

Meeting:	Executive Member for Transport Decision Session
Meeting date:	21/10/2025
Report of:	Garry Taylor, Director of City Development
Portfolio of:	Councillor Ravilious, Executive Member for Transport

Decision Report: Resident Parking review

Subject of Report

1. This report provides a response to the motion presented by Cllr Whitcroft at the 19 September 2024 Council meeting, entitled “*Reforming Residents’ Priority parking in York*”. The motion was adopted by the Council and is reproduced in Annex 1. Additional information about the motion is also available here: <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MId=14608&Ver=4>).
2. The recommendations aim to streamline the ResPark process where possible and support the implementation of the Council’s Transport Strategy.

Benefits and Challenges

3. **Benefits:** the recommendations aim to streamline the ResPark process where possible and support the implementation of the Council’s Transport Strategy. The move towards digital engagement is likely to make the process more accessible for some residents and businesses.
4. **Challenges:** if approved, the recommendations will result in fewer opportunities for public participation, including at formal council meetings, as more decisions will be made by officers. The final decision on whether to implement a scheme will however remain with the Executive Member at a public decision session and all objections will be fully considered as legally required for TROs. The move towards digital engagement will need to be supported by letters and emails (as currently) for those who are not able to

use a digital platform. The removal of officer guidelines to decide whether a proposed scheme can proceed to statutory consultation could result in schemes with very low levels of local support being implemented.

Policy Basis for Decision

5. This report presents options to address a motion adopted by Council and policies included in the Local Transport Strategy adopted by the Council's Executive.
6. The options considered relate to the Climate and Health commitments as described in the Council Plan. They also relate to Plan Priority d) Sustainable Transport: *"We will work with the city, partners, residents and businesses to change the way we move through and around the city, prioritising sustainable transport and discouraging non-essential vehicle journeys"*.
7. The options considered here are also linked to City of York Council's Local Transport Strategy (LTS) approved by Executive on 18 July 2024 (see Item 16 here: <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MIId=14499&Ver=4>).

Financial Strategy Implications

8. Whilst the recommendations presented here do not have a direct financial impact on the Council, the changes may lead to:
 - a) More streets and areas benefitting from a ResPark scheme. This has financial implications for the Council as the sale of permits will generate additional revenue but the implementation and enforcement costs for these areas will also increase. It has financial implications for local residents (as well as their visitors and service providers) and businesses as the cost of parking in local streets will increase for those who need to purchase parking permits, and parking may not be available on-street for all users who currently park in the area. Users may have to change transport mode, destination, or pay for on-street or off-street parking if available nearby. It is important to note that Blue Badge holders can park free of charge with no time limits in ResPark areas and bays.

- b) The need for the Council to further invest in digital platforms to support TRO digitisation and digital engagement will result in additional software costs but reduce printing and posting costs, which can be significant.
- c) Where ResPark schemes are approved with a change of kerbside use, these changes will need to be funded from specific programme/project budgets (for example to provide cycle hangers, plant trees, accommodate car-club cars or retrofit sustainable urban drainage).

Recommendation and Reasons

9. It is recommended that the Executive Member approve:

- a) The following changes to the process for the ResPark waiting list and of the decision to proceed to statutory consultation:
 - i. ResPark requests which are not submitted through a petition will be added to the waiting list by officers. An Executive Member decision will only be required where ward members and/or officers are opposed to the request being added to the waiting list. Once a proposal reaches the top of the waiting list, the first informal consultation will be undertaken without the need for a public decision; and
 - ii. Once the informal consultation has concluded, the decision to initiate the statutory consultation stage will be made by a senior officer (published Officer Decision). This will apply unless ward members and/or officers are opposed to the scheme progressing to statutory consultation. In these cases, the decision will be made by the Executive Member at a decision session.
- b) Changes to the informal consultation process so that it can be linked to the implementation of the wider Council's Transport Strategy by consulting residents and businesses on options for alternative uses of kerbside space in their area/street if a ResPark scheme is implemented, to provide alternative kerbside uses and activities (such as car club cars, cycle hangers, providing more space pedestrians,

cyclists, or buses, or planting trees, or retrofitting sustainable urban drainage solutions).

