

<b>Meeting:</b>	Decision Session
<b>Meeting date:</b>	19/07/2024
<b>Report of:</b>	Annemarie Howarth
<b>Portfolio of:</b>	Councillor Ravilious Executive Member for Transport

**Decision Report: Consideration of results received from the consultation to extend R23 Residents Parking Zone to include Government House Road and a decision to be made on implementing restrictions on Water End slip road.**

## Subject of Report

1. To report the results of the informal consultation feedback received from residents in response to a proposal to extend Resident Parking (ResPark) zone R23 (Westminster Road) to include properties on Government House Road, and determine what action is appropriate following the results.
2. To consider implementing no waiting restrictions on Water End slip road, to remove unrestricted parking ensuring pedestrian and cycle access to the river front is free from obstruction and reduce any danger arising from vehicles turning/reversing when looking to park or exit from the area.

## Pros and Cons

3. Consultations relating to the implementation of new or extended residents parking zones are usually brought forward at the request of residents. In the case of Government House Road, the majority of residents on the street submitted a petition to the Council in September 2020 to ask for their street to be consulted for implementing resident priority parking restrictions.
4. As the initial, informal consultation was taking place with the residents of the street, a representation was made to the Council about the use

of the parking area on the slip road, where commuters were parking for the whole day, restricting access to the riverside for short term recreational users. As these areas are in very close proximity to each other and restricting parking in one area would affect the other, an additional informal consultation was carried out to ask residents for their views on proposals to restrict parking in both areas.

5. During the last Executive Meeting the officer recommendation was to progress to the next stage of consultation for both areas. The request was to enable the statutory consultation process for:
  - the extension of R23 to include Government House Road; and
  - a 2-hour parking limit on the slip road.
6. Progressing the recommended extension of R23, to include Government House Road, to legal advertisement would allow further consideration of the views of residents (in support and in objection). If the proposal is advertised, residents and non-residents alike would have the opportunity to provide written representations for or against the proposal which would be presented to the Executive Member for Transport for consideration and a decision on whether the extension of the zone should go ahead or if the proposals should be amended in light of any representations received.
7. Should the scheme not be progressed to statutory advertisement this would go against the majority views of the residents on Government House Road and would not give the opportunity to gather further representations from the wider community.
8. Implementing limited waiting parking restriction on Water End slip road would still permit vehicular traffic, which after further consideration and due to the nature of the access route for pedestrians and cyclists could present a danger particularly when vehicles are manoeuvring due to the parking bay position, it is therefore proposed to implement No Waiting at any Time (DYL's) restrictions for the whole length to remove any danger and conflict arising. If this recommendation is progressed to statutory consultation for the amendment to the Traffic Regulation Order this would give local residents and the wider community the opportunity to provide written representations as to how the changes may affect any current use of the unrestricted area which would remove the amenity for certain residents to utilise the riverside for recreational uses.
9. Removing all day commuter parking will have an advantage by improving the access to and from the river front for pedestrians and

cyclists. It would also comply with CYC's Local Transport Plan's objectives as described below.

10. The two areas of the proposed restrictions need to be considered together as the introduction of DYL's on the Water End slip road without introducing parking restrictions on Government House Road would result in the displacement of the commuter parking currently taking place on the slip road to Government House Road then further limiting the availability for residents and their visitors.
11. If both recommendations are progressed, Blue Badge holders would still be permitted to park on Government House Road for an unrestricted period of time and on Water End slip road for a maximum of 3 hours.
12. However, it is also noted that this recommendation will then remove the availability of any parking for other users of the riverside who would rely on a vehicle to travel to the vicinity for recreational purposes and not purely accessing for free commuter parking.

## **Policy Basis for Decision**

13. To progress to the statutory consultation stage to consider implementing parking management measures in line with the council's objectives as stated in the Local Transport Plan and the majority preferences of residents from the consulted street.
14. Restricting parking on the slip road would comply with the Local Transport Plan (LTP) objective of *"the transfer of inward commuting and visitor trips to the Park & Ride service, combined with restricting the availability of city centre parking, will remain a key strategy for reducing trips in the urban area"*. As stated above, the two areas need to be considered together due to the risk of displaced parking if the slip road restrictions were to be implemented without restrictions on Government House Road.

