

North Yorkshire County Council
Business and Environmental Services

Executive Members

26 July 2019

Cliff Road and Fairfield Road, Staithes – Proposed Prohibition of Waiting at Any Time

Report of the Assistant Director – Highways and Transportation

1.0 Purpose Of Report

- 1.1 The purpose of the report is to advise the Corporate Director, Business and Environmental Services (BES) and the BES Executive Members of the outcome following public consultation in regard to this proposal and for a decision to be made as to whether or not a proposed Prohibition of Waiting at Any Time should be introduced along the north side of Cliff Road and the south side of Fairfield Road.

2.0 Background

- 2.1 Cliff Road is the only recognised access route to two farms; Greenacres Farm and Cliff Farm. These are working farms and as such they are serviced by large vehicles for their daily running. These vehicles often carry livestock. Fairfield Road is a cul-de-sac off Cliff Road.
- 2.2 The width of the carriageway on Cliff Road is 5 metres and the footways are 1.4 metres. The farm vehicles have been experiencing difficulties, over many years, negotiating Cliff Road due to the width left available by the parked cars. The demand for on-street parking is considerable from not only the residents of Cliff Road, but also from the many visitors to Staithes. The Village has many cottage and apartment lettings with visitors being inclined or perhaps even advised to leave their vehicles on-street rather than pay daily rates in the nearby pay and display car park. Cliff Road and the adjacent cul-de-sac Fairfield Road are the closest convenient locations for this purpose.
- 2.3 The demand for parking is such that poor parking discipline is prevalent. There is insufficient width to accommodate parking on both sides of the road. The result is that vehicles are left staggered intermittently along either side of the road. This makes access for larger vehicles, usually associated with farming activities, difficult. In some instances, there is anecdotal evidence of residents moving their vehicles on request, however those vehicles left by visitors are more problematic as the owners are likely to be difficult to locate. It has also been reported that parked vehicles have been left for long periods blocking drives.
- 2.4 In the past an attempt had been made to control access with the introduction of a 'No Motor Vehicles (except for access)' restriction at the entrance to Cliff Road from Staithes Lane. Unfortunately comments have been received suggesting this has been largely disregarded by motorists, and that this type of restriction has proved difficult to enforce by the Police.

3.0 Proposals

- 3.1 It is proposed to limit parking to one side to deter obstructions. From site observations it would appear from the number of accesses and current parking practices that the south side of Cliff Road would be the most appropriate to accommodate parking. To that end a 'No Waiting at Any Time' (double yellow lines) restriction is proposed on the opposing north side. In addition a similar treatment is proposed for the adjacent Fairfield Road as it is anticipated that vehicles would be displaced to this locality. The principle improvement that this restriction will give is to improve the access for the farm vehicles travelling along Cliff Road. It is expected that the largest vehicles associated with the farms may still have occasional problems getting through the road due to the width that will be left available. One particular disadvantage with the scheme is that, due to the narrowness of the roads, residents may find it more problematic to access in and out of their driveways if somebody has parked directly opposite their driveway.

4.0 Consultation

- 4.1 The proposals have been the subject of consultation and public advertisement in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The attached drawing indicates the extent of the proposals. Appendix A includes a copy of the letter, plan and questionnaire form that were sent out as part of the consultation process. The Traffic Regulation Order was advertised on 30 March 2018 and any person could make objections and representations until 23 April 2018. Appendix B shows the Statement of Reasons information.

5.0 Responses, Objections and Officer Comments

- 5.1 There were a total of 28 responses (plus a petition). Many comments were similar and therefore are summarised in section 6 below rather than on an individual basis. Some of the responders made more than one point in their comments.
- 5.2 Included in the responses is a petition from 13 residents of Fairfield Road making 4 specific points. 7 of these residents also responded individually. The points made are shown below and the number of people making these points have taken into account those included in the petition but without duplicating those who responded individually.