- c) Changes to the way officers consider the responses to the informal consultation to inform their recommendations, by removing the current officer guidelines (where 50% response rate and 50% of responses received in support are usually required for officers to recommend that the proposed scheme progresses to the statutory consultation stage).

Officers' recommendations on whether to proceed with a proposed scheme will be based on the applicable legal framework (see below), the Council's adopted policies and strategies, and a qualitative review of the feedback and objections received through the consultation process.

- 10. The Executive Member is also asked to note that officers will aim to implement and encourage the use of digital tools for engagement and consultation, retaining the options of letters and emails to ensure that the process remains inclusive.
- 11. Reasons: To respond to the motion presented by Cllr Whitcroft at the 19 September 2024 Council meeting, *entitled "Reforming Residents' Priority parking in York"*, streamline the ResPark process where possible, and support the implementation of the Council's Transport Strategy.

Background

Council motion

- 12. At the 19 September 2024 Council meeting, Cllr Whitcroft presented a motion entitled "Reforming Residents' Priority parking in York". The motion was adopted by Council. It is reproduced in Annex 1, and additional information is available here: <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MIId=14608&Ver=4>).
- 13. The motion noted that Resident Priority Parking (known as ResPark) is crucial to manage parking pressures, but the scheme is currently limited in scope and that changes are time consuming to implement. It noted parking pressure concerns from residents in areas where ResPark is not currently in place. It noted that *"the current consultation process for ResPark schemes is overly bureaucratic and expensive to the council and delays*

implementation of necessary parking controls, particularly with the 50% recommended turnout guideline”.

14. Council resolved to request that Executive:

- a) *“Simplifies the process for implementing and modifying ResPark schemes by:
 - i. *Developing a set of standardised criteria for ResPark eligibility;*
 - ii. *Developing a streamlined consultation and implementation process for ResPark schemes, in accordance with current legislation;*
 - iii. *Conducting a city-wide review of the ResPark process;*
 - iv. *Working to reform the turnout guideline in Residents’ Parking consultations to reflect area-specific issues for some streets, including consistently unoccupied properties, short-term and part time occupancy properties, and HMOs;*
 - v. *Reviewing the pricing structure for ResPark permits to ensure fair pricing for residents.**
- b) *Asks the Executive Member for Transport to work with Council officers to present a detailed plan and timeline for expanding and reforming ResPark, in accordance with existing legislation, to the Executive, when capacity exists;*
- c) *Commits to implementing a reformed ResPark system, having considered the measures proposed in this motion and in accordance with existing legislation”.*

15. This motion is broadly in line with Policy 6.7 of the Council’s Local Transport Strategy.

York’s Local Transport Strategy

16. City of York Council’s Local Transport Strategy (LTS) was approved by Executive on 18 July 2024 (see Item 16 here: <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=14499&Ver=4>). On car parking, the LTS states:

- a) *“We will manage parking to provide access for shops and business, while discouraging car use for journeys which*

could be made by sustainable modes” (Policy Focus Area 7: Reduce car dependency);

- b) “Policy 1.1 - Provide Blue Badge parking spaces near significant trip attractors within the city centre, including the foot streets area, and in all district and village centres. Our target is to have BB parking spaces as close as possible, ideally within a 150m (over accessible terrain) distance of significant trip attractors”;*
- c) “Policy 5.2 – Use the powers available to local authorities to further incentivise EV/ hybrid replacement of petrol/ diesel engine vehicles in York – for example through differential parking charges for resident’s parking schemes”;*
- d) “Policy 7.5 - Develop a parking strategy to cover all Council managed parking within 400m of the city centre, which assesses parking needs and sets parking charges designed to make it more attractive to use Park and Ride or the bus, or to walk, wheel or cycle. Set Council managed parking supply to satisfy requirements for essential journeys to the city centre, and take steps to enhance the quality of that parking provision”;*
- e) “Policy 7.6 – We will keep under review our Residents’ Parking Scheme to ensure it delivers our policy and works to the benefit of all residents. Residents parking schemes allow you to park in your community, and they could be extended to cover all areas of the city, with an aim to reduce non-residents using residential streets for long-stay parking. On-street car parking may need to be reallocated to create space for bus and cycle facilities (in line with the council’s adopted hierarchy of road users see Policy 2.1). Where this results in a dedicated disabled bay needing to be moved the council will provide an alternative car parking space within 150m (or preferably less) of their home, with an accessible route between the resident’s home and the disabled car parking bay. In a similar way we will work with blue badge holders so the same principles apply where possible”.*

