

<b>Meeting:</b>	The Executive Member for Transport Decision Session
<b>Meeting date:</b>	21/10/2025
<b>Report of:</b>	Garry Taylor
<b>Portfolio of:</b>	Cllr. Ravilious. Executive Member for Transport

## **Decision Report: Consideration of representations received during the Statutory Consultation for the proposed R67 Huntington Road Resident's Priority Parking Scheme**

### **Subject of Report**

1. To report and consider the representations received from residents during the Statutory Consultation of the proposed R67 Huntington Road Resident's Priority Parking Scheme(Respark).
2. A decision is important as the Statutory Consultation has provided the Council with the views of residents and will allow the Council to make a balanced decision on the implementation of any restrictions following representations made by all relevant stakeholders.

### **Benefits and Challenges**

3. The benefits are we have met our statutory obligation to consult with relevant stakeholders providing them with the opportunity to voice their opinions and take those into consideration when reaching a final decision.

The challenges of the process are that any decision made may not be the desired results of all residents and may create other issues for residents or local business owners.

Had we not consulted we would have breached our statutory obligations because of which we may have been considered to have acted unlawfully in respect of due process.

## **Policy Basis for Decision**

4. Should the decision be made to implement the proposed scheme this would then comply with and support the Council's Local Transport Strategy, including the following policy focus areas: Improve accessibility; Improve walking, wheeling and cycling; Shape healthy places; and Reduce car dependency.

## **Financial Strategy Implications**

5. Should the scheme move on to implementation the costs of any approved restrictions will be covered by the signs and lines budget.

## **Recommendation and Reasons**

6. It is recommended that the Executive Member consider the original proposal with representations received and approve the below option.
  - a) To approve the variation of the York Parking, Stopping & Waiting Order 2014 to implement the R67:Huntington Road Respark scheme- Recommended

The scheme will remove commuter parking in the area which is in line with the Council's Transport Policies.

## **Background**

7. A petition was received in December 2019 which included signatures from residents on Yearsley Crescent. The petition included 31 signatures. In addition, a further separate petition was received in October 2020 from residents of Kitchener Street. The petition included 19 signatures. As the streets are in close proximity, it was proposed to progress the consultation as one area.
8. Due to the impact of the introduction of a residents parking scheme may have on the nearby area the informal consultation was expanded to include all properties on Oakville Street, Ashville Street, Oakville Court and properties No's 75-143 and 94-166 on Huntington Road. Oakville Court is located on a private unadopted access road with limited off-street parking amenity. Oakville Court

was included in the consultation as residents of, and visitors to, these properties may need to park on Huntington Road and would require permits to do so. As such a boundary plan for a wider area was created.

9. As restricting parking in a Respark zone can lead to a displacement of parking in to surrounding areas it was also deemed appropriate to consult with the residents and businesses of Haleys Terrace and Somerset Road to determine if they would like us to consider including these areas in the Respark scheme if it were to be taken forward. 21 properties on Haley's Terrace and 11 properties on Somerset Road were consulted.
10. The Informal Consultation stage was completed between 22<sup>nd</sup> August and 19<sup>th</sup> October 2024. All residents and businesses received the consultation letter, proposed boundary plan, Respark information and costs, and a questionnaire sheet requesting their vote in favour or against the proposed scheme and preferred times of operation if the scheme were to be introduced. The total number of properties consulted within the proposed boundary was 267.
11. Of the responses received within the boundary of the proposed scheme 60% were in favour and 40% were against. A majority of the responses received stated if the scheme were to be introduced the preferred the times of operation be 24/7. We received 4 responses from residents of Haleys Terrace, all requesting to be added to the scheme, and received no responses from the residents of Somerset Road.
12. Due to the low response rate from the consulted area within the proposed boundary (23.59%) the officer recommendation was to take no further action and remove the area from the waiting list.
13. The results of the consultation, along with the officer recommendation, was presented to the Executive Member for Transport at a public decision session on 20<sup>th</sup> January 2025.
14. As the response received a majority (60%) in favour of the proposal but 'the low response rate meant it was not possible to interpret non-engagement as either supporting or opposing the proposal' it was resolved by the Executive Member to progress the scheme to Statutory Consultation and advertise an amendment to the Traffic Regulation Order to introduce new Resident's Priority Parking restrictions to the whole consultation area, and to also include

Haleys Terrace within the proposed scheme, and to operate 24 hours Monday to Sunday.

