

<b>Meeting:</b>	Executive Member for Transport Decision Session
<b>Meeting date:</b>	18/11/2025
<b>Report of:</b>	Garry Taylor
<b>Portfolio of:</b>	Councillor Ravilious Executive Member for Transport

## **Decision Report: Residents parking and limited waiting restrictions advertised as ‘R66: Wellington Street’**

### **Subject of Report**

1. To consider the representations received to the statutory consultation and Notice of Proposal, advertised on 15 November 2024, along with further representations received when extending the statutory consultation for the amendment of the Traffic Regulation Order, on 4 July 2025, which proposed to implement Resident Parking (ResPark) restrictions (advertised as R66: Wellington Street) to include properties on Heslington Road (part), Wellington Street, Willis Street, Gordon Street, Wolsley Street, Apollo Street, Apollo Court, Alne Terrace, Belle Vue Street, Belle Vue Terrace and Barbican Road (part) along with mixed use limited waiting parking bays on Heslington Road and determine what action is appropriate.

### **Benefits and Challenges**

- 2 The benefits are that 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. 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.

- 3 The options for consideration on how to proceed consider both 1; the limited responses and objections received from the local community along with 2; considering the City of York Councils Local Transport Strategy and adopted motion to streamline the residents parking process.
- 4 If the option to implement the advertised restrictions is approved, there is a legal duty for all objections to have been fully considered by the Executive Member before the decision is made to proceed to implementation.

## **Policy Basis for Decision**

- 5 The option available not to progress the restrictions to implementation is in line with previous officer approach of not recommending the scheme to progress due to the low response rate received to the initial informal consultation and the subsequent low number of representations received to the statutory consultation and extended consultation.
- 6 Should a decision be made to implement the advertised scheme then this would comply with and support the Councils Local Transport Strategy, including the specific focus areas to: improve accessibility; improve walking, wheeling and cycling; shape healthy places; and reduce car dependency.
- 7 In addition, it would support the councils Climate and Health commitments as described in the Council Plan, in particularly prioritising 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"*.

## **Financial Strategy Implications**

- 8 Should the advertised scheme progress to implementation the additional signing and lining required will be funded from the department's signs and lines budget. The scheme would also put an additional pressure onto Parking Services for administration and Civil Enforcement Officers for ongoing enforcement.

## Recommendation and Reasons

- 9 There are three options which the Executive Member is asked to consider when making a final decision on how to progress.
- 10 The first option to take no further action takes in to account the low response rate received to the informal consultation and acknowledges the objections received to both the statutory consultation and the extended consultation that have been undertaken within the area.
- 11 The second option acknowledges the higher number of responses received in support of the advertised restrictions during the extended consultation period and supports the Local Transport Strategy (LTS) approved by Executive on 18 July 2024 (see item 16 here:  
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=14499>
- 12 The third option acknowledges the separate petition received from Belle Vue Street residents; however, this may lead to displaced parking in the surrounding area.

## Background

- 13 A petition was received from the York Green Party in April 2019 who canvassed residents of Wellington Street, Wolsley Street, Gordon Street and Willis Street requesting that the Council consider implementing residents only parking restrictions to prevent commuter parking. The petition included signatures from 45 properties out of a possible 188.
- 14 In addition, whilst the above streets were included on the residents parking waiting list a further petition was received from residents of Apollo Court in December 2020. At that time 10 of the 13 properties signed the petition in favour of introducing residents parking restrictions. It should be noted that any ResPark restrictions implemented on Apollo Court would only be applicable to the adopted highway and would not include the three sections of private parking areas owned by CYC Housing which would continue to be managed separately by them.

- 15 Once the combined areas reached consultation stage, we collated and posted the relevant consultation documentation (informal consultation) to all properties included within the proposed R66 area in January 2024 requesting that residents and businesses return their questionnaires and preferences.
- 16 The results of the informal consultation were reported in October 2024 when a total of 485 consultation documents were posted via mail, of which 116 were returned with 72 in favour of introducing residents parking restrictions and 44 against any restrictions being implemented, and the decision was made by the Executive Member to progress to statutory consultation to enable further representations to be considered.
- 17 The proposed restrictions for both residents' priority parking and limited waiting restrictions were formally consulted (statutory consultation) by legal advertisement of the Notice of Proposal on the 15 November 2024, asking for any representations to be received within the 21-day consultation period.
- 18 During the statutory advertisement we received 13 representations against the restrictions (Annex A) and 11 responses in favour (Annex B) out of the 485 properties consulted.
- 19 The comments received against the restrictions advised that residents were concerned about the cost of permits and referred to the scheme being unnecessary due to the amount of residential vehicles which would still be required to park in the area. Concerns were also raised about the impact restrictions would have to local businesses.
- 20 Representations in support of implementing resident parking restrictions raised concerns about the amount of non-local parking taking place for a variety of reasons including commuting and visiting nearby amenities such as the Barbican, which caused a significant problem for residents to find parking and raised safety concerns. Residents stated the cost of permits was reasonable to

reduce congestion in the area and ensure space is available for residents.