Current ResPark coverage

17. An overview of the current coverage of ResPark zones is provided in Annex 2. Areas with no or limited off-street car parking within walking distance of the city centre are generally covered by a ResPark scheme. Areas within walking distance of the University

of York are also generally protected. There are some exceptions to this as some streets are private and others have historically not supported the introduction of ResPark.

18. Some areas where significant parking pressure has been identified due to commuter and visitor parking adding to demand for parking by local residents are not currently covered by a ResPark scheme. These areas include streets to the east of Burton Stone Lane, where additional parking pressure is linked to the proximity of York Hospital, and streets south-east of Water End (Salisbury Road/Terrace, Kingsland Terrace area), where additional parking pressure is linked the proximity to the railway station and the city centre. Terraced streets off Lawrence Street and Fifth Avenue, due to commuter parking.
19. Some of these areas are likely to be consulted on the possible introduction of ResPark in the coming years. For example, the Salisbury Road/Terrace, Kingsland Terrace area is likely to be under significant parking pressure when the York Central development starts to be occupied. It is therefore likely that a consultation on ResPark for this area will take place in the near future. The areas off Burton Stone Lane and Lawrence Street are both currently on the ResPark waiting list.

Current ResPark process

20. The current ResPark process has been established to meet legal requirements (described later in this report) and has been developed over the years to enable the views of residents and other highway users to be considered in the decision process. The process is as follows:
 - a) **A request** for parking controls in a street/area is received by City of York Council. This is usually in the form of a petition from residents but can also be a request from local councillors (based on feedback they have gathered from local residents and businesses).
 - b) As the request is usually in the form of a petition, this is **reported to the Executive Member for Transport at a Decision Session** so that a decision can be made to either progress a review, potentially leading to the implementation of parking restrictions, or refuse the request. This is in line with the Council's petition scheme (available here: www.york.gov.uk/downloads/file/1421/city-of-york-council-petitions-scheme).

When a decision needs to be made at an Executive Member Decision Session, a specific timeline needs to be adhered to which includes the publication of a statutory forward plan notice/item at least 28 days before the Decision Session takes place. Reports then need to be prepared and reviewed internally before being finalised 10 to 12 days before the Decision Session so that all papers can be published in advance of the session. Decision Sessions are usually monthly.

- c) If the request is approved, the request is **added to the ResPark waiting list**. ResPark requests are then generally dealt with in order of when they were received. Some requests in areas which are close to each other are sometimes bundled to be considered together as the implementation of restrictions in one area would have an impact in the other area. The number of requests progressed per year depends on funding, staff resources, and how workloads are prioritised within the relevant CYC teams.
- d) Once an approved request reaches the top of the waiting list, an **informal consultation** is initiated. A draft scheme showing where and when restrictions would apply (sometimes including several options) and a questionnaire are sent out to all properties within the proposed area. This can also include some neighbouring areas or streets if these are likely to be affected in terms of access or displaced car parking. This is sent in paper format, by post. Responses are generally received by post or by email.

This early engagement enables CYC officers to gather detailed information and feedback from residents and businesses/ premises in specific streets/areas before the scheme is fully developed. This helps officers refine the proposals and assess the potential impact of a scheme on all highway users, including people and groups with protected characteristics under the Equality Act 2010. Adjustments made at this point can avoid or reduce the number of formal objections to the proposal during the statutory consultation stage (see below).

Officers currently use **internal officer guidelines to gauge whether a proposed ResPark scheme is supported by residents** and should be recommended for implementation. This means that officers will usually only recommend the

implementation of a proposed ResPark scheme when at least 50% of residents consulted have responded to the consultation and the majority of responses are in favour of the proposed scheme (equivalent to a **minimum 25% of residents supporting the proposal**). In some cases, officers may recommend that a proposed ResPark scheme be progressed on some streets where residents support the proposal, whilst recommending that the rest of the area or other streets be left out of the scheme as returns were below 50% or support for the proposed scheme is low.

