

North Yorkshire Council

Environment Executive Members

24 November 2023

Proposed Introduction of Waiting Restrictions Whitley Farm Close, Whitley

Report of the Assistant Director – Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Corporate Director for Environment in consultation with the Executive Member for Highways and Transportation of the outcome of the public consultation and statutory advertisement which took place with regard to this proposal and ask for a decision to be made on whether or not the proposal for parking restrictions on Whitley Farm Close, Whitley be introduced or set aside in light of the objection received.

2.0 BACKGROUND

- 2.1 Whitley Farm Close is a residential street which is access from Selby Road (A19). Residential properties have the benefit of off-street parking which are accessed from Whitley Farm Close and Selby Road, none rely on on-street parking.
- 2.2 The proposals, which comprise introducing no waiting at any time restrictions are in response to a request made by the Local Member, Parish Council and local residents concerned about kerbside parking on both sides of Whitley Farm Close at its junction with Selby Road (A19), at the location shown on attached plan Appendix A. Parking in this locale can cause problems of obstruction, restricted visibility and hindering the passage of vehicles. Parking at or near the junction creates further problems with access and egress for both pedestrians and drivers.

3.0 CONSULTATION

- 3.1 The proposal has been subject of consultation and public advertisement in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The enabling Traffic Regulation Order (TRO) was advertised for public comment in the local press, published on North Yorkshire Council's website and by means of a legal notice placed on the relevant street in accordance with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations.
- 3.2 The TRO was advertised for public comment on 29 July 2023 as follows: North Yorkshire Council (Prohibition of Waiting and Loading and Provision of Parking) (Amendment) Order 2023. The last date for receipt of objections was 04 August 2023.
- 3.3 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 changed to a consultative role on 'wide area impact TROs'.

3.4 The consideration of objections has been delegated by the Executive to the Corporate Director of Environmental Services in consultation with Executive Members. The 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.

3.5 Since the objection received only relates to an individual opposed to the parking restrictions, contained within one street, one community and one Council Ward, this does not have a 'wide area impact TRO' and therefore the Area Constituency Committee's views have not been sought.

3.6 Local Member Councillor John McCartney (the ward member representing Whitley) was contacted during and after the consultation on his views to the proposals. Cllr McCartney is fully supportive of the proposals.

3.7 In accordance with the protocol for Environment Executive Member reports, the Local Elected Member will be provided with a copy of this report and be invited to the meeting on the 24 November 2023.

4.0 OFFICER COMMENTS

4.1 Officers have considered the objection received and have summarised the response along with officer comments In Appendix B.

4.2 With regard to the objection, it is suggesting that the provision of No Waiting at any time restrictions will have a knock-on effect in reducing the availability of on-street parking for other residents and visitors to the local care home. Whilst the comment received is understood, it is considered that the effect of the introduction of the restrictions will be negligible in reducing the opportunity for on street parking for residents. Properties on Whitley Farm Close and Selby Road (A19) have off street parking in the form of driveways and garages, so they are unaffected.

4.3 Officers consider that the proposed measures set out in this report will assist in addressing the problems identified and thereby enable the Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise its functions as road traffic authority so 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, as set out in the Statement of Reasons for proposing to make the Order attached to this report in Appendix C. The proposed measures will also enable the Council to carry out its network management duty under Section 16 of the Traffic Management Act 2004 to secure the expeditious movement of traffic on the authority's road network and both the more efficient use and the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network.

5.0 FINANCIAL IMPLICATIONS

5.1 The cost of advertising the Traffic Regulation Order and installing the road markings is estimated at approximately £1,500 which will be funded from the local highways (Signs Lines and TROs) budget.

6.0 LEGAL

- 6.1 In the event that the Executive Members and Corporate Director for Environment resolve to follow the recommendations contained in this report, then in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the Council will be required to make the relevant Traffic Regulation Order (with or without modifications) and publish a notice of making the Order in the local press before the Order comes into operation. The Council will also be required to notify the objectors of its decision and the reasons for making that decision within 14 days of the Order being made.
- 6.2 Where an Order has been made (i.e. 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 from the date on which the Order is made.
- 6.3 In recommending the implementation of the proposed TRO, officers consider that it will enable the Council to comply with its duties under Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004.

7.0 EQUALITIES IMPLICATIONS

- 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. A screening form has been included in Appendix D

8.0 CLIMATE CHANGE IMPACT

- 8.1 Consideration has also been given to the potential for any adverse Climate Change impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on Climate Change and a copy of the Climate Change Impact Assessment decision form is attached as Appendix E.

9.0 REASONS FOR RECOMMENDATIONS

- 9.1 The proposed restrictions will assist in addressing the road safety problems which have been observed to occur on site and thereby enable the Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so 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, as set out in the Statement of Reasons, for proposing to make the Order.

10.0 RECOMMENDATIONS

- 10.1 It is recommended that: -
- i) The results of the consultation exercise are noted.
 - ii) The Corporate Director, Environment, in consultation with the Environment Executive Member for Highways and Transportation, approves the introduction of No Waiting at any time as advertised and as shown in the Plan contained in Appendix A.
 - iii) That the Assistant Chief Executive (Legal and Democratic Services) be authorised to seal the relevant Traffic Regulation Order by the Corporate Director, Environment and Environment Executive Member for access in light of the objections received and that the objectors are notified within 14 days of the order being made.