## **Recommendation and Reasons**

15. It is recommended that the Traffic Management team be authorised to advertise an amendment to the York Parking, Stopping and Waiting Traffic Regulation Order to:
  - Implement No Waiting at any Time restrictions (DYL's) on Water End slip road; and

- Introduce Residents' Priority Parking for Government House Road as an extension of the existing R23 scheme. A plan showing the proposed extended scheme is provided as Annex A.
16. The recommended option acknowledges the LTP objective to transfer commuting and visitor trips to the Park & Ride services and the views of the majority of residents on Government House Road.
  17. It also provides an opportunity for further representations to be considered once the proposed modifications to the Order are formally advertised pursuant to the legal process.
  18. The views gathered through the statutory consultation period will inform the decision to be made on whether to implement the recommended options or review the approach.
  19. If parking restrictions are implemented on Water End slip road, this would be likely to have an impact on on-street parking on Government House Road which is currently largely unrestricted.

## **Background**

20. A petition was received from a substantial proportion of residents on Government House Road in September 2020 requesting that the council consider implementing residents only parking restrictions on the street. As such the area was included within the current waiting list for resident parking consultations.
21. Once the area reached informal consultation stage, we collated and posted the relevant consultation documentation (informal consultation) to all properties included within the proposed extended area on 11<sup>th</sup> July 2023 requesting that residents return their questionnaires, by email wherever possible or to the Freepost address provided, by Friday 4<sup>th</sup> August 2023. The plan of the extended consultation area outlining which properties received the documentation is included as Annex A outlined in red.
22. During the consultation, separate communication was received requesting limited waiting restrictions to be implement on the Water End slip road due to the long-term commuter parking taking place restricting the area available for short term recreational use visitors.
23. If any changes to the slip road are recommended this would then have an impact on residents of Government House Road and if restrictions

were implemented on Government House Road, this would potentially have an impact on the slip road.

24. As such, a further update letter was sent to residents on 21<sup>st</sup> November 2023 to advise of the request and provide further opportunity for comments to be received to ensure that, due to the close proximity and impact each one would have on the other, both locations could be reviewed together.
25. A report was presented to an Executive Member Decision Session on 28<sup>th</sup> May 2024 which requested approval to advertise the statutory consultation for the introduction of Residents priority parking restrictions on Government House and a 2-hour limited parking restriction on Water End slip road.
26. This decision was deferred due to the perceived obstructed access for pedestrians and cyclists accessing the river front by vehicles parking. After consideration of the current parking activities and the limited area available to safely manoeuvre vehicles, along with the footpath obstruction taking place when vehicles park, it is recommended to introduce No Waiting at any time restrictions (DYL's). This will ensure the footpath is kept clear of overhanging vehicles for the safety of pedestrians and reduce the possibility of any danger or conflict with cyclists travelling to or from the riverside cycle route network. It should be noted that Blue Badge holders will be permitted to park on the restrictions for a three-hour duration in line with the blue badge conditions, however these vehicle movements should be significantly less reducing the possible vehicle conflict.

## **Consultation Analysis**

27. The consultation documentation was sent to all properties on Government House Road and a copy of the documents were included within the previous report.
28. There are nine properties located on Government House Road of which all provided a response. During the informal consultation period on proposed residents parking restrictions, we received eight responses in favour of a full time 24hour restriction and one against any resident parking restrictions for Government House Road.

