

<b>Meeting:</b>	Decision Session for Executive Member for Transport
<b>Meeting date:</b>	10/02/2026
<b>Report of:</b>	Garry Taylor – Director of City Development
<b>Portfolio of:</b>	Executive Member for Transport

## **Decision Report: Review of Statutory Consultation for introduction of ‘No Waiting’ restrictions on Baysdale Avenue, Cavendish Grove and Tranby Avenue**

### **Subject of Report**

1. The report reviews the responses received from residents in response to the Statutory Consultation for a proposed amendment to the Traffic Regulation Order (TRO). The proposed amendment to TRO was to introduce of parking restrictions on Baysdale Avenue, Cavendish Grove and Tranby Avenue.
2. The proposal was brought forward following a petition submitted to the Council by residents of the area, who had raised concerns about obstructive parking that had been occurring, especially during the University term time. The Petition requested the Council consider the introduction of a timed parking restriction.
3. The report contains a recommendation for future actions.

### **Benefits and Challenges**

4. The benefit of the recommend option is it will put in place restrictions that will remove parking that is occurring, as requested by the residents through the submission of the petition. This will remove the long term parking that is occurring on the street, that has led to the frustrations of the residents in the area.

5. The challenge of the recommendation is it will remove parking for all and will make it difficult for trades people/carers to park near properties on the street as and when required. The recommendation will not be well received by all residents as the representation showed they believe the University should do more alleviate the impact of staff and student vehicles on the local area.

## **Policy Basis for Decision**

6. The Council Plan has seven priorities and the amendment of the parking bays on Tranby Avenue aims to comply with the following priorities:
  - i. Health & Wellbeing; the proposed restrictions will hopefully create an improvement in air quality in the area, through the removal of congestion due to the reduction in road space created by the parked cars, which will provide an improvement in the health and wellbeing of residents.
  - ii. Transport; through proposing a No Waiting Restriction on Tranby Avenue, the Council is looking to remove the long term parking from the road, which will help to provide a more efficient bus service and encourage greater use of a more sustainable form of traffic.
  - iii. Sustainability, the removal of the parked cars and reduction in congestion will help encourage more sustainable forms of transport and create a safer area for pedestrian and cyclists.
7. If the recommendation within the report is progressed to implementation, then there will be a positive impact on the local environment, through the reduction in vehicle driving on verge to pass the parked vehicles creating an improvement within the local area for residents.

## **Financial Strategy Implications**

8. Should the proposed restrictions be progressed to implementation the additional signing and lining required will be funded from the department's signs and lines budget. The implementation of the restrictions would also put an additional pressure onto Civil Enforcement Officers for ongoing enforcement.

## **Recommendation and Reasons**

9. The report recommends Option 1 from the available options listed in option analysis, which is to implement the proposal as advertised.
10. The proposed restrictions would help remove the long term parking that has been occurring, which originally initiated the submission of the petition to request the proposed restriction. The installation of the proposed restriction will allow the passage of the vehicles along the street and remove the parking on the bend that residents raised concerns about the potential danger during the consultation period.

## **Background**

11. The Council were originally contacted about this matter in October 2021 following the introduction of the residents' Parking Scheme on Badger Hill. Following the introduction of the scheme there was an increase in parking levels on Tranby Avenue, which resulted with complaints of vehicles parking too close to the junctions of Hull Road and Cavendish Grove, as well as on Cavendish Grove near its junction with Tranby Avenue.
12. The Council created a proposal for the introduction of 'No Waiting at any time' restrictions on Tranby Avenue from its junction with Hull Road to a point 15 metre north of its junction with Cavendish Grove and on Cavendish Grove from its junction with Tranby Avenue to a point 15 metre west of its junction with Hull Road. The proposed amendment of the TRO was advertised on 14<sup>th</sup> January 2022 (Annex B), with the residents of adjacent properties, Ward Cllrs and the Parish Council made aware of the proposal and invited to comment on the proposal.
13. The consultation received 15 representations in objection and 4 in support and a report was taken to the Executive Member for Transport and Planning on 17<sup>th</sup> May 2022. The Executive Member made the decision to implement a lesser extent of restrictions than advertised, the reduced area offered protection of the junctions of Tranby Avenue/Hull Road and Cavendish Grove/Tranby Avenue.
14. The Executive Members decision was called in by Cllrs Doughty, Rowley and Warters, the matter was reviewed on Monday 27<sup>th</sup>

June 2022 at the Corporate Services, Climate Change and Scrutiny Management Committee (CCSMC), where the decision was made to not refer the matter to the full executive for further review.