Number of properties that the consultation was sent out to	72
Number of responses received from residents representing individual households (plus those additional properties included in one petition)	25 (+6)
Number of responses received from statutory consultees	3
Residents in favour of the proposals	3
Residents against the proposals	22 (+6)

5.3 A more detailed breakdown of the comments received is included below.

Issue raised (against)	Number of responders raising issue	Officer comments
1/ Vehicles already park opposite drives making it difficult for residents to turn in and out of their premises. These proposals will make that situation more likely.	12 (+6)	Officers agree that the chance of this occurring may increase. In order to prohibit the parking opposite the drives, a “no waiting at any time “restriction would be required on both sides of the road. This would apply to all vehicles, whether owned by residents or visitors.
2/ Civil Enforcement Officers don't visit (enough).	1	Scarborough Borough Council undertake the enforcement of parking restrictions in Staithes on behalf of the County Council. The level of enforcements is commensurate with the parking enforcement demands in the village against the enforcement demands elsewhere in the Borough. In 2019, the parking enforcement officers visited Staithes 468 times.
3/ Ignore existing access only signs.	6	The enforcement of the ‘no motor vehicles except for access’ restriction at the entrance to Cliff Road is carried out by the Police as it is a ‘moving’ offence rather than a parking offence. However, it is unrealistic to expect the Police to allocate many resources on this restriction. Scarborough Borough Council parking services do not have the authority to enforce this restriction. These proposals do not propose revoking this restriction.
4/ It will result in less parking for residents (and visitors) and will create a long length of a single lane.	5	It is difficult to predict the number of vehicles that will be accommodated in the streetscape. However it is not envisaged to alter significantly as a result of the proposals as the resultant parking will be more orderly.
5/ Speed will increase	2	There is a possibility that speeds may increase marginally as the result will be a straight lane. However it will be narrow and the traffic flow is light. There are no personal injury collisions recorded at present.
6/ Residents want, or would support, Disc or residents parking.	16	To be effective, a disc Parking Zone would need to be applied to an extended area, or the whole village. In

		<p>keeping with other, similar schemes, a Disc Zone does not guarantee a space being available for residents. Visitors to the properties would still need to be accommodated as it is a public highway. These visitors and the residents would be required to display a relevant permit for parking on the street.</p> <p>It was stated in the letters that were sent out as part of the consultation that a residents parking permit zone was not an option due to financial restraints. The NYCC Resident Parking Scheme policy was approved in August 2016 and sets out how a request for a residents parking scheme would be dealt with. If an application was made through a “local champion,” NYCC Highways would assess it on its merits but it is unlikely that the criteria would be met. A more detailed assessment of whether the criteria would be met is outside the scope of this report.</p>
7/ Increase the dangers on the road including instances of driving on footway.	1(+6)	Driving on the footway is an offence and it is not considered likely that these proposals would increase the probability of drivers doing so compared with the current situation.
8/ Keep clear H bars to be provided across dropped kerbs on opposite side of road to the proposed double yellow lines.	1	This can be incorporated into the works order for the double yellow lines but will require written approval from the owner / occupants of the building. Normally these markings are put in at a charge to the resident but this would be done at no charge to the residents as the cost would be negligible if the work is done at the same time as the double yellow lines.
9/ No restriction needed as there is no existing problems	2	The majority of the responses claim otherwise. Scarborough Refuse services are not aware of any issues with the refuse wagon obtaining access along Cliff Road on Wednesdays for their routine collections.
Support for scheme as proposed.	5	Noted.

6.0 Local County Councillor comments

- 6.1 Councillor Chance's response to the consultation was:
I support this proposal, as the majority of cars parked on this road are parked by visitors, some are parked at the beginning of a stay and are left unattended for days on end with no way of locating the owners. Drives and accesses are regularly blocked as well as the road itself. Access is required at all times by the farm located at the end of the road for transportation of livestock both to and from the farm. There have been occasions when livestock in transit has been stuck at the end of the road, in hot weather with no water, requiring water to be transported to the conveying vehicle.

7.0 Equalities

- 7.1 Consideration has been given to the potential for any equality impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010 and a copy of the Equalities Impact Assessment screening form is attached as Appendix C.

8.0 Finance

- 8.1 The cost of advertising the Traffic Regulation Order and painting the lines is estimated at £1,700 and will be funded from the local highways Area 3 (Signs, Lines and TROs) budget.

9.0 Legal

- 9.1 The process for the consideration of objections to traffic regulation orders was approved by the Executive on 29 April 2014 and County Council on 21 May 2014. The consideration of objections to Traffic Regulation Orders (TROs) is now a matter for the Executive and the role of the Area Constituency Committee is a consultative role on wide area impact TROs. The consideration of objections has been delegated by the Executive to the Corporate Director of Business and Environmental Services (BES) in consultation with BES Executive Members. The new decision making process relates to the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute. A wide area impact TRO is classed as a proposal satisfying all of the three criteria set out below:

- The proposal affects more than one street or road and,
- The proposal affects more than one community and,
- The proposal is located within the ward of more than one County Councillor.