- e) The **results of the informal consultation and a proposed scheme**, revised to take account of the feedback gathered during the informal consultation, are then **presented to the Executive Member for Transport's Decision Session** for a decision on whether to approve the statutory consultation of a Traffic Regulation Order (TRO).

It is important to note that the Executive Member for Transport does not have to follow officer recommendations when making a decision. For example, if officers have recommended no further action because the response rate to the early engagement is below 50%, the Executive Member can still decide that the scheme should proceed to the next stage.

- f) If the Statutory Consultation is approved by the Executive Member, a **"Notice of Proposals"** is prepared with the draft TRO and Statement of Reasons, which are **publicised for a statutory consultation**. The Notice is published in the local newspaper and affixed to street furniture in the affected areas. Letters are also sent to residents, businesses and other premises in the area (as for the early engagement) and to statutory consultees (this includes the Police, road haulage association, etc). The "Notice of Proposals" invites "objections and other representations" to be submitted to CYC. **The consultation must last at least 21 days**, but this period is often extended to give consultees more time to respond, especially if the consultation period includes holidays (e.g. summer holidays, Christmas, Easter, etc).
- g) Once the statutory consultation period has ended, **officers analyse the feedback received**. In some cases, officers need to contact objectors if the analysis shows that the objection is based on a misunderstanding of the impacts of

the proposal. **Officers must consider all objections which have been duly made and not withdrawn.**

- h) **Where many substantial objections have been received and not withdrawn, it may be necessary to significantly revise the proposals.** The revised proposals then need to be **taken back through the consultation process and to the Executive Member for approval** to progress. This is why early engagement, although sometimes seen as cumbersome, is often beneficial as it enables officers to refine the proposals to mitigate the impacts of the proposed scheme where possible, often avoiding or reducing the number of formal objections received during the statutory consultation stage.
- i) **Officers present their assessment** of the feedback received during the statutory consultation in a report **for a decision to be made on whether to implement, revise, or abandon the order.**

Where no objections have been received/remain, a formal decision to implement the order is usually made by a senior Council officer.

Where objections have been received and not withdrawn, the decision must be made by the Executive Member for Transport at their Decision Session. There are three possible outcomes at this stage:

- i. a decision to make the TRO as consulted on;
- ii. a decision to make a less onerous and/or less extensive order (for example, this could be reducing the area where ResPark will apply or reducing the number of days or time periods when ResPark restrictions are in place in the area); or
- iii. a decision to abandon the order.

If any other revision is required, the process must be re-started. Objectors must be notified of the decision.

- j) If a decision is made to implement the order, CYC officers then need to complete the legal process (including the publication of the “Notice of Making”) and **progress the scheme’s design and implementation.** There is also a 12-week lead time to allow for the area to be added to the

Parking system and for residents to apply for permits prior to the scheme coming into operation. There are no dedicated teams to design and implement ResPark schemes so, once approved, the schemes are included in the teams' overall work programmes and delivery is planned and prioritised alongside other highway schemes.

21. ResPark requests currently take several years to progress to implementation. It can be 2 to 4 years between the request being received and the area reaching the top of the waiting list. This depends on the number of requests received, the amount of staff resources allocated to dealing with ResPark requests, and how their workloads are prioritised against the schemes and priorities they work on.
22. Once a request reaches the top of the waiting list, the process described above often takes close to a year to complete, longer in some cases. This is mainly due to the requirements for consultation, time required to analyse the feedback received, and the process required to present reports to the Executive Member's Decision Sessions.