15. The residents of Cavendish Grove wrote a letter to the members of the CCSMC to oppose to the introduction of double yellow lines within their street, the committee only had the power to either uphold the decision or refer to the Executive for further review. Therefore, an amendment to the approved decision was not within their remit, although following the meeting, discussions between Council Officers and Ward Cllrs were undertaken and a decision was made to hold off on the initial installation of lines on Cavendish Grove, with installation to be undertaken if the situation got worse for residents.
16. The petition submitted by residents requested the introduction of No waiting 10am-3pm Monday to Friday restrictions for Tranby Avenue, from its junction with Hull Road to point 10 metres north of its junction with Baysdale Avenue. It has been advised to the petition lead that any proposed restriction would need to include an area of No Waiting at any time restriction around the junctions of Cavendish Grove and Baysdale Avenue.
17. A report requesting approval to undertake the statutory consultation for a proposal to introduce parking restrictions was presented at a decision session with the Executive Member for Transport on Friday 19<sup>th</sup> July 2024. The proposal presented within the report to the Executive Member, was approved for Statutory Consultation.
18. The statutory consultation for the proposed amendment to the Traffic Regulation Order was undertaken on the 13<sup>th</sup> September 2024. A letter (Annex A) was sent to residents of properties adjacent to the affected restriction. The consultation documents were also shared with Ward Cllrs, Parish Councils and the required statutory consultees.
19. This report was delayed coming back to a decision session, as the University of York requirement to fund a Residents Parking scheme under the Section 106 Agreement was coming to an end. As the requirement would no longer be in place, it was unclear if the residents would want to continue with the Residents Parking scheme if there was a requirement to pay for the first permit or if

the University would continue to contribute to the continuation of the scheme.

20. If the Residents Parking scheme was not funded or the residents decided that they did not want to pay for the permits the residents parking scheme would have been removed, which would have had an impact on the parking situation on Tranby Avenue. The initial representation received from the residents of Tranby Avenue was due to the impact of the residents parking scheme it was therefore felt it was best to delay a formal decision on the outcome of the proposal until a resolution on the Residents Parking scheme was made.
21. The Council entered discussions with the University about extending their commitment to the Resident Parking Scheme. This would remove any potential financial impact on the residents of Badger Hill and negated the requirement to enquire with the residents about their desire to keep the scheme with the financial impact. The University were inclined to continue with the financial commitment to the Resident Parking scheme and have now agreed to continue for another five years.

## **Consultation Analysis**

22. The statutory consultation for the proposed amendment to the Traffic Regulation Order was undertaken on the 13<sup>th</sup> September 2024. A letter (Annex A) was sent to residents of properties adjacent to the affected restriction. The consultation documents were also shared with Ward Cllrs, Parish Councils and the required statutory consultees.
23. The consultation received representations in objection and support, although the ones in support did still have concerns about the proposal. The main theme of the representations received, both in objection and support, was that the University should do more to remove the impact of the term time parking from the street. There were several requests for the University to open up their car parks, to help alleviate the problem.
24. This has been mentioned in previous communications with residents, the car parking within the University land was always intended to be paid for parking, to reduce car travel. Providing free car parking could encourage more car trips, so the overall impact

could be worse than the current displaced parking that is occurring.

25. The representations received in favour (Annex B), from residents were encouraged by the proposal but were concerned that the issue will be pushed to other areas. One representation stated that they did not believe having to walk an extra minute or two is not a disincentive to parking in the area as a whole.
26. There was also a request to understand why a residents parking scheme had not been considered/proposed. No proposal for a resident parking scheme has ever been proposed, as all previous correspondence with residents of the area, they have advised that they would not be in support of a scheme.
27. A resident did also raise a concern about the danger of the vehicles parked on the bend for vehicles passing through the road.
28. The main area of concern within the objections received is that the residents do not feel that the University are doing enough to solve the issue that they have created. The responses state that the parking issue only occurs during the term time, so a year long restriction would have a negative impact on the residents. There was a suggestion that the restriction should only be in place for part of the year, to reduce the impact on residents. This would be difficult due to the signage requirements, as it would need to state the dates of the restriction, which would create a large sign.
29. There was also a couple of representations from residents who were concerned about the impact on elderly residents of the street as the proposal would mean that they would need to walk further to their car if they did not have off street parking, which may result in the resident not going out as much. One representation also raised a concern about the ability for trades vehicles to parking in the proposed area and how it would make property maintenance/improvement works more difficult and potentially costly.
30. The proposal would allow for parking at certain times of the day, so works vehicles would be able to park at the beginning and end of the day to drop off/pick up materials/tools required for the works. there will be inconvenience, as works vehicles would need to find alternative parking during the middle of the day, which is likely to lead to short term displacement to other areas of Osbaldwick.