29. One written representation was received against the proposed resident parking scheme, which has also previously been included within the report and considered by the Executive Member.
30. Due to the additional request for restrictions to be implemented on Water End slip road and the objection comments received, a Parking Survey was undertaken in September 2023. The data was collated between 7.00am and 7.00pm from Wednesday 27<sup>th</sup> September to Sunday 1st October 2023. This was to ensure that parking activities were recorded for both mid-week and weekends.
31. The data collated confirmed that long term parking was taking place mainly on weekdays on both the slip road and Government House Road. The timings suggest that this would be regular commuter parking taking between 4 and 6 spaces of the current unrestricted area on the slip road on the days the data was collated.
32. There is currently unrestricted highway parking space for approximately 6 vehicles on the slip road. Should waiting restrictions be implemented to the slip road only this would displace more of the all-day parking taking place onto Government House Road.
33. If approval to proceed to statutory advertisement is granted, in line with the amended recommended option, further consultation will be carried out in accordance with the required legal process. Notices will be placed on street, in The Press and delivered to properties in the affected area. An update letter will be sent to all consulted properties advising of the outcome and next stages once established, it will also give details on how to provide further representations for consideration.
34. Details would also be delivered to the surrounding area due to the additional restrictions proposed for Water End slip road to enable representations to be received from the nearby properties and businesses which are not included within the proposed extended residents parking area.

## **Options Analysis and Evidential Basis**

### **Option 1 (Recommended Option) (Annex B)**

35. Advertise an amendment to the Traffic Regulation Order to introduce new Residents' Priority Parking restrictions for Government House Road, to operate 24hours Monday to Sunday, to be an extension of R23. In

addition, it is recommended to advertise the introduction of 'No Waiting at any Time' restrictions (DYL's) on Water End slip road to restrict parking 24 hours a day as outlined on the plan included as Annex B.

36. This is the recommended option as it supports the Council's LTP objective to transfer commuting and visitor trips to the Park & Ride services, support residents' cycle and pedestrian access needs to the cycle route networks and riverside paths, addresses the parking displacement issues which would arise if restrictions were only implemented in one area, and acknowledges the views of the majority of residents on Government House Road.

### **Option 2:**

37. Advertise an amendment to the Traffic Regulation Order to introduce new Residents' Priority Parking restrictions for Government House Road, to operate 24hours Monday to Sunday, to be an extension of R23. In addition, to introduce limited waiting parking restrictions on Water End slip road to restrict parking to a maximum of 2 hours, no return within 1 hour, 24 hours a day Monday to Sunday.
38. Although the request for implementing limited waiting parking restrictions on Water End slip road to remove all day commuter parking was received from a resident unable to utilise the area to access the riverside this is not the recommended option because it does not address the issues of the danger arising between vehicles driving and turning in the area to access the limited waiting parking bay and pedestrians/cyclists accessing the cycle route network and riverside paths. Any person travelling via vehicle to access the river would have to park at other unrestricted locations which may have access to the riverside walks.

### **Option 3:**

39. To introduce No Waiting at any Time restrictions (DYL's) on Water End slip road to restrict parking 24 hours a day and reconsult with residents on introducing an amended residents priority parking scheme for Government House Road which would include a limited parking period of 1 or 2 hours to enable recreational use of the river to continue by those accessing the area by vehicle.
40. This is not the recommended option as introducing limited parking within Residents parking zones which operate on entry and exit signs (other than the permitted 10-minute wait for non-permit holders) requires DFT approval and a reasoning for requesting the amendment.

41. As such there would be no guarantee that approval would be granted, and the process would be delayed due to the need for a further consultation to take place and then a request to DFT should the resident's representations from the consultation be considered and a decision made at a further executive Decision Session to pursue the approval. This could also lead to limited on street parking being available for residents and their visitors along with the increase of vehicle movements along the street in search of available parking.

**Option 4:**

42. No further action to be taken and the area is removed from the residents parking waiting list. Commuter parking on the slip road would continue to take place.
43. This is not the recommended option because it does not address the issues of commuter parking (in line with LTP objectives). It would also go against the clearly expressed preference of the majority of residents on Government House Road.