Cost of ResPark permits

23. Various types of ResPark permits are available for residents within ResPark zones and their visitors. This includes:
 - a) Household permits (and additional permits) – for people who live in a house or flat within a residents' priority parking scheme (ResPark) zone. Up to three permits can be issued per household (unless the property is located in a special control zone – see below);
 - b) Visitor parking permits - visitor parking permits are available to buy, whether or not the household owns a vehicle. Each household is entitled to an annual allocation of 200 daily visitor permits;
 - c) Special control parking permits – for residents of the Micklegate area, the North Street area and Agar Street. Unlike standard household parking permits, only 1 permit can be issued and no visitor parking permits can be purchased. Permit holders may also be restricted to certain bays within a zone. This is due to the restricted availability of on-street parking within the special control zones;

- d) HMO permits are currently available but a decision was made by the Executive Member for Transport on 12 November 2024 to proceed to statutory consultation to remove HMO permits entirely, with HMO properties becoming eligible for a maximum of 3 household parking permits per property if they are located in a ResPark zone (additional information available here:

<https://democracy.york.gov.uk/ieDecisionDetails.aspx?ID=7266>).

- 24. Permits are also available for people who may own properties within a zone or have a commercial requirement for parking there. This includes:
 - a) Guest house parking permits;
 - b) Property renovation parking permits;
 - c) Landlord and management agents permits;
 - d) Business parking permits;
 - e) Commercial parking permits – for people who need to visit residential or business premises within a ResPark zone;
 - f) Community parking permits - organisations whose employees need to be able to park in a ResPark zone to provide care for a resident in their own home.
- 25. Some developments are excluded from ResPark zones. This is in accordance with government guidelines and our policy of discouraging increased car ownership within central areas of the city. The exclusion of larger developments, such as blocks of flats or apartments, from the ResPark scheme prevents on-street parking from becoming overloaded in these areas. Developers are made aware of any exclusions within the area at the planning stage and should make purchasers and tenants aware of any applicable parking restrictions.
- 26. ResPark permits pricing is a budget matter and decisions on prices are made at Executive and Council meetings. Parking permits costs are detailed on the Council's website (see here: <https://www.york.gov.uk/ParkingPermitCosts>). Household permits costs are shown in the table below.

Permit type	Discounted rate	Standard rate	Premium rate
2024/25 charges (12 month permits)			
First household permit	£54.98	£109.95	£164.95
Second household permit	£120	£240	£340
Third household permit	£250	£500	£680
2025/26 charges (12 month permits)			
First household permit	£92	£115	£173
Second household permit	£211.20	£264	£374
Third household permit	£440.30	£550	£748
<p>Notes: Vehicles qualifying for the low emission parking discount include:</p> <ul style="list-style-type: none"> a. vehicles with a low CO₂ emission figure that qualifies the vehicle for a reduced rate of vehicle tax; b. vehicles in tax bands A to C (CO₂ emission level of vehicles in Bands A to C is up to 120g/km); c. electric or liquid propane gas (LPG) powered vehicles. <p>The premium rate applies to vehicles with emissions over 185g/km (vehicle tax bands J to M) or vehicles longer than 5 meters.</p>			

Consultation Analysis

27. No external consultation has been undertaken specifically for this paper as it focuses on changing internal processes to respond to the Council Motion and to take account of the feedback received through consultations previously undertaken for ResPark schemes.

Options Analysis and Evidential Basis

28. Options included in this report aim to address the following requests: *“Simplifies the process for implementing and modifying ResPark schemes by:*

- a) *Developing a set of standardised criteria for ResPark eligibility;*
 - b) *Developing a streamlined consultation and implementation process for ResPark schemes, in accordance with current legislation;*
 - c) *Conducting a city-wide review of the ResPark process; and*
 - d) *Working to reform the turnout guideline in Residents' Parking consultations to reflect area-specific issues for some streets, including consistently unoccupied properties, short-term and part time occupancy properties, and HMOs".*
29. The request to conduct a city-wide review of the ResPark process included the intention of reviewing the existing ResPark areas, whether they should be larger or cover different areas and how many permits should be permitted in zones, etc. This wider review of the scheme is not currently being progressed due to limited resources and capacity.
30. The request for a review of *"the pricing structure for ResPark permits to ensure fair pricing for residents"* is not addressed here. This is because the pricing structure for ResPark is a budget item, which is a matter for review and approval by the Executive and Full Council.