31. One of the objectors did propose that the use of Grimston Bar Park & Ride site should be used for student parking. There is currently a restriction on how users of the Park & Ride leave the site, as they are required to leave via bus service or bike and vehicles are not currently able to be left over night.
32. The ward Councillor also submitted an objection to the proposal (Annex D), in which he echoed the feelings of the residents and encouraged the University to open up their car parks and encourage the students and staff from the University to use the available car park. The ward Councillor described the situation during term times as intolerable and leading to much inconvenience to Council taxpaying residents and other highway users. It was also noted that at the time of the consultation the area of proposed restriction was clear as it was outside of the term time for the University
34. In the original representation received from the ward Councillor, he enquired about the potential of implementing a temporary parking restriction, similar to the restriction put in place for the Great Yorkshire Show in Poppleton. The temporary traffic order for the parking restriction in Poppleton for the Great Yorkshire show is in place for the for a longer period than the event, as it is included in a temporary traffic order for a number of different events within the authority boundary. The ward Councillor would like a temporary order to be put in place with No Waiting Cones to show the area of restriction when it is put in place.
35. It was proposed that the restriction would be put in place at different periods throughout the University term time, to help remove the regular long term parking from the street. This would be difficult to manage as it was unclear who would be responsible for managing the restriction or how the residents would be made aware of when the restriction would be put in place. There would also need to be a process put in place to inform the Council Civil Enforcement Officers of when the suspension is put in place to ensure that there is enforcement of the restriction, to make sure that suspension of the parking on the street is enforced.
36. A temporary restriction should not be put in place to manage permanent issue that is occurring. The representations received did state that the issue was not all year round and only associated

to the term times of the University, but it is an issue every year, so it is a regular issue on the street.

## **Options Analysis and Evidential Basis**

37. Option 1 – Implement as advertised (recommended)  
The proposed restrictions would help remove the long term parking that has been occurring, which originally initiated the submission of the petition to request the proposed restriction. The installation of the proposed restriction will allow the passage of the vehicles along the street and remove the parking on the bend that residents raised concerns about the potential danger during the consultation period.
38. Option 2 – Implement a lesser restriction (not recommended)  
The removal of a section of the single yellow line would provide a lesser restriction in the area, either through unrestricted parking or limited time parking bay. This would allow for an availability of parking near the properties should the residents require carers or trades people, but the concern would be that these spaces would not be available when required as they would still provide an availability of parking and are likely to be utilised for the long term parking that is currently occurring.
39. Option 3 – Temporary parking Restriction (not recommended)  
This option would allow for a responsive approach to the parking issue on the occasion that the parking on the street was becoming obstructive to the ability to pass and repass along the street. This approach would lead to confusion about the availability of parking for residents. There would also be a long term cost to this approach for the yearly temporary restriction and the placement of the cones on the occasion that the restriction is put in place.
40. Option 4 – Take no further action (not recommended)  
This option would mean that the issue is still there and original petition requesting restrictions would go unanswered. This would leave the area unrestricted and allow the parking to continue.

## **Organisational Impact and Implications**

41. This report has the following implications:



- **Financial:** If the proposed restriction does progress to implementation the ongoing enforcement of the additional restrictions will need to be resourced from the parking department's budget.
- **Human Resources (HR):** If the proposed restrictions are progressed to be implemented on street, enforcement will fall to the Civil Enforcement Officers.
- **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**, No Health and wellbeing implications.
- **Environment and Climate action**, No environment and climate implications.
- **Affordability**, No affordability implications.
- **Equalities and Human Rights**: No direct equalities and human right implications have been identified.
- **Data Protection and Privacy**, contact: [information.governance@york.gov.uk](mailto:information.governance@york.gov.uk) - every report must consider whether to have a Data Protection Impact Assessment (DPIA) and this section will include the compliance requirements from the DPIA or explain why no DPIA is required.
- **Communications**, No communications implications.
- **Economy**, No economy implications.

## Risks and Mitigations

42. 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

43. Osbaldwick and Derwent Ward.

## Contact details

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

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## Background papers

<https://democracy.york.gov.uk/documents/s158945/Cavendish%20Grove%20Tranby%20Avenue%20and%20Morre%20Avenue-Osbaldwick%20Lane%20Junction.pdf>

<https://democracy.york.gov.uk/documents/s160202/Call%20In%20Cover%20Report.pdf>

<https://democracy.york.gov.uk/documents/s177506/Tranby%20Avenue%20Parking%20June%202024%20v.1.pdf>

## Annexes

- Annex A: Residents Letter – Tranby Avenue Cllr
- Annex B: Representation in favour
- Annex C: Representation in Objection
- Annex D: Email communication with Ward Cllr