15. The advertisement to amend the Traffic Regulation Order and begin the Statutory Consultation with all residents and businesses within the proposed scheme, to include Haley's Terrace started on 23<sup>rd</sup> May 2025. The Notice of Proposal was advertised in the press, placed on lampposts in the area of the proposal and all properties received a letter, a plan of the proposed boundary and copy of the notice (Annex A). The letter advised residents the consultation would end on 13<sup>th</sup> June 2025 and invited them to provide their representations in support or against the scheme.
16. Due to the low response rate during the Informal Consultation, in the letter residents were advised the Statutory Consultation is the final stage of the consultation process and were encouraged to engage in the process and provide their representations to us.

## Consultation Analysis

17. The representations received from residents and businesses in objection to the proposed scheme have raised a number of concerns. Some of the same objections are raised by more than one respondent. A summary of some of the objections are addressed below. The full verbatim representations in objection are within Annex B.
18. ***Tensions on Yearsley Crescent, with some residents placing cones on the carriageway- (This issue has been raised by residents who object as well as support the proposed scheme).*** The introduction of the Respark scheme should hopefully resolve the issue as parking will only be available to permit holders. The unauthorised placing of cones on the highway is classed as an obstruction of the highway. Cones have been and will continue to be removed.
19. ***Staff, customers and patients of local businesses and dentists being unable to park for longer than two hours-*** Businesses are allowed to purchase one vehicle specific permit and cannot purchase visitor permits due to the additional burden this will place on available parking within the zone. The businesses on Haley's Terrace have off-street parking amenity that do not require customers to purchase permits. The proposed bays on Haley's

Terrace and Huntington Road provide dispensation for 1 hour, with two bays providing 2 hours without a permit being required. Vehicles are allowed to park on the side streets of Kitchener Street, Oakville Street, Ashville Street and Yearsley Crescent for 10 minutes. Option C in the below 'Options Analysis'(sect 27) , has the choice of extending the 2 hours bays to 3 hours but from the representations received this would not resolve the issue of customers or patients requiring longer periods of time.

20. ***Requests to introduce a Mon-Fri 9am to 5pm restriction-*** During the Informal Consultation stage a majority of the respondents requested the 24/7 restriction.
21. ***The low response rate during the Informal Consultation indicating the scheme is not wanted by residents-*** The decision to take the proposal forward to Statutory Consultation was due to 60% of respondents being in favour of the scheme and it was not possible to interpret non-engagement as either supporting or opposing the proposal. During the Statutory Consultation residents were encouraged to engage in the process. We received 13 representations in objection and 18 in support from the 288 properties consulted.
22. ***To reduce the length of the proposed No Waiting at any time restrictions(Double Yellow Lines) adjacent to 127-133 Huntington Road(This issue has been raised by residents who object as well as support the proposed scheme)-*** The existing bus stop in this location was inaccessible for buses due to parked vehicles and was preventing access to the cycle lane. The proposed restriction will provide space for buses to stop kerbside and will also provide clear access to the cycle lane.
23. ***To install a bay adjacent to 154 Huntington Road(This issue has been raised by residents who object as well as support the proposed scheme)-*** There is insufficient space to install a bay in this location as it would require 1metre of available space either side between the two dropped kerbs of 154 and 156 Huntington Road.
24. ***The cost of permits-*** All fees and charges are agreed at full council and reviewed annually.

25. Representations received from residents in support (Annex C) of the scheme stated:

- ***They find it difficult to park and often park on neighbouring streets.***
- ***Commuter parking is the main cause of reduced spaces being available near to their homes.***
- ***Agree with the proposal to provide better access to the cycle lane.***
- ***Informal space-claiming practices in nearby streets causing conflict.***
- ***Finding tradespeople willing to visit is problematic due to the lack of available spaces.***
- ***HMO's and holiday lets contributing to an increase in the volume of vehicles.***

26. The introduction of a Respark scheme will not guarantee a parking space outside a residents home.

The recommendation within the report removes the obstructive parking that was occurring on the bus stops, within the area of the proposed No Waiting restriction. This will help to secure expeditious movement of public service vehicles. The report also recommends to have additional period of parking for non-residents near the local amenities.

