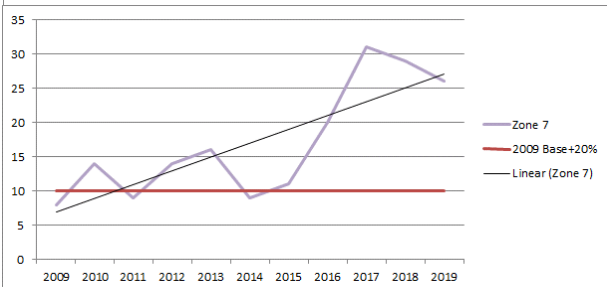
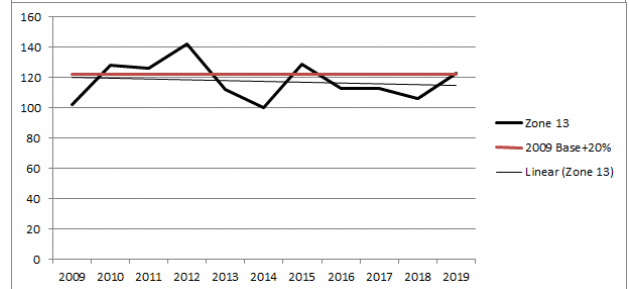
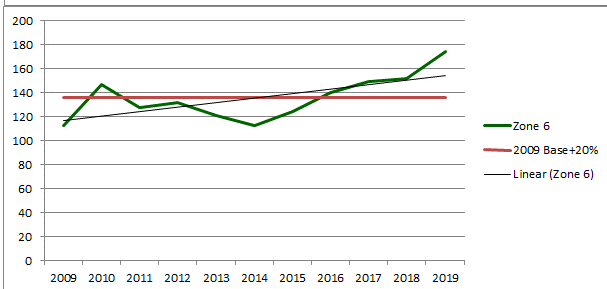
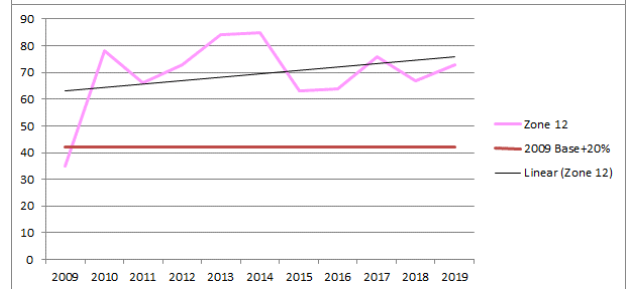
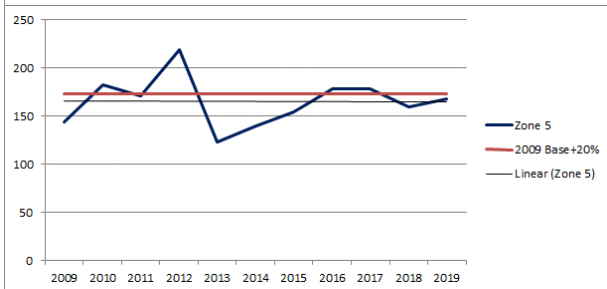
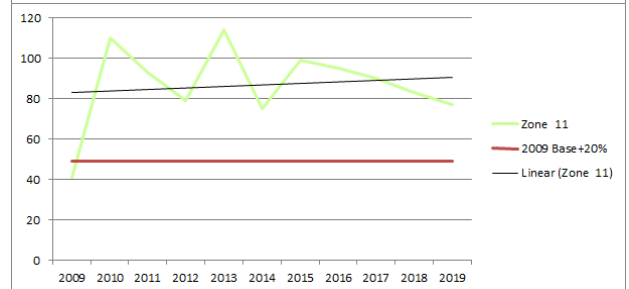
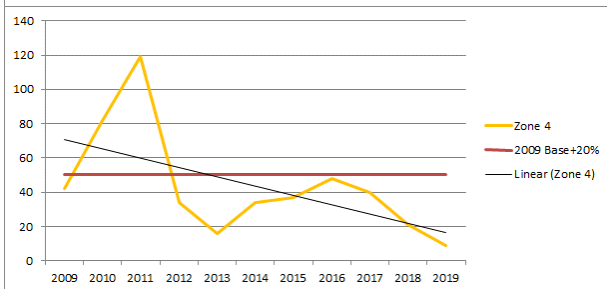
