

Meeting:	Executive Member for Transport Decision Session
Meeting date:	22/09/2026
Report of:	Dave Atkinson
Portfolio of:	Kate Ravilious, Executive Member for Transport

Decision Report: Review of Statutory Consultation for ‘No Waiting’ Restrictions on Naburn Lane and St Nicholas Avenue

Subject of Report

1. The report reviews the representation received in response to the statutory consultation for a proposed amendment to the Traffic Regulation Order (TRO). The proposed amendment to the TRO was to introduce ‘No Waiting’ at any time restrictions on Naburn Lane & St Nicholas Avenue (Annex A)
2. The report contains a recommendation for future actions.

Benefits and Challenges

3. The benefit of the recommendation is to remove the on-street parking, including parking on verges and footpath, that had previously been occurring, during busy periods of operation at the nearby designer outlet retail centre.
4. The challenge is that the parking issues associated with the operation of the designer outlet is not an issue all year round and is only a problem during periods of high demand when different events or activities are occurring at the Designer Outlet. In previous year has been managed by temporary restrictions, but the requirement for temporary restrictions have increased in duration and extent of required area. This has come at a financial and environmental impact.

5. There is also the potential for an increase in events to be held at the Designer Outlet, which will increase the requirement for temporary measures if the proposal is not approved.

Policy Basis for Decision

6. If the recommendation within the report is approved and the proposed restrictions are implemented, then there will be a positive impact on the local environment, through the reduction in vehicles parking along the section of highway which have been creating obstruction issues for vehicles and pedestrian in different areas of the proposal.
7. The recommended option will remove the potential for obstructive parking which was occurring and creating an issue on the highway network within the York Council Boundary and also on the National highway network (A64).
8. The proposed removal of the on-street parking will help remove the previous reports of obstructive parking, which was affecting access to walking and cycling routes to the designer outlet. This will help to create a safer area and better access to pedestrian and cycling routes.

Financial Strategy Implications

9. There is a requirement through the planning process for the McArthur Glen Designer Outlet to pay for the introduction of a Parking Suspension on Naburn Lane, during period of the Winter Wonderland at the Designer Outlet. This has required the local authority to process the parking suspension request and instruct the placement of cones on the highway, for the enforcement of the restriction to be undertaken. Each year that the cones have been placed on the highway they have been damaged, which has created a highway safety issue and cost to the local authority.
10. The cost of the amendment to the traffic regulation order for the proposed introduction of permanent restrictions on Naburn Lane and St Nicholas Avenue, will be recharged McArthur Glen Designer Outlet. This will reduce their annual cost for the temporary restriction required through the planning approval, whilst

also reducing the highway cleaning requirement from the damaged cones.

Recommendation and Reasons

11. Option 1 – Implement as advertised (recommended)
This will improve the safety of the area, following the danger associated with the temporary measures that were put in place to support the winter wonderland event. The implementation of the proposed restriction will help reduce the potential impact of damage to the kerb edge from vehicles driving up the full height kerb to park on the grass verge adjacent to the carriageway.

Background

12. A requirement of the planning approval at York Designer Outlet for the Winter Wonderland, was for a temporary parking suspension to be put into place on Naburn Lane. The requirement was put in place to remove the impact of parking associated with the event having a negative impact on the nearby residents. The restriction has been put in place since the introduction of the Winter Wonderland. The implementation of the Order and the required No Waiting cones were recharged to York Designer Outlet.
13. The demand for parking at the Designer Outlet at times of events has increased over the years, with requirements for temporary parking areas been created. This has on occasion not been sufficient and vehicles have been parked on St Nicholas Avenue, which has led to vehicles driving up the full height kerb and parking on the grass verge/footpath. Vehicles parking on these areas creates a highway safety issue for users of the path,
14. The last Winter Wonderland event required an additional area requiring a parking suspension on St Nicholas Avenue, which is the access road to the Designer Outlet. This was an area of issue during the 2024 Winter Wonderland.
15. The increase in the extent of the parking suspension resulted in a requirement for a larger number of 'No Waiting' cones being required to highlight the extent of the restriction. There was also this year an increase in the level of damage that occurred to the cone. This led to a number of complaints about the environmental impact associated with the smashed cones scattered across the highway, which led to a request highway sweeper to visit the area

to clean the highway and remove any shards, which may lead to damage to other vehicles using the highway. The damaged cones also needed to be replaced to ensure that the restriction was enforceable and not used for parking associated with the Designer Outlet and create a negative environment for residents.

16. The impact of the damage to the cones and the potential for further events to be held at the designer outlet at different times of years, a proposal was created to implement 'No Waiting at any time' restrictions within the area of the temporary restriction with the exception of the area of land in front of the residential properties. It was proposed to leave the area unrestricted to provide the residents with an area of parking for them or their visitors, although, during period of events held at the Designer Outlet it is proposed to put a temporary restriction in place.
17. The proposed introduction of the 'No Waiting at any time' restrictions were advertised on 1st May 2026. The Notice of Proposal (Annex B) was advertised in the Press, and a copy of the Notice of Proposal was posted on street adjacent to affected area. The residents of Naburn Lane and Designer Outlet received letters to notify them of the proposal.