## **Organisational Impact and Implications**

44. This report has the following implications:
  - **Financial;** Funds allocated within the core transport budget will be used to progress the proposed residents parking scheme to legal advertisement. Should the scheme then be implemented the ongoing enforcement and administrative management of the additional residents parking provision will need to be resourced from the department's budget, funded through income generated by the new restrictions.
  - **Human Resources (HR);** If implemented after advertisement, enforcement will fall to the Civil Enforcement Officers adding a relatively small area to an existing Resident Parking area. New zones/areas also impact on the Business Support Administrative services as well as Parking Services. Provision will need to be made from the income generated from new schemes to increase resources in these areas as well as within the Civil Enforcement Team as and when required. As the proposed changes are for relatively small areas, the impact of the proposed measures on workloads are likely to be limited.
  - **Legal;** The proposals require amendments to the York Parking, Stopping and Waiting Traffic Regulation Order 2014:

Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

When considering whether to make or amend a TRO, CYC as the Traffic Authority needs to consider:

The duty of the Authority (as set out in section 122(1) of the Road Traffic Regulation Act 1984) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) so far as practicable.

Section 122 involves a balancing exercise that has involved the Authority's officers having in mind the section 122(1) duty, having regard to factors pointing in favour of the proposed restrictions and balancing the various considerations (as discussed in this report) and coming to the conclusion that the recommendations in this report are appropriate.

Proposals that involve amendments to an existing traffic regulation order are subject to statutory legal process set out in the Road Traffic Regulation Act 1984 and the Regulations that flow from that Act. All schemes are formally advertised. Before making a Traffic Regulation Order the Authority must consider all objections made and not withdrawn, and can decide whether to make the Order unchanged, to make the Order with modifications or not to proceed with the Order.

In preparing and determining proposals set out in this report the Council is required to have regard to (i) the Equality Act 2010 (which includes the Public Sector Equality Duty) and (ii) The Human Rights Act 1998 (see further below).

- **Procurement:** Any change, or additional signage will be procured in accordance with the Council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015. The Commercial Procurement team will need to be consulted should any purchasing for additional signage take place.
- **Health and Wellbeing:** The introduction of DYL's on Water End slip road aims to ensure that the area is kept clear of the majority of vehicles to reduce the danger or conflict arising and increasing sustainable transport modes. This should have a positive impact on the health and wellbeing of users of the riverside by enabling the cycle route network to be easily accessible with no vehicle conflict and pedestrian routes to be clear from obstruction.
- **Environment and Climate action;** implementing residents parking restrictions will restrict the number of vehicle movements looking to find

on street parking and encourage the use of more sustainable transport modes for non-residents by reducing the opportunities to park in or close to the city centre, in line with Local Transport Plan objectives.

- **Affordability:** residents and their visitors requiring on street parking on Government House Road will be required to pay to purchase a resident parking permit (or other permit as applicable) along with any visitor permits which would also be required. The financial impact on the residents of Government House Road is likely to be limited as most dwellings have sufficient off-street parking available to cater for the day to day needs of the dwellings. DYL restrictions on Water End slip road will remove any free on street parking in the area. The drivers which currently park on the Water End slip road are likely to have to find somewhere else to park, possibly at a cost (car parks, pay and display bays or Park & Ride), change transport mode or change destination. Blue Badge holders will still be permitted to park for a maximum of three hours.
- **Equalities and Human Rights:** No direct equalities and human right implications have been identified.

This proposal would affect those residents living in the proposed extended area and any other residents who may currently utilise the existing unrestricted parking available on both Government House Road and Water End slip road.

It is important to note however that Blue Badge holders are able to park in resident parking areas free of charge for an unlimited duration and on DYL's for a maximum of three hours.

Blue Badge holders would therefore be able to continue parking on Government House Road without any additional costs or time restrictions and on Water End slip road for a limited time period.

- **Data Protection and Privacy;** no issues identified.
- **Communications;** no issues identified.
- **Economy;** no issues identified.
- **Specialist Implications Officers;** no issues identified.

## Risks and Mitigations

45. In compliance with the Council's risk management strategy there is an acceptable level of risk associated with the recommended option.

## Wards Impacted

Clifton

## Contact details

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

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## Background papers

Consideration of results received from the consultation to extend R23 Residents Parking Zone to include Government House Road and a decision to be made on placing limited waiting restrictions on Water End slip road.

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=1061&MId=14560>

### Annexes:

- **Annex A:** Plan of the proposed extended R23 boundary.
- **Annex B:** Plan of proposed restrictions.