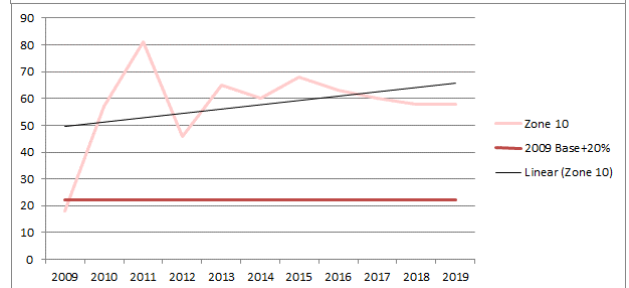
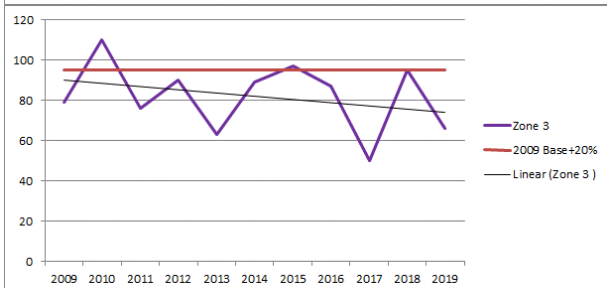
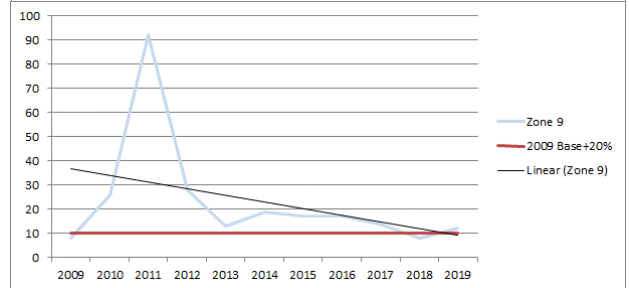
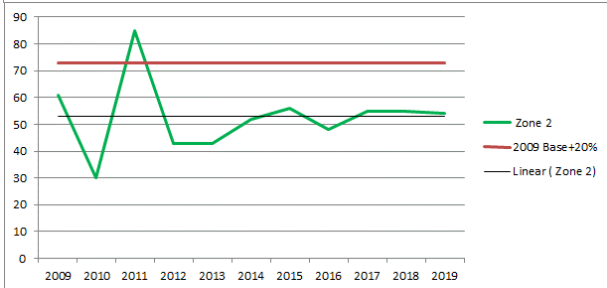
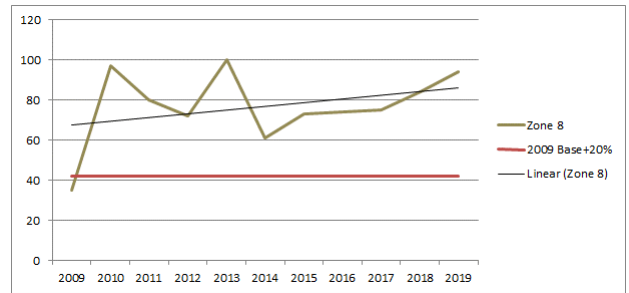
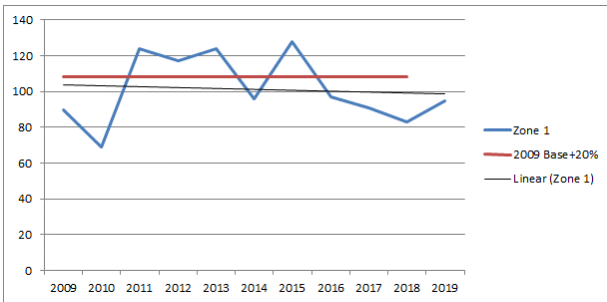