- 21 In addition, after the original consultation period had expired several representations were received via email either directly or via Councillors expressing support for the scheme as residents were not aware that further representations should be submitted at the statutory consultation stage in addition to the initial consultation. It was also raised that some residents had not received the documents either at the initial consultation or at the statutory consultation stage.
- 22 The representations were taken to an Executive Decision Session on 13 May 2025 where the Executive Member approved an extension of the statutory consultation. This decision was made as the Executive Member considered that the consultation process had been confusing for residents, noting the very low response rate to both informal and formal consultations. By extending the statutory consultation period it was thought that this would allow those in the area to respond. It was also agreed that the subsequent documents would be hand delivered to ensure there were no discrepancies with the postal service previously utilised.
- 23 As such the advertisement to amend the Traffic Regulation Order was extended by a 21-day period commencing from the 4<sup>th</sup> of July 2025. Residents within the proposed R66 boundary were hand delivered documents which included a copy of the legal notice of proposals, plan of the advertised restrictions along with details on the updated permit costs. The information letter contained details about the extended consultation period and why it was being undertaken which tried to encourage residents to engage in the final process and provide written representations for or against the proposals for consideration.

## **Consultation Analysis**

- 24 In addition to hand delivering documents to each resident located within the proposed scheme boundary updated notices for the extended statutory consultation were placed at several locations on street within the area and advertised again within the Press.

- 25 During the extended statutory consultation period, we received 20 written representations against restrictions being implemented (Annex D) from the 485 properties within the zone boundary, these are required to be considered in addition to the 13 representations received against the scheme submitted to the original statutory consultation. 61 written responses were in favour of the advertised proposals (Annex E), with an additional 45 signed letters being submitted which included a standard paragraph in support along with the residents' signature.
- 26 Written representation was submitted on behalf of York Green Party to support the proposals, this can be seen in full within Annex F. They sited that the advertised R66 area should be implemented as a whole, and the 60-minute limited waiting bays are important to support local businesses. In addition, they believe that several factors will add to the existing parking pressures if no restrictions are implemented including nearby developments, city centre parking charge increases and additional student accommodations in the vicinity.
- 27 On the 13 May 2025 transport decision session, a petition was presented to the Executive which read *'Please find attached two photographs of a request to the council signed by the majority of residents of Belle Vue Street, YO10 5AY. The request asks the council NOT to drop the proposed R66 parking scheme. This renewed interest in the scheme results from new information about the lack of parking provision for the proposed development of flats at the Barbican'*. The petition from Belle Vue Street residents requesting for restrictions to be implemented contained signatures from 22 properties from a possible 47.
- 28 Of the objections received during the extended consultation to the introduction of R66: Wellington Street ResPark scheme the majority of concerns related to the cost of permits and the effect the additional finance pressure would have on residents, in particular students who reside within the area. Concerns have also been raised relating to the digitalisation of permits particularly for residents who do not have access to electronic devices and feel that paper permits should be available without the need for attending an appointment at West offices.

- 29 Responses against the restrictions also suggested that some residents felt that there is no evidence or justification to proceed to implementation and there are no current parking issues to resolve, as such restrictions are not required and unnecessary. It has also been raised that if ResPark restrictions were implemented it was believed that there would be no benefit to residents as the parking situation would not change due to the vehicles currently being parked mainly belonging to residents and there would continue to be no guarantee of a parking space. Objections to the extended consultation are included within Annex D.
- 30 A high percentage of the representations in support of introducing restrictions on street state that they are in favour of the restrictions due to the lack of available parking within the area due to non-residents parking for accessing the city centre, attending nearby attractions and residents from neighbouring schemes who do not wish to pay for Res Park permits.
- 31 Residents responding in support are also concerned about nearby planning applications for residential purposes which could have an adverse impact on the proposed R66 area due to the lack of associated off street parking contained within the planning documents for the proposed scheme, which could increase the existing on-street parking pressures further.