Consultation Analysis

18. The Notice of Proposal provided a consultation period of 3 weeks to allow for any representations to be received by the Council. The proposal received one representation in objection (Annex C) to the proposal.
19. The representation received was not in objection to the whole area of the proposal, they were happy to support the proposal on Naburn Lane. They felt the proposal on Naburn Lane will create a permanent all year-round improved solution for the residents and remove the need for unsightly cones.
20. The objection was only for St Nicholas Avenue, as they felt the proposal was restricting a larger area than was required. The objection would like the restrictions to be only placed in the areas the 'No Waiting' cones were placed during the Winter Wonderland. This was for restrictions to be only placed on along the full area of the central reservation, the roundabout and also the junctions and their approaches, as shown in the below image:



21. The representation stated that the 'no waiting' cones were not placed within the area that is not highlighted on the above image, to provide a last resort option for road users to park when all other parking options were exhausted. The objector's proposal does show an area of unrestricted highway on the approach road to the designer outlet, so it is difficult to refer to this as last resort when the vehicle hasn't made it to the car park. This area can get congested on busier days, but it is not considered that the location is suitable for parking.
22. The objector even states that parking in the areas that they are proposing for no restrictions is not encouraged, although proposing to leave the area unrestricted does give the impression that the area could be used for parking and therefore encouraged. This may lead to vehicles parking on the carriageway, which would not help ease congestion. The parking on the verge would also not be something that the highway authority would support as this would require vehicles to drive up the full height kerb, which may damage the highway infrastructure.

Options Analysis and Evidential Basis

23. Option 1 – Implement as advertised (recommended)
This will improve the safety of the area, following the danger associated with the temporary measures that were put in place to support the winter wonderland event. The implementation of the proposed restriction will help reduce the potential impact of

damage to the kerb edge from vehicles driving up the full height kerb to park on the grass verge adjacent to the carriageway.

24. Option 2 – implement a lesser restriction (not recommended)
The representation received requested that a lesser restriction be implemented, this is not recommended, as the reasoning behind the request was to allow the verge to be used for overflow parking. This would not be acceptable to the highway authority, as this would likely lead to damage to the highway in this location, which would create a maintenance issue for the highway authority.

This may also provide a suggestion that the highway authority finds it verge parking acceptable, which may lead to more issues with verge parking in other areas of the city.

25. Option 3 – Take no further action (not recommended)
This would not resolve the issue that has occurred over the years and retain the existing financial implications that have occurred for the local authority due to the potential danger that is created by the damage to the cones on the highway.

Organisational Impact and Implications

26. The report has the following implications:

- **Financial:** There is a requirement through the planning process for the McArthur Glen Designer Outlet to pay for the introduction of a Parking Suspension on Naburn Lane, during period of the Winter Wonderland at the Designer Outlet. This has required the local authority to process the parking suspension request and instruct the placement of cones on the highway, for the enforcement of the restriction to be undertaken. Each year that the cones have been placed on the highway they have been damaged, which has created a highway safety issue and cost to the local authority.

The cost of the amendment to the traffic regulation order for the proposed introduction of permanent restrictions on Naburn Lane and St Nicholas Avenue, will be recharged McArthur Glen Designer Outlet. This will reduce their annual cost for the temporary restriction required through the planning approval, whilst also reducing the highway cleaning requirement from the damaged cones.

- **Human Resources (HR):** If the proposed restrictions are implemented on street, enforcement will fall to the Civil Enforcement Officers.
- **Legal:** The Council must follow the Road Traffic Regulation Act 1984 and the 1996 Regulations when making or amending a Traffic Regulation Order (TRO). All valid objections must be considered before an order can be made.

A TRO can only be introduced where it is necessary for reasons such as: improving safety, protecting the road or nearby property, improving traffic flow (including pedestrians), restricting unsuitable vehicles, protecting the character or amenity of an area, or supporting air-quality objectives.

In making a TRO, the Council must also meet its duty to ensure the safe and efficient movement of traffic and provide suitable parking where practicable. It must consider access to premises, local amenity impacts (including heavy goods vehicles), national air-quality strategy, public transport needs, and any other relevant factors.

Under the Traffic Management Act 2004, the Council also has a statutory duty to manage the road network to keep traffic moving and reduce congestion as far as reasonably possible.

- **Procurement:** No procurement implications, if the proposal is approved the lines will be installed by the developer.
- **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:** 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 on yellow lines for up to three hours as long as they do not cause an obstruction.
- 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 data protection and privacy implications.
- **Communications:** No communications implications.
- **Economy:** No economy implications.

Risks and Mitigations

27. 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

28. Fulford & Heslington Ward

Contact details

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Background papers

Annexes

Annex A – Proposed Restriction
Annex B – Notice of Proposals
Annex C – Representations in Objection