Implementing a more streamlined process

31. Options under consideration to streamline and accelerate implementation city wide include:
- a) Faster application process for inclusion on the ResPark waiting list, reducing the number of requests which need to follow the petition process and reducing the need for Executive Member decisions;
 - b) Allocation of additional resources to process requests, analyse consultation feedback, prepare decision reports and implement the schemes faster;
 - c) Removal of the early engagement/informal consultation step (this may not shorten the process however as described in the analysis section);
 - d) Changing the informal consultation process to consult on principles rather than detailed design options but also include

a public meeting with ward councillors (this may not shorten the process however as described in the analysis section).

32. These options to streamline the process are analysed in more detail below:

- a) **Inclusion on the waiting list and decision to proceed with statutory consultation** – This stage could be streamlined by removing the requirement to take each request for a ResPark scheme to an Executive Member Decision Session (EMDS) for an approval to add the proposal to the waiting list and then to proceed to statutory consultation.

Where requests are not submitted through a petition (as petitions have to follow a set process), requests could be added to the waiting by officers without the need for a public decision and only requests that officers propose to reject or requests that are not supported by local ward members would be presented to EMDS for a decision.

The same principle could apply to the decision to proceed to the statutory consultation stage following on from the informal consultation. The decision would be taken by a senior officer (published Officer Decision), unless officers propose not to progress with the scheme or ward members are opposed to the scheme progressing to statutory consultation. In these cases, the decision would be made by EMDS.

Although this process is likely to reduce the time for requests to be considered, it will also reduce the publicity of the process, making it less transparent.

- b) **Reducing the time spent on the waiting list and during the consultation and feedback analysis stages** – This is mainly a resource and prioritisation issue. If additional resources were allocated to the development and implementation of ResPark schemes, CYC officers would be able to work on several schemes in parallel, reducing the time spent on the waiting list for individual streets/areas. This would require a change in budget allocation to fund additional resources for the relevant teams.

Aggregating requests so that each process covers a wider area could also be considered. This is however not

guaranteed to speed things up as the consultation process would be more time consuming to organise and analyse and the proposals would be more likely to receive multiple objections.

As the Council is preparing for the move to digital TROs, it may be possible to start using a digital platform for the bulk of the consultation work, reducing the time officers spend gathering emails and letters, reviewing and analysing them and summarising them into reports. Letters and emails would still be accepted as representations for the consultation process but if most responses were received digitally, this would save significant officer time.

- c) **Removing early engagement** – The informal consultation stage is not a legal requirement under the Road Traffic Regulation Act 1984. Removing this consultation stage and relying entirely on the statutory consultation process could therefore be considered as an option to implement ResPark schemes faster.

In relation to consultation requirements, the general principles (also known as “Gunning principles” or “Sedley criteria”) apply. For consultation to be meaningful, it needs to be undertaken at a point where the mind of the decision-maker is still open to change and can, therefore, be influenced by the responses to the consultation.

The criteria require that *“the consultation must be at a time when the proposals are still at a formative stage”*. A proposed TRO remains in the formative stage during the statutory consultation and notice process. This is supported by case law (Surrey County Council 2016 case), where the High Court held that a council's consultation on a proposed TRO was adequate despite being issued at the same time as the statutory notice process and that the council's decision to consult on the proposed TRO, and not to consult in the formulation of the proposal, was not unlawful in itself.

Removing the early engagement stage and relying on the statutory consultation alone would therefore be possible in legal terms but it is important to consider the possible impacts of this change on the overall process.

Consulting with residents, businesses and interested stakeholders early in the process generally helps reduce the overall duration of the process as it:

- i. Provides useful feedback before the scheme is too far developed so that adjustments can be made where required before going to statutory consultation. If significant changes are required after statutory consultation, the whole process usually needs to start again. This is because the only changes, which can be made once the statutory consultation is complete, are to implement lesser restrictions than those which were consulted on;
 - ii. Enables officers to assess the impacts of the proposed schemes, including on groups with protected characteristics under the Equality Act 2010 (and to include mitigation measures in the revised scheme where possible); and
 - iii. Usually helps to reduce the number of objections received during the statutory consultation.
- d) **Changing the way early engagement is conducted.** One option would be to focus the informal consultation stage on the principles of ResPark in an area or street(s) and the desired outcomes, rather than the specific design options for a scheme.

This stage would generally be conducted through an informal digital/paper-based consultation and could include a public meeting with ward councillors if required, where residents would be invited to attend and discuss the proposals and ask questions/gather additional information on how a scheme would work for them.

