

Meeting:	The Executive Member for Transport Decision Session
Meeting date:	22/09/2026
Report of:	Dave Atkinson
Portfolio of:	Cllr. Ravilious. Executive Member for Transport

Decision Report: Consideration of representations received during the Statutory Consultation for proposed restrictions on Church Street, Dunnington.

Subject of Report

1. Consideration of representations received, in support or objection, to the advertised proposal to amend the York Parking, Stopping and Waiting Order 2014 (TRO) which have been considered as part of this review process.
2. A decision on the proposal is important as it will provide the Council with the approval for an outcome and ensure the appropriate changes are made to the traffic restrictions to address the concerns raised if required.

Benefits and Challenges

3. 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 forward when reaching a final decision.
4. The challenges of the process are that the decision made may not be the desired results of all residents and may create other issues for residents.

Policy Basis for Decision

5. Considering this matter contributes to the Local Transport Strategy of 'Shaping a city that is accessible for everyone'.

Financial Strategy Implications

6. The report is requesting the Executive Member approve the amendment to the TRO and should the proposal move on to implementation, then the implementation of any approved restriction will be covered by the signs and lines budget.

Recommendation and Reasons

7. Due to the representations received from the Parish Council and residents it is recommended to implement a lesser restriction than advertised. The recommendation is to implement a restriction of 'Mon-Fri 8am to 6pm 3hours no return 1 hour' in the bay. This should strike a balance between available parking for visitors to the local businesses where appointments for treatments can take longer than the 2 hours originally advertised, while also providing overnight parking for local residents.

Background

8. Dunnington Parish Council requested we consider introducing permanent restrictions to the parking bay on Church Street due to ongoing issues of commercial vehicles parking in the bay at all times, leading to the bay being inaccessible to residents and visitors to the local businesses. Due to the commercial vehicles parking in the bay at all times the request asked us to consider 24-hour restrictions.

9. There are two businesses operating adjacent to the bay. One being a beauty salon and the other a hairdresser.
10. During site visits it was observed that commercial vehicles were parked in the bay for a prolonged period of time. Visits were conducted and then revisited later in the day, and the same vehicles were parked in the bays during that period. Visits were completed during working hours and no out of hours observations were made.

Consultation Analysis

11. The Notice of Proposal was advertised on the 17th July 2026, which allowed the required 3 week consultation period. Letters were delivered to residents in the vicinity of the proposed restrictions, Ward Councillors, Parish Council and notices placed on street and in the Press. The Notice of Proposal and plan of the proposed restriction are shown in Annex A.
12. The proposal was to introduce a 24/7 restriction of '2hours no return 1 hour' parking in the bay
13. During the consultation period we received two representations in objection to the proposal. The objections received are shown in Annex B.
14. The Parish Council's representation requested we reconsider the 24/7 restriction and introduce a Mon-Fri 8am-6pm '3hour no return 1 hour'.
15. The second representation from a local resident raised concerns that the timed restrictions could have a negative impact on their ability to park near to their properties due to a potential displacement of parking from the bay. They also requested resident only parking outside their properties.

Options Analysis and Evidential Basis

16. It is recommended that the Executive Member consider the original proposal to amend the York Parking, Stopping and Waiting Order 2014 together with the representations received and make a decision from the options given below.

- a) Implement as Advertised- Not Recommended- The initial problem has been resolved but there is still a requirement for restrictions during the day.
- b) Implement a lesser restriction than advertised; for example a shorter length or lesser restrictions- Recommended- Due to the representations received from the Parish Council and residents it is recommended to implement a lesser restriction than advertised. The recommendation is to implement a restriction of 'Mon-Fri 8am to 6pm 3hours no return 1 hour' in the bay. This should strike a balance between available parking for visitors to the local businesses where appointments for treatments can take longer than the 2 hours originally advertised, while also providing overnight parking for local residents.
- c) Take no further action- Not Recommended as restrictions are still required during the daytime hours.

Reason: To ensure that appropriate change is made and to address concerns raised

Organisational Impact and Implications

- **Financial**, None, the implementation of any approved restriction will be covered by the signs and lines budget.
- **Human Resources (HR)**, None, any enforcement of approved restrictions will fall to the Civil Enforcement Officers necessitating an extra area onto their workload, although they are already receiving reports of vehicles parked in the area and not currently able to enforce, which is creating work.
- **Legal**, The proposals require amendments to the York Parking, Stopping and Waiting Order 2014: Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

The statutory consultation process for Traffic Regulation Orders requires public advertisement through the placing of public notices within the local press and on street. It is a

requirement for the Council to consider any formal objections received within the statutory advertisement period of 21 days. Formal notification of the public advertisement is given to key stakeholders including local Ward Members, Town and Parish Councils, Police and other affected parties.

The Council, as Highway Authority, is required to consider any objections received after formal statutory consultation, and a subsequent report will include any such objections or comments, for consideration.

The Council has discretion to amend its original proposals if considered desirable, whether or not, in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted.

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

especially 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 public works contracts required at the site 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 Procurement Act 2023. Further advice regarding routes to market and procurement strategy, should be sought from Commercial Procurement.
- **Health and Wellbeing**, There are no Health and Wellbeing implications.
- **Environment and Climate action**, There are no Environment and Climate Action implications.
- **Affordability**, There are no Affordability implications.
- **Equalities and Human Rights**, The Council recognises its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). The impact of the recommendation on protected characteristics has been considered as follows:
 - Age – Neutral;
 - Disability – Positive, the introduction of the parking restriction will increase the available area for use by all users.
 - 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 response to the proposal have been received by residents, Ward Cllrs and Parish Council but the report does not contain any personable information.
- **Communications**, There are no communications implications.
- **Economy**, There are no Economy implications

Risks and Mitigations

17. No detrimental risks have been identified

Wards Impacted

18. Osbaldwick & Derwent

Contact details

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

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Annexes

All annexes to the Decision Report must be listed.

- Annex A: Plan of advertised restriction
- Annex B: Representations received during the consultation period