

Meeting:	The Executive Member for Economy and Transport Decision Session
Meeting date:	21/05/2024
Report of:	James Gilchrist
Portfolio of:	Executive Member for Economy and Transport

Decision Report: Consideration of representation received for Annual Review of Traffic Regulation Order Requests

Subject of Report

1. Consideration of representations received, in support or objection, to the advertised proposals to amend the Traffic Regulation Order (TRO) detailed in Annexes A to R
2. A decision on each proposal is important as it will provide the Council with the approval for an outcome and ensure the appropriate changes are made to the traffic restrictions to address the concerns raised.

Benefits and Challenges

3. The benefit provided from the annual review process are that the Council have listened to the issues and safety concerns that the residents have raised and considered the views of the wider area through the consultation process.
4. The challenges of the process are that the decisions made will not be the desired results of all residents and may create other issue for resident.

Policy Basis for Decision

5. The proposals have been brought forward following safety issues and concerns about parking. The proposals look to remove the safety issues, which in some areas were creating issues with vehicles parking on footpaths and removing accessible safe routes.

Financial Strategy Implications

7. The annual review process is undertaken to reduce the cost associated with an amendment to traffic regulation Orders but batching the works together. The Council has been able to advertise the proposed amendments of 70 different restrictions across the city, which has reduced the costs of press adverts (statutory requirement) and officer time through the creation of one report for all the proposals.

Recommendation and Reasons

8. It is recommended that the Executive Member consider the original proposals for each issue together with representations received and make a decision from the options given on the Ward/individual Annexes.
 - a) Implement as Advertised
 - b) Uphold the objections and take no further action
 - c) Implement a lesser restriction than advertised; for example a shorter length of restrictions
 - d) Other options relevant to the proposal and representations received

Reason: To ensure that appropriate changes are made to traffic restrictions to address concerns raised.

Background

9. The Council receives a number of non-urgent requests for changes to the TRO each year. Typically, these are for additional “no waiting at any time” (double yellow line) restrictions or minor

changes to Residents' Priority Parking (ResPark) Schemes. These requests are considered together on an annual basis; this saves officer time and money, because any changes can all be advertised at the same time, which helps to ensure parity of treatment. In each case site visits are carried out to determine to what extent there is a traffic management or safety problem.

10. The approval to advertise the proposed changes to the TRO was received at the Executive Member for Economy and Transport decision session on 12th September 2023. The Council received approval for the advertisement of 70 proposals. The Notice of Proposal was advertised on the 10th November 2023, providing a consultation period of 3 weeks to provide representations on the proposals. As part of the consultation the Council posted copies of the Notice of Proposal on the affected streets and in the local newspaper and also hand delivered letters to properties in the area to make them aware of the proposal. The local Ward Cllrs and Parish Council also received copies of the proposals for their areas.
11. During the consultation period the Council received objections to 36 of the proposals advertised, all of which are contained within this report. The areas that did not receive any representation has already been progressed to implementation.

Consultation Analysis

12. The Notice of Proposal was advertised on the 10th November 2023, which allowed the required 3 week statutory consultation period.
13. The representations received in response to the consultation period are all contained within the Annexes to the report, within the relevant ward, which also contains officer analysis of the consultation responses for each proposal.

Options Analysis and Evidential Basis

14. The analysis of the options and recommendations for the Executive Member decision are all contained in the Annexes to this report within the relevant Ward for the proposal.

Organisational Impact and Implications

15.

- **Financial.** There are no financial implications arising from the recommendations in this report. The implementation of any approved restrictions will be covered from Revenue Transport budget.
- **Human Resources (HR),** None, any enforcement of approved restrictions will fall to the Civil Enforcement Officers necessitating an extra area onto their work load, although they are already receiving reports of vehicles parked in the area and not currently able to enforce, which is creating work.
- **Legal,** The proposals require amendments to the York Speed Limit 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, and a subsequent report will include any such objections or comments, for consideration.

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 each of the sites 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 – Positive, the introduction of parking restrictions will remove obstructive parking and conflict of movement, which will make a safer environment for all road users;
 - Disability – Positive, the introduction of parking restrictions will remove obstructive parking and increase the available area for use by all user, whilst the introduction of 'No Waiting at any time' restrictions would allow for vehicles displaying a Blue Badge to park to park for 3 hours;
 - 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

It is recognised that individual traffic regulation order requests may impact protected characteristics in different ways according to the specific nature of the traffic regulation order being considered. The process of consulting on the recommendations in this report will identify any equalities implications on a case-by-case basis which may lead to an individual Equalities Impact Assessment being carried out in due course

- **Data Protection and Privacy**, The response to the proposal have been received by residents, Ward Cllrs and Parish Council but the report does not contain any personable information.
- **Communications**, There are no communications implications.
- **Economy**, There are no Economy implications.

Risks and Mitigations

16. No detrimental risks have been identified

Wards Impacted

17. Acomb, Bishopthorpe, Clifton, Copmanthorpe, Dringhouses & Woodthorpe, Fishergate, Fulford & Heslington, Guildhall, Haxby & Wigginton, Heworth, Holgate, Huntington & New Earswick, Micklegate, Osbaldwick & Derwent, Rawcliffe & Clifton Without, Rural West and Westfield.

Contact details

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

Author

Name:	James Gilchrist
Job Title:	Director of Environment, Transport and Planning
Service Area:	Place
Telephone:	01904 552547
Report approved:	Yes/No

Date:	16/05/2024
--------------	------------

Co-author

Name:	Geoff Holmes
Job Title:	Traffic Projects Officer
Service Area:	Place
Telephone:	01904 551475
Report approved:	Yes/No
Date:	16/05/2024

Background papers

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=1061&MId=14338>

Annexes

Annex A, Acomb Ward
Annex B, Bishopthorpe Ward
Annex C, Clifton Ward
Annex D, Copmanthorpe Ward
Annex E, Dringhouses & Woodthorpe Ward
Annex F, Fishergate Ward
Annex G, Fulford & Heslington Ward
Annex H, Guildhall Ward
Annex I, Haxby & Wigginton Ward
Annex J, Heworth Ward
Annex K, Holgate Ward
Annex L, Huntington & New Earswick Ward
Annex M, Micklegate Ward
Annex O, Osbaldwick & Derwent Ward
Annex P, Rawcliffe & Clifton Without
Annex Q, Rural West Ward