The introduction of Resident parking in the area, especially the side streets, will remove the unnecessary journeys that is currently occurring from commuter parking.

## **Options Analysis and Evidential Basis**

27. Please find below 3 options for consideration

- A) To approve the variation of the York Parking, Stopping & Waiting Order 2014 to implement the proposed R67 Huntington Road Resident's Priority Parking scheme as advertised- Recommended

This is the recommended option as it would remove commuter parking, increase accessibility for residents and during two public consultations has been the preferred option by the majority of respondents.

- B) To uphold the objections raised and take no further action- Not recommended.

This is not recommended as it would continue the existing issues of commuter parking within the area which is creating tensions and concerns with residents.

- C) To approve the variation of the York Parking, Stopping & Waiting Order 2014 to implement the proposed R67 Huntington Road Resident's Priority Parking scheme and increase the restriction within the proposed '2 hour no return 1 hour' on Haleys Terrace and Huntington Road to '3 hour no return 1 hour'- Not recommended

This is not recommended as the representations received from business owners and staff have indicated a 1 hour increase in the two bays would not resolve the objection they raised.

## Organisational Impact and Implications

28. This report has the following Organisation impacts and implications:

- **Financial**, If the scheme is 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 restrictions are implemented on street, enforcement will fall to the Civil Enforcement Officers adding a new Resident Parking area and limited waiting restrictions. 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.

- **Legal**, The proposals require an amendment 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, the Council as the Traffic Authority needs to consider all duly made objections received and not withdrawn before it can proceed with making an order. Those objections are included for consideration in this report.

A TRO may be made where it appears expedient to the Council to do so for the reasons set out in section 1 of the Road Traffic Regulation Act. These are:

(a) 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

(b) for preventing damage to the road or to any building on or near the road, or

(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or

(d) 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

(e) (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

(f) for preserving or improving the amenities of the area through which the road runs or

(g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

In deciding whether to make a TRO, the Council must have regard to its duty 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) as well as the provision of suitable and adequate parking facilities on and off the highway so far as practicable while having regard to the matters specified below;

(a) the desirability of securing and maintaining reasonable access to premises;

(b) 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;

(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)

(c) 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

(d) any other matters appearing to the Council to be relevant.

The proposal detailed in this report is considered to align with the objectives of the above-mentioned duty.

The Council is under a duty contained in section 16 of the Traffic Management Act 2004 to manage their road network with a view to securing the expeditious movement of traffic on the authority's road network, so far as may be reasonably practicable while having regard to their other obligations, policies, and objectives. This is called the network management duty and includes any actions the Council may take in performing that duty which contribute for securing the more efficient use of their road network or for the avoidance, elimination, or reduction of road congestion (or other disruption to the movement of traffic) on their road network. It may involve the exercise of any power to regulate or coordinate the uses made of any road (or part of a road) in its road network.

The proposals described in this report are considered to fulfil that duty.

- **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**, Should any restrictions progress residents requiring on street parking 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 impact on residents is likely to be high as the area consists of terraced streets with no access to off street parking. In addition, businesses on Huntington Road would lose their ability to park unrestricted and remove any access to all day parking for staff. The drivers which may currently park to utilise free on street parking for commuting purposes would 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.
- **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- Neutral
  - Disability- Neutral, as Blue Badge holders can park in Residents parking zones free of charge for unlimited durations.
  - 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**, No issues have been identified.
- **Communications**, No issues have been identified.
- **Economy**, No issues have been identified.

## Risks and Mitigations

29. No detrimental risks have been identified

## Wards Impacted

30. Heworth

## Contact details

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

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## Background papers

## Annexes

Annex A, Statutory Consultation letter, R67 Boundary Plan including restrictions and Notice of Proposal.

Annex B, Representations received in objection to the scheme.

Annex C, Representations received in support of the scheme.