

# **North Yorkshire Council**

## **Environment Executive Members**

**24 October 2025**

### **Proposed Introduction of Waiting Restrictions Sowarth Field Settle**

#### **Report of the Assistant Director – Highways and Infrastructure**

##### **1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to advise the Corporate Director - 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 Sowarth Field, Settle be introduced or set aside in light of the objections received.

##### **2.0 BACKGROUND**

- 2.1 Sowarth Field is a commercial street which forms part of a large Industrial estate situated close to Settle town centre. Commercial premises that are affected by the restrictions do have the benefit of off-street parking which are accessed from Sowarth Field, 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 residents and the Local Member who expressed concerns about kerbside parking on both sides of Sowarth Field, at the location indicated 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 to 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 19 June 2025 as follows: North Yorkshire Council Prohibition of Waiting and Loading and Provision of Parking) (amendment No TBC once order is sealed) order 2025. The last date for receipt of objections was 10 July 2025.
- 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 Committee is changed to a consultative role on 'wide area impact TROs'. The consideration of objections has been delegated by the Executive to the Corporate Director - Environment in consultation with the Executive Member – Highways and Transportation. 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 Councillor.

- 3.4 Since the objection received only relates to an individual opposed 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 Committee's views have not been sought.

#### **4.0 LOCAL MEMBER ENGAGEMENT**

- 4.1 Local Member Councillor David Staveley (the ward member representing Settle) was contacted during and after the consultation on his views to the proposals. Cllr Staveley is fully supportive of the proposals.
- 4.2 In accordance with the protocol for Executive Member reports, the Local Elected Member will be provided with a copy of this report and be invited to the meeting on 24 October 2025.

#### **5.0 OFFICER COMMENTS**

- 5.1 Officers have considered the objections received and have summarised the response along with officer comments In Appendix B.
- 5.2 With regard to the objections, 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 residents, customers and deliveries. Whilst the comments received are 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. Commercial premises on Sowarth Field have off street parking within the curtilage of their properties, so they are unaffected.
- 5.3 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.

#### **6.0 FINANCIAL IMPLICATIONS**

- 6.1 The cost of advertising the Traffic Regulation Order and installing the road markings is estimated at approximately £1,800 which will be funded from the local highways (Signs Lines and TROs) Capital budget.

## **7.0 LEGAL**

- 7.1 In the event that the Corporate Director – Environment and Executive Member for Highways and Transportation 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.
- 7.2 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.
- 7.3 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. In light of the objection being received it has also been considered whether it would be appropriate to hold a public inquiry. As there is just a specific objection to be considered it would not be proportionate in terms of both time and costs to hold an Inquiry. The objection can be given proper regard in the report and decision-making process.

## **8.0 EQUALITIES IMPLICATIONS**

- 8.1 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.

## **9.0 CLIMATE CHANGE IMPACT**

- 9.1 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.

## **10.0 REASONS FOR RECOMMENDATIONS**

- 10.1 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.

## **11.0 RECOMMENDATIONS**

11.1 It is recommended that: -

- i. the results of the consultation exercise are noted
- ii. The Corporate Director - Environment, in consultation with the 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 Executive Member for Highways and Transportation 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.

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