As the proposal is wholly within the County Council ward of Whitby Mayfield cum Mulgrave, this would not be classed as a wide area impact TRO.

- 9.2 Officers consider that, should it be resolved that some or all of the proposed amendments are to be made, the changes will enable the County Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984, which provides that it shall be the duty of every local authority upon whom functions are conferred by or under the 1984 Act so to exercise those functions as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

- 9.3 In the event that the BES Executive Members resolve to approve changes to the traffic regulation orders described in this report, then to accord with the relevant statutory regulations, the County Council will be required to make and advertise the traffic regulation order concerned before it comes into operation. The County Council will also be required to notify the objectors of its decision.
- 9.4 Where an Order has been made (sealed), if any person wishes to question the validity of the Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the 1984 Act or of any instrument made under the 1984 Act has not been complied with, they may apply to the High Court within six weeks of the order being made.

10.0 Recommendation

- 10.1 It is recommended that the Corporate Director BES, in consultation with BES Executive Members:
- a) Approve the making of the TRO to impose the proposed waiting restrictions as advertised under the Road Traffic Regulation Act 1984;
 - b) Approve the suggestion to provide advisory keep clear H bar markings on the opposite side of the road where properties have dropped kerbs and only where there is no double yellow line.
 - c) All objectors are advised accordingly and notified of the making of the Order within 14 days of it being made.
 - d) A letter is sent to all properties on Cliff Road and Fairfield Road notifying the occupants of the making of the Order.

BARRIE MASON
Assistant Director - Highways and Transportation

Author of Report: Ged Lyth

Background Documents: None



Your Ref: Cliff Road/Fairfield Road
Our Ref: WSP/Staithes
Contact: Charles Deuchars (WSP)
16th March 2018

Area 3 Highways Office
North Yorkshire County Council
Discovery Way
Whitby
North Yorkshire
YO22 4PZ
Tel: 01609 780780
Email: area3.whitby@northyorks.gov.uk

Dear Sir/Madam,

Cliff Road / Fairfield Road, Staithes – Proposed Waiting Restrictions.

We have been looking into parking and access arrangements in Staithes, with specific emphasis on Cliff Road and Fairfield Road. These roads are relatively narrow in nature and are subject to high parking demands. It has been reported that the on-street parking habits can occasionally limit or block the passage of larger vehicles.

We appreciate that not all of the parking is attributed to residents. We believe that some of the many visitors who stay overnight or longer in Staithes are encouraged to leave their vehicles in residential areas, perhaps to avoid paying for an extended stay in the main car park. It would be very difficult to prevent this practice, however there is still the need to prevent instances of obstruction.

Disc parking with exemptions for residents via a permit system was an option that was considered for Cliff Road and Fairfield Road. Whilst this is a good solution, there is a downside in that it would be likely to displace the vehicles to another part of Staithes. Therefore to prevent this happening we would need to treat every road in the village. In the current financial climate however, this is unfortunately not an option.

The most realistic and cost effective way of preventing obstruction would be to encourage vehicles to park on only one side. This would inevitably mean that vehicles would have to be prevented from parking on the opposite side on both Cliff Road and Fairfield Road by means of double yellow lines.

For Cliff Road it is suggested that the lines are applied to the north side from No 1 to a point 42m east of No 25. It appears that fewer vehicles park on this side at present, which may be as a result of there being fewer properties. On Fairfield Road it is suggested that the lines are applied on the 'even' numbers side (No 2 to No 14). This would prevent vehicles parking on the inside of the curved road which if they did, would restrict visibility. I would like to draw your attention to the attached plan that shows the proposals.