## **Options Analysis and Evidential Basis**

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)(a) to (g) of the Road Traffic Regulation Act 1984. The TRO also needs to meet the wider duty of the Council under section 122 of that Act.

### **Option 1**

- 32 The option not to progress to implementation address the objections submitted to the statutory consultation and the extended consultation. It also aligns with the low response rate received at each stage of the consultation process.

## **Option 2**

- 33 Progress the advertised R66 resident's priority parking scheme and limited waiting restrictions on Heslington Road to implementation by amending the York Parking, Stopping and Waiting Order. This supports the CYC transport strategy and commitment to reduce traffic congestion by discouraging driving into the city centre. Making this location into a ResPark area would remove the ability for commuters to park whilst the limited waiting bays on Heslington Road ensures that businesses are not adversely affected maintaining short stay parking for customers. It would also increase parking accessibility for local residents. In addition, this would help reduce obstructive parking along a key bus route and a key cycle route (the orbital route) and improve access around the area for refuse vehicles.

Should this option be progressed to implementation then this would meet the purposes in sections 1(1) (a) (c) (d) and (f) of the 1984 Act – namely for:

- a. (a) avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such arising;
- b. (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians);
- c. (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; and
- d. (f) for preserving or improving the amenities of the area through which the road runs.

## **Option 3**

- 34 Introduce a residents priority parking scheme for Belle Vue Street only which would be operational 24 hours Monday to Sunday. This acknowledges the separate petition received from residents of the street however, if restrictions were implemented for Belle Vue Street only this would displace parking to the surrounding area increasing the existing parking pressures which could cause obstructions on Heslington Road itself which is a key bus route.



## Organisational Impact and Implications

35 This report has the following implications:

- **Financial:** No financial implications would be presented by the first option outlined to take no further action, However, should the proposals progress to implementation 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 the advertised restrictions are progressed to be 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. If the advertised changes are implemented, as the proposals are for a new large ResPark area, the impact of the advertised measures on workloads are likely to be significantly increased.
- **Legal:**
  - 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 all duly made objections received and not withdrawn before it can proceed with making an order.

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 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.

- **Procurement:** any change, or additional signage has to be procured in accordance with the Council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015.
- **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 to implementation residents required to park on street will need to pay for and purchase a residents parking permit (or other permits as applicable) along with visitor permits. The impact on residents is likely to be high as the area consists of terraced streets with limited access to off street parking. In addition, local businesses would, if eligible and necessary, be required to purchase a business parking permit which would allow one vehicle to park on street. However, on street parking would no longer be available for all current users, including staff. As such they would be required to seek alternative measures such as changing transport modes or paying to park in nearby off-street parking amenities. Drivers currently

utilising the area for commuting would have to make alternative arrangements, possibly at a cost (car parks, pay and display or Park & Ride), change transport mode or change destination. It should be noted that Blue Badge holders can park free of charge with no limits in ResPark areas and limited waiting bays.

- **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. Blue Badge holders can park in ResPark areas and limited waiting bays free of charge for an unlimited duration of time.
  - 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
- **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:** no issues have been identified.
- **Economy:** no issues have been identified.

## Risks and Mitigations

36 In compliance with the Council's risk management strategy there is an acceptable level of risk associated with the options listed for consideration.

## Wards Impacted

37 Fishergate

## 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 introduce residents' priority parking restrictions within the Heslington Road area to be known as R66 Wellington Street

Consideration of the representations received to the formal consultation to implement residents parking and limited waiting restrictions in the Heslington Road area advertised as R66: Wellington Street

## **Annexes**

- **Annex A:** Original representations against the advertised restrictions
- **Annex B:** Original Representations in support of the advertised restrictions
- **Annex C:** Additional comments received during the statutory consultation considered at the previous decision session
- **Annex D:** Representations against the advertised restrictions received during the extended consultation
- **Annex E:** Representations in support of the advertised restrictions received during the extended consultation
- **Annex F:** Green Party representation to support the restrictions
- **Annex G:** Petition received from residents of Belle Vue Street
- **Annex H:** Plan of advertised restrictions
- **Annex I:** Letter sent to residents for the extended statutory consultation
- **Annex J:** Notice of proposals

### **Abbreviations used in this report.**

ResPark: Residents parking scheme

LTS: Local Transport Strategy.