This would reduce the resources used to prepare drawings to show options for a scheme for the informal consultation stage. It would however require additional resources to generate separate consultation materials, and where meetings are required, book and pay for a suitable venue, organise and attend a public meeting (with an impact on officer time and resources).

As noted above, the current phase of early engagement, including drawings showing how the scheme could be

implemented, enables CYC officers to gather detailed information and feedback from residents and businesses/ premises in specific streets/areas before the scheme is fully developed. This helps officers refine the proposals and assess the potential impact of a scheme on all highway users, including people and groups with protected characteristics under the Equality Act 2010. Adjustments made at this point can avoid or reduce the number of formal objections to the proposal during the statutory consultation stage. It is therefore important to provide initial drawings as part of this engagement so that local highway users can fully assess the potential impacts of the proposal.

Another option considered is to adapt the current informal consultation to provide information about the wider context for a proposed ResPark scheme and better align proposed schemes with the Council's Transport Strategy, for example by providing options where some on-street parking capacity would be removed to free up some space for other kerbside uses such as car club cars, cycle hangers, providing more space pedestrians, cyclists, or buses, or planting trees, or retrofitting sustainable urban drainage solutions.

As part of the informal consultation, additional questions would therefore be included to ask residents and businesses about their specific access needs and whether they would be interested in more car-club cars nearby, cycle hangars, pocket-park/kerbside cafes, etc.

This option is unlikely to result in a shorter consultation process but would enable the ResPark process to better tie-in with the wider implementation of the Council's Transport Strategy.

Standardised criteria and turnout guidelines

33. Turnout guidelines have been used by officers historically to gauge the support for a proposed schemes and inform officer recommendations. This is because local residents' support for the implementation of ResPark in their area has historically been seen as an important factor in making such a decision, since it has an impact on residents' lives and parking costs. These guidelines do not bind the Executive Member for Transport however, who can decide to implement a ResPark scheme against officer recommendations.

34. Officers' use of the guidelines has attracted some criticism, especially in areas where a significant proportion of dwellings, are rental properties, including Houses in Multiple Occupation (HMOs) and student accommodation, as these types of property tend to attract lower response rates.
35. Options considered to develop a set of standardised criteria for ResPark eligibility and reform the turnout guideline in ResPark consultations include:
 - a) Removal of the 50% response rate and 50% support for the scheme guidelines. Officers' recommendations on whether to implement a ResPark scheme would be based on the legal framework (see below), the Council's adopted strategies and policies, and a qualitative review of the objections and feedback received through the consultation process; or
 - b) Change the percentages considered to guide officers' recommendations, enabling a lower return rate and support rate to be interpreted as local residents supporting the scheme, or excluding some properties from the rates calculated (as described in the Council Motion).

Organisational Impact and Implications

- **Financial:** No direct impacts identified, see Financial Strategy Implication Section of the report for indirect impacts identified.
- **Human Resources (HR):** No direct impact identified.
- **Legal:**

ResPark schemes rely on Traffic Regulation Orders (TROs) to be enforceable. A TRO may be made where it appears expedient to the Council to do so for any of the reasons set out in Section 1(1) of the Road Traffic Regulation Act 1984, as follows:

- *“for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or*
- *for preventing damage to the road or to any building on or near the road, or*

- *for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or*
- *for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or*
- *(without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or*
- *for preserving or improving the amenities of the area through which the road runs;*
- *for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality)”.*

The TRO also needs to meet the Council’s wider duty under Section 122 of that Act. The duty of the Council is to “*secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway*”, whilst having regard to the following matters:

- *“the desirability of securing and maintaining reasonable access to premises”;*
- *“the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run”;*
- *“the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)”;*
- *“the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles”;* and
- *“any other matters appearing to the local authority to be relevant”.* This includes the authority’s adopted policies and strategies such as the Local Transport Strategy.

The Road Traffic Regulation Act 1984, Section 45 (3) also requires that when the authority is considering charging/permitting for on street parking, it needs to consider the interests of traffic and those of the owners and occupiers of adjoining property, and in particular:

- the need for maintaining the free movement of traffic (including pedestrians);
- the need for maintaining reasonable access to premises; and
- the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood.