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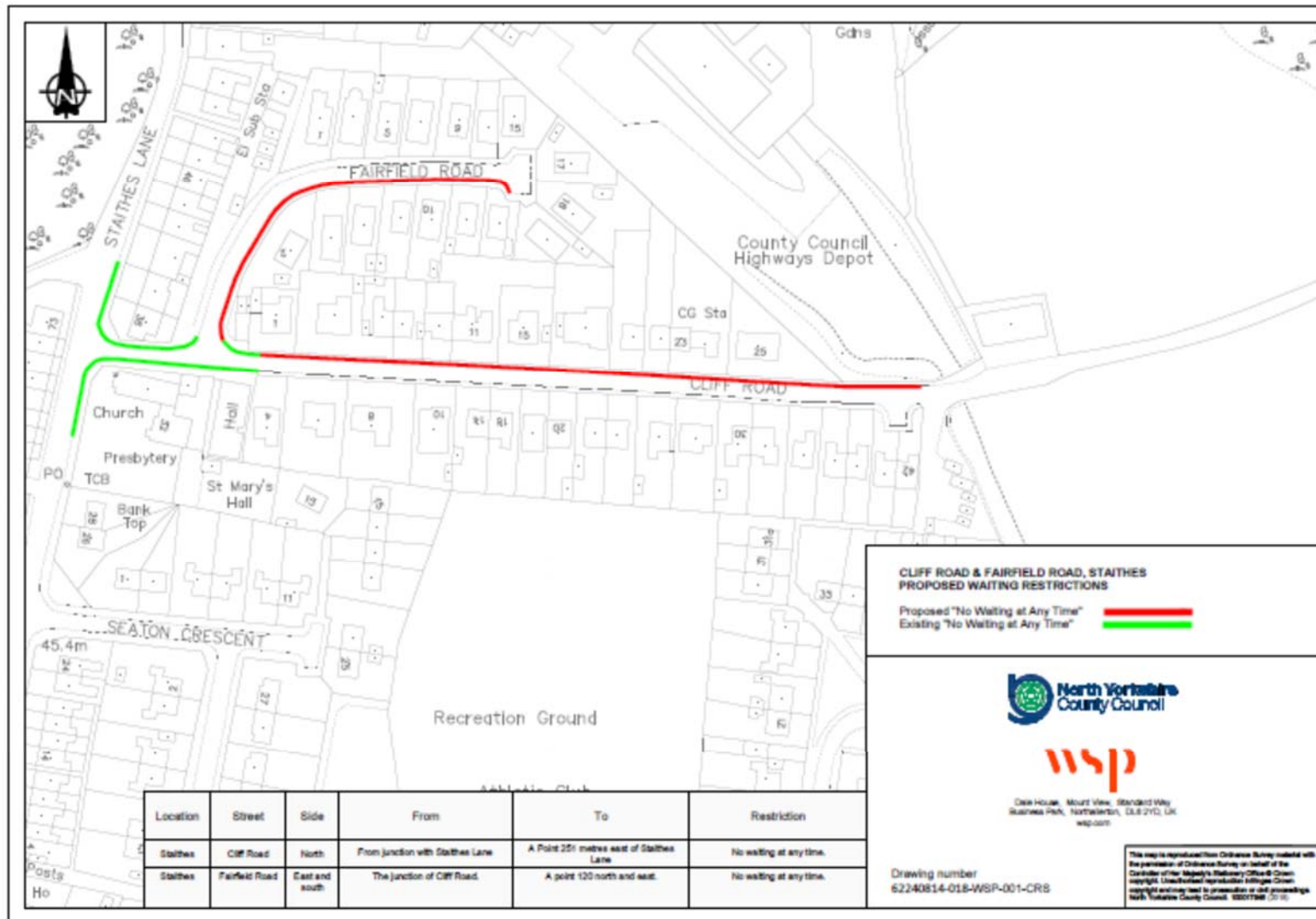
To install these lines it is necessary to introduce a Road Traffic Regulation Order. This letter is part of the statutory consultation process required to make the lines recognised and enforceable.

The Council is required to consult those either directly affected by the proposals or who may have an interest, and the purpose of this letter is to provide you with details of those proposals. I would ask that provide any views you may wish to make by **Monday 23rd April**.

If there are significant objections to the proposals it will be necessary to report them to the Business and Executive Members meeting for a decision by the Corporate Director of Business and Environmental Services in consultation with the executive members. The date and venue of any future meeting will be advised as necessary in due course. I trust this is satisfactory and look forward to receiving your comments.

Yours sincerely,

Charles Deuchars
Principal Engineer (WSP)





**North Yorkshire
County Council**
Business and Environmental Services

PROPOSED TRAFFIC REGULATION ORDER

**Cliff Road and Fairfield Road, Staithes.
Proposed prohibition of waiting.**

Contact Name:	
Contact Address:	
Contact - Telephone: - Email:	

1. Do you support the introduction of 'no waiting at any time' (double yellow lines) restriction as described in the letter and plan

Yes No

Comments / Reasons for objection or support:
(Please continue on the other side if required).