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Design: MM&C
Construction: P
Approval: P
100 A3 207mm x 420mm

Drawn by: MM&C
Checked by: MM&C
Date: 11/02/2014
Scale: 1:1000

Appendix B - Map of parking survey zones

Appendix C - Parking Survey results (2009 Baseline)



Appendix C - Parking Survey results (2009 Baseline)



Directorate of Economy and Place
West Offices, Station Rise
York, YO1 6GA

Email: ([email address](#))

Date: 2020

To the Residents
(Streets in Survey Areas 5,6,7,8)

Dear Resident,

Request for a Residents’ Priority Parking Scheme (ResPark)

We are writing to you as we are aware there are issues surrounding non-residential parking on your street creating problems which many of you would like to resolve.

The Council is working with the University with a view to extending Resident Parking schemes across a wider area.

The key reason for introducing these parking controls is to address non-residential parking, including parking related to the university. This takes place during term time on a daily basis. A Resident Parking scheme will help but we cannot guarantee it will resolve all of the problems caused by inconsiderate parking or the overall lack of space, on street, to accommodate high demand.

In brief, parking controls are put on street and residents wishing to park need permits to do so. There is a range of controls that we can use and a range of permit types including those for residents, businesses and visitors. We would aim to introduce controls with one zone reference over the whole area.

The university parking surveys now indicate a sufficient increase of non-residential parking to offer your street a scheme. Initially, should a scheme be implemented, you will be able to apply for permits without charge. This may not be the case after 2024/2025 at which time the funding secured through the planning agreement will expire. At this time we will consult with residents further.

Overleaf, you will find more information and guidance on how to respond. Once we know your views, we will design a scheme going forward and consult with you again.

Yours faithfully

NAME, TITLE

We want your comments.

We’d like to know your view on the proposed extension of ResPark (see over) and, in particular, if you consider parking controls should be brought in **your** street to give residents priority over non-residents.

Please email your views to [\(email address\)](#) and/or more detailed comment which will provide background to any report going forward. Please indicate your preferences to the questions in the boxes below. We would like to know your preferred time of operation even if you do not want a scheme.

	YES	NO
Would you like to see, the introduction of a Resident Priority Parking Scheme in the street where you live?		

	(24/7)	9-5 M-F
Would you like to see the parking controls brought in all day, every day (24/7) or just during the working day?		

Would you like to highlight issues in any particular streets or specific times?

I live at (address):	Postcode:
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Please also email (email address) or ring (phone number) if you:

- Require any further information or clarification or
- Want to discuss any special needs/circumstances that you believe would be affected by the introduction of a ResPark Scheme nearby.

Clearly, we’d need to know your address and/or Postcode to understand better your views; add your name if you wish. Alternatively, you could return this letter.

Please let us have your views by the DATE 2020.

Our return address is:

Address

Letters to Affected Streets by Zone

Zone 5

Arnside Place,
Devon Place,
Green Dykes Lane,
Newland Park Close,
University Road

Barstow Avenue,
Garrow Hill,
Heslington Road,
Newland Park Drive,

Blakeney Place,
Garrow Hill Avenue,
Kexby Avenue,
Thief Lane

Zone 6

Cycle Street,
Norman Street,

Lamel Street,
Siward Street,

Newland Park Drive,
Thief Lane,

Zone 7

Beaufort Close,
Windmill Lane

Quant Mews,

Sails Drive,

Zone 8

Bishops Way,
Deramore Drive,
Eastfield Crescent,
Kimberlow Woods Hill,
Vanburgh Drive,

Brentwood Crescent,
Deramore Drive West,
Field Lane,
Sussex Close,
Yarborough Way

Crossways,
Eastfield Court,
Fernway,
Sussex Road,