The 2015 Government statutory guidance *“Right to challenge parking policies - Traffic Management Act 2004: Network Management Duty Guidance”* states that *“parking strategies cannot simply be about restricting parking. They need to meet the best interests of road users, communities and businesses”*. The statutory guidance enables members of the public to request a review through a petition.

Proposed ResPark schemes (and other TROs) need to be considered on a case-by-case basis, within this legal context.

- **Procurement:** No procurement impacts identified. If a procurement exercise is required to support the move to digital engagement, this will follow all applicable procurement rules and regulations.
- **Health and Wellbeing:** No direct impact identified for the recommendations included in this report. When the implementation of future ResPark schemes is considered, where the demand for car parking is reduced through a ResPark scheme and funding is allocated to provide alternative uses for the vacant space, there is a potential for improved health and wellbeing by using kerbside space for measures which support sustainable travel (e.g. cycle hangars) or to improve wellbeing (e.g. pocket parks, benches, etc).
- **Environment and Climate action:** No direct impact identified for the recommendations included in this report. When the implementation of future ResPark schemes is considered, where the demand for car parking is reduced through a ResPark scheme and funding is allocated to provide alternative uses for the vacant space, there is a potential for positive impacts on environment and

climate change through reduced reliance on the private car and a switch to sustainable transport modes, by using kerbside space for measures which support sustainable travel (e.g. cycle hangars) or to improve the local environment (e.g. pocket parks, trees).

- **Affordability:** No direct impact identified for the recommendations included in this report. When the implementation of future ResPark schemes is considered, the impact of individual schemes on affordability for residents and their visitors and service providers will be considered when the decisions to progress and implement them are made.

The introduction of ResPark schemes has a negative impact on affordability for many residents who own one or several vehicles and either need to buy permits to park on street (noting that permits for a second or third car are more expensive – see costs here: <https://www.york.gov.uk/parking-permits-1/resident-parking-permit-costs>) or may decide to apply for or widen a dropped kerb to transform their front garden into a driveway/widen their driveway (where this option is available). There is very limited evidence of the impacts on low-income households.

Where the introduction of ResPark schemes result in lower levels of car ownership, this could result in lower travel costs for residents.

- **Equalities and Human Rights:**

No direct impact identified for the recommendations in this report, hence no Equalities Impact Assessment (EIA) required for this report.

The need for an EIA and the equality impacts of ResPark schemes are considered on a case-by-case basis when ResPark schemes are proposed and developed. Blue Badge holders can park free of charge and without any time restrictions in ResPark bays/areas.

Although digital engagement will be available and encouraged for consultations, the options of writing to the Council (by post or email) will be retained to ensure that the process remains as inclusive as possible.

- **Data Protection and Privacy:** The data protection impact assessment (DPIAs) screening questions were completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being

processed to set these out, there is no requirement to complete a DPIA at this time. However, this will be reviewed following the approved recommendations and options from this report and a DPIA completed if required.

- **Communications:** Support from the Communications team will be required to develop the new consultation materials.
- **Economy:** No direct impact identified for the recommendations included in this report. When considering the implementation of future ResPark scheme, the evidence on economic impacts for resident parking charges is mixed, as the schemes result in higher car ownership costs, which can result in a decrease in car ownership in some cases but can also have a negative economic impact where residents are not able to switch to more sustainable modes of transport. There is very limited evidence of the impacts on low-income households.

Risks and Mitigations

36. No risks identified.

Wards Impacted

37. All wards within the City of York area.

Contact details

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Annexes

Annex 1 – Motion adopted by Council “Reforming Residents’ priority parking in York”

Annex 2 – Current ResPark coverage overview

Abbreviations used in this report

BB – Blue Badge

CYC – City of Council

DPIA - Data Protection Impact Assessment

EIA – Equalities Impact Assessment

EMDS – Executive Member Decision Session

EV – Electric Vehicle

HMO – House in Multiple Occupation

LPG - Liquefied Petroleum Gas

LTS – Local Transport Strategy

ResPark – Resident Parking

TRO – Traffic Regulation Order