APPENDICES:

Appendix A – Location plan.

Appendix B – summary of the objections received, together with officer comment.

Appendix C – Statement of reasons.

Appendix D - Initial equality impact assessment screening form.

Appendix E - Climate change impact assessment.

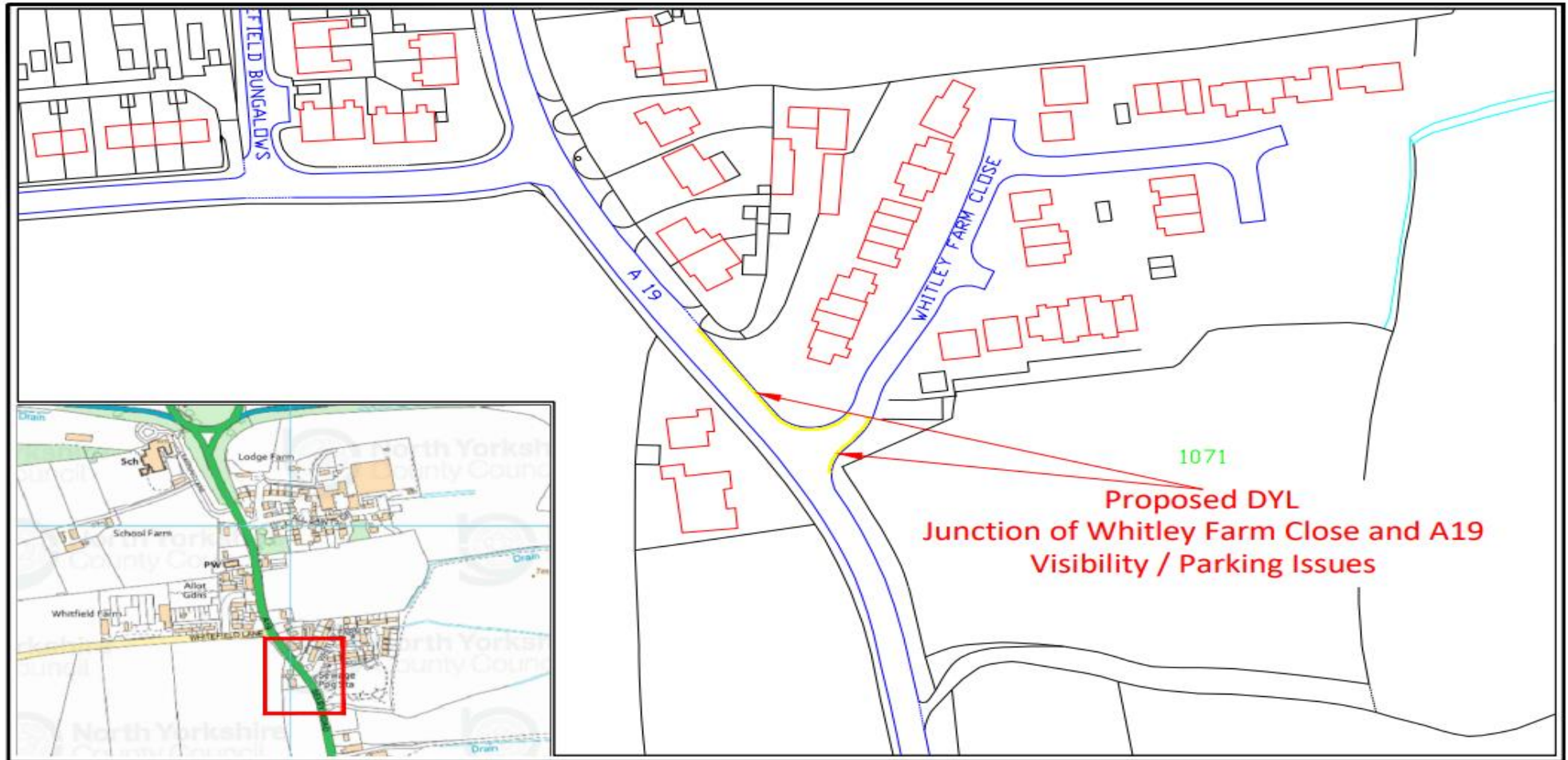
Background Documents: Letter of objection received are held in the scheme file held by the Selby Area 7 Highways Office.