**Please return to: North Yorkshire County Council, Area 3 - Whitby Office,
Discovery Way, Whitby, YO22 4PZ**

PLEASE RETURN QUESTIONNAIRES BY 23rd April 2018.

FOI Statement

Your views are important and you are urged to complete the questionnaire without delay. Your name and address is required for the analysis of the survey. Forms that are returned incomplete cannot be included. You should also be aware that this is a public consultation and that once submitted, your comments may be held on a public file and may be made available for others to read under the Freedom of Information Act 2000.

**PROPOSED INTRODUCTION OF WAITING RESTRICTIONS ON CLIFF ROAD AND
FAIRFIELD ROAD, STAITHES.**

STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER

LEGAL POWERS AND DUTIES

Under Section 1(1) of the Road Traffic Regulation Act 1984 the County Council, as traffic authority for North Yorkshire, has powers to make a Traffic Regulation Order (TRO) where it appears expedient to make it on one or more of the following grounds:-

- (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), or

Section 122(1) of the Road Traffic Regulation Act 1984 also provides that it shall be the duty of every local authority upon whom functions are conferred by or under the 1984 Act so to exercise those functions as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

REASONS FOR MAKING THE ORDER

The County Council considers that it is expedient to make this TRO on grounds (a) and (c) above, having taken into account its duty under Section 122(1) of the 1984 Act, for the following reasons:-

To encourage vehicles to park on one side of the roads mentioned in the Schedule in order to prevent obstructions and to maintain free traffic flow.

Location(s) of Proposed Order - SCHEDULE

Location	Street	Side	From	To	Restriction
Staithes	Cliff Road	North	From the junction with Staithes Lane	A point 251 metres east of Staithes Lane	No waiting at any time
Staithes	Fairfield Road	East and south	The junction of Cliff Road	A point 120 metres north and east	No waiting at any time

CONSIDERATION OF OBJECTIONS

Under the County Council's Constitution, the consideration of objections to a proposed TRO is delegated to the Corporate Director - Business and Environmental Services (BES) in consultation with the BES Executive Members. For each TRO where there are objections, it will be necessary to bring a report to the Corporate Director - BES and the BES Executive Members seeking a decision on the consideration of the objections. The report will include the views of the relevant local member who will also be invited to the meeting that considers the report. The Corporate Director - BES may wish to refer the matter to the Council's Executive for a final decision.

A report to the relevant Area Committee will only be necessary when there are objections to a wide area impact TRO.

A wide area impact TRO is defined as a proposal satisfying all of the three criteria set out below:

- The proposal affects more than one street or road and,
- The proposal affects more than one community and,
- The proposal is located within the ward of more than one County Councillor

The report will seek the views of the Area Committee and these views will then be included in a report to the Corporate Director - BES and the BES Executive Members seeking a decision on the consideration of the objections. The Corporate Director - BES may wish to refer the matter to the Executive for a final decision.

The existing arrangements for members of the public wishing to attend or speak at committee meetings will apply and it may be appropriate for the Corporate Director - BES to have his decision making meetings open to the public, so that the public and in particular those with objections, have the opportunity to put their views across directly.

N.B. The Corporate Director - BES has delegated powers to make decisions on TROs where there are no objections.

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Business and Environmental Services		
Service area	Highways and Transportation		
Proposal being screened	the introduction of Road Traffic Regulation Order		
Officer(s) carrying out screening	G. Lyth Project Engineer		
What are you proposing to do?	To introduce “no waiting at any time” restrictions on one side of Cliff Road and one side of Fairfield Road Staithes		
Why are you proposing this? What are the desired outcomes?	To better manage and control parking practices on Cliff Road and Fairfield Road to better manage parking and the expeditious movement and control of vehicles.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC’s additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked ‘Don’t know/no info available’, then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don’t know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
NYCC additional characteristics			
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	

Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No			
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No			
Decision (Please tick one option)	EIA not relevant or proportionate:	Yes	Continue to full EIA?;	No
Reason for decision	Minor impact that will not differentiate or discriminate.			
Signed (Assistant Director or Equivalent)	<i>Barrie Mason</i>			
Date	<i>17/06/19</i>			