BARRIE MASON

Assistant Director – Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

Author of Report: Gary Lumb

Presenter of Report: Gary Lumb



1071
**Proposed DYL
 Junction of Whitley Farm Close and A19
 Visibility / Parking Issues**

	PROJECT :- Whitley Farm Close Junction with A19 Whitley	DRAWN SGA	ORIGINAL DRAWING SIZE 210 x 297 (A4)	SCALE:- NTS
	DRG. TITLE :- Proposed DYL TRO SHEET 1 OF 1	CHECKED	CONTRACT DRAWING No	DATE:- March 2022
	<small>This drawing is based upon Ordnance Survey map information with the permission of the controller, H.M. Stationary Office. © Crown Copyright, North Yorkshire County Council, 100017946 (2016).</small>	APPROVED/AUTHORISED	DRAWING No :- A7 / DYLTRO / 1	Computer Filename : computer filename

Summary of Comments	Officer Comments
Resident of Selby Road (A19).	
Whilst this will improve the vision of drivers pulling out of Whitley Farm Close, it will just move the problem at hand (the parking needs for the Care Home) rather than eliminate it.	<p>The Highway Authority has no responsibility to provide on-street parking. However, drivers will have the opportunity to park on the unrestricted section where parking is available.</p> <p>The care home has benefit of off-street parking</p>
The vehicles will move to park outside my house (which often they do when the other area is already parked up).	The Highway Authority will monitor the parking situation and if the objector has issues of with access and egress to their driveway, the Highway Authority can instal a 'H' bar marking. The marking is not legally enforceable. However, they are helpful in discouraging inconsiderate parking.

<p>STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER:</p>	<p>The County Council as the traffic authority for North Yorkshire considers that it is expedient to make the traffic regulation order:</p> <ul style="list-style-type: none"> 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 b) for preventing damage to the road or to any building on or near the road c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians) 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 e) for preserving or improving the amenities of the area through which the road runs
	<p>Proposal location: Whitley Farm Close, Whitley [Whitley Farm Close DYL] Introduction of 'No Waiting at Any Time' waiting restrictions for road safety reasons by removing indiscriminate parking.</p>

Initial equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
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 & Transportation		
Proposal being screened	Proposed waiting restrictions		
Officer(s) carrying out screening	Gary Lumb		
What are you proposing to do?	Introduce no waiting at any time restrictions on Whitley Farm Close, Whitley.		
Why are you proposing this? What are the desired outcomes?	To prevent obstruction and to allow safe passage for all motor vehicles travelling along Whitley Farm Close and Selby Road (A19), thus addressing the road safety problems which have been observed to occur on site and to comply with the County Council's duties under Section 122(1) of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004		
Does the proposal involve a significant commitment or removal of resources? Please give details.	NO		
Is there likely to be an adverse 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 a significant 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	Yes	No	Don't know/No info available
Age		√	
Disability		√	
Sex (Gender)		√	
Race		√	
Sexual orientation		√	
Gender reassignment		√	
Religion or belief		√	
Pregnancy or maternity		√	
Marriage or civil partnership		√	
NYCC additional characteristic			
People in rural areas		√	
People on a low income		√	
Carer (unpaid family or friend)		√	
Are from the armed forces community		√	
Does the proposal relate to an area where	NO		

there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.					
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)	<table border="1"> <tr> <td>EIA not relevant or proportionate:</td> <td><input checked="" type="checkbox"/></td> <td>Continue to full EIA:</td> <td><input type="checkbox"/></td> </tr> </table>	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:	<input type="checkbox"/>
EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:	<input type="checkbox"/>		
Reason for decision	The proposed waiting restrictions Order will require the installation of new road markings (Double yellow lines) but will not otherwise have an effect on those with Protected characteristics. Blue Badge Holders will be able to park for up to 3 hours on double yellow lines (and for the entirety of any shorter period of restrictions) in accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000. Parking will be permitted in other areas on Main Street and School Road.				
Signed (Assistant Director or equivalent)	Barrie Mason				
Date	19/10/2023				



Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
 Environmental Impact Assessment
 Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Proposed waiting restrictions
Brief description of proposal	Introduce no waiting at any time restrictions on Whitley Farm Close, Whitley.
Directorate	Environment
Service area	Highways and Transportation
Lead officer	Gary Lumb
Names and roles of other people involved in carrying out the impact assessment	None
Date impact assessment started	19/10/2023

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

None. It is considered that the proposed restrictions will assist in addressing the road safety problems which have been observed to occur on site and thereby enable the County Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so 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.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The cost of advertising the Traffic Regulation Order and installing the road markings will be funded from the local highways (Signs Lines and TROs) budget.

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel	x				
	Emissions from construction	x				
	Emissions from running of buildings	x				
	Other	x				
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		x				
<p>Reduce water consumption</p>		x				
<p>Minimise pollution (including air, land, water, light and noise)</p>		x				

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> Changes over and above business as usual Evidence or measurement of effect Figures for CO₂e Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		<p>x</p>				
<p>Enhance conservation and wildlife</p>		<p>x</p>				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		<p>x</p>				
<p>Other (please state below)</p>		<p>x</p>				

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

N/A

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The proposed waiting restrictions order will require the installation of new road markings (Double yellow lines) but will not otherwise have an impact on the Environment. However, steps will be taken to ensure that construction emissions are reduced as far as possible.

Sign off section

This climate change impact assessment was completed by:

Name	Gary Lumb
Job title	Improvement Manager
Service area	Highways and Transportation
Directorate	BES
Signature	Gary Lumb
Completion date	19/10/2023

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 02.11.2023