

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

**14 May 2021**

**B6451 Dacre Banks – Proposed No Waiting at Any Time.**

**Report of the Assistant Director – Highways and Transportation**

**1.0 Purpose of Report**

The purpose of the report is to advise Corporate Director - Business and Environmental Services (BES) and the BES Executive Members of comments received following public consultation and statutory advertisement carried out to introduce waiting restrictions and to seek approval to proceed with the making of the Order.

**2.0 Background**

2.1 Dacre Banks is a small rural village that has until recently remained relatively unchanged in terms of development and housing density. More recently however it has undergone a significant increase in its housing stock with the redevelopment of the former filling station and garage site on the eastern side of the B6451. The development consists of 22 no. dwellings of mixed size.

2.2 The development may inevitably lead to an increase in vehicle movements primarily made up of private motorised transport increasing demand for parking. This demand should be catered for within the curtilage of the development, however there is the possibility that parking may extend to the frontage and obstruct visibility and free vehicle movements on the B6451.

**3.0 Proposals**

3.1 The restrictions are proposed for the inside of the bend in the road alignment and were considered as a precautionary measure at the planning stage of the development. The development was designed with designated off-street, private parking areas. The provision of waiting restrictions will promote the use of these facilities whilst deterring parking on the B6541 through the village. The lines would be a road safety feature from this point in time and would be present to cover other, exceptional circumstances or events in the village (see Appendix A).

## **4.0 Officer Comments**

**4.1** Officers consider that the proposed measures set out in this report will assist in addressing the problems identified and thereby enable the County Council to comply with its duty under Section 122 (1) of the Road Traffic 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 attached to this report. (see Appendix B – Summary of comments received)

## **5.0 Consultation**

**5.1** 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 (Appendix A) indicates the extent of the proposals. The Traffic Regulation Order was advertised in the local press and notices posted on site on 20<sup>th</sup> February 2020 and any person could make objections and representations until 13<sup>th</sup> March 2020.

**5.2** At the conclusion, of the advertising stage there was some support but also a number of adverse remarks received. All comments are summarised in Appendix B, together with Officers' remarks.

**5.3** I have discussed this proposal with Councillor Lumley and he supports the proposal. I have also informed him of the date this report is being presented at Exec Members.

## **6.0 Equalities**

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.

## **7.0 Finance**

**7.1** The cost of advertising the Traffic Regulation Order is estimated at approximately £1,500, which has been funded by the developer of the housing development.

## **8.0 Legal**

**8.1** A new 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 has changed to 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.

8.2 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 6 weeks from the date on which the Order is made.

## 9.0 Climate Change

This proposal has no impact on Climate Change.

## 10.0 Recommendation(s)

10.1 On the basis of the consultation responses, it is recommended that;

- i.) the intention to implement the proposals contained in Appendix A under the delegated authority of the Corporate Director, BES is noted
- ii.) the Assistant Chief Executive (Legal and Democratic Services) be authorised to make and seal the relevant Traffic Regulation Orders to give effect to the location identified in Appendix A, subject to the amendments and recommendations approved by the Executive Members (BES) and the Corporate Director (BES) in light of objections received
- iii.) officers ensure that the objectors are notified of the decision and the reasons for making that decision within 14 days of the Traffic Regulation Order being made as set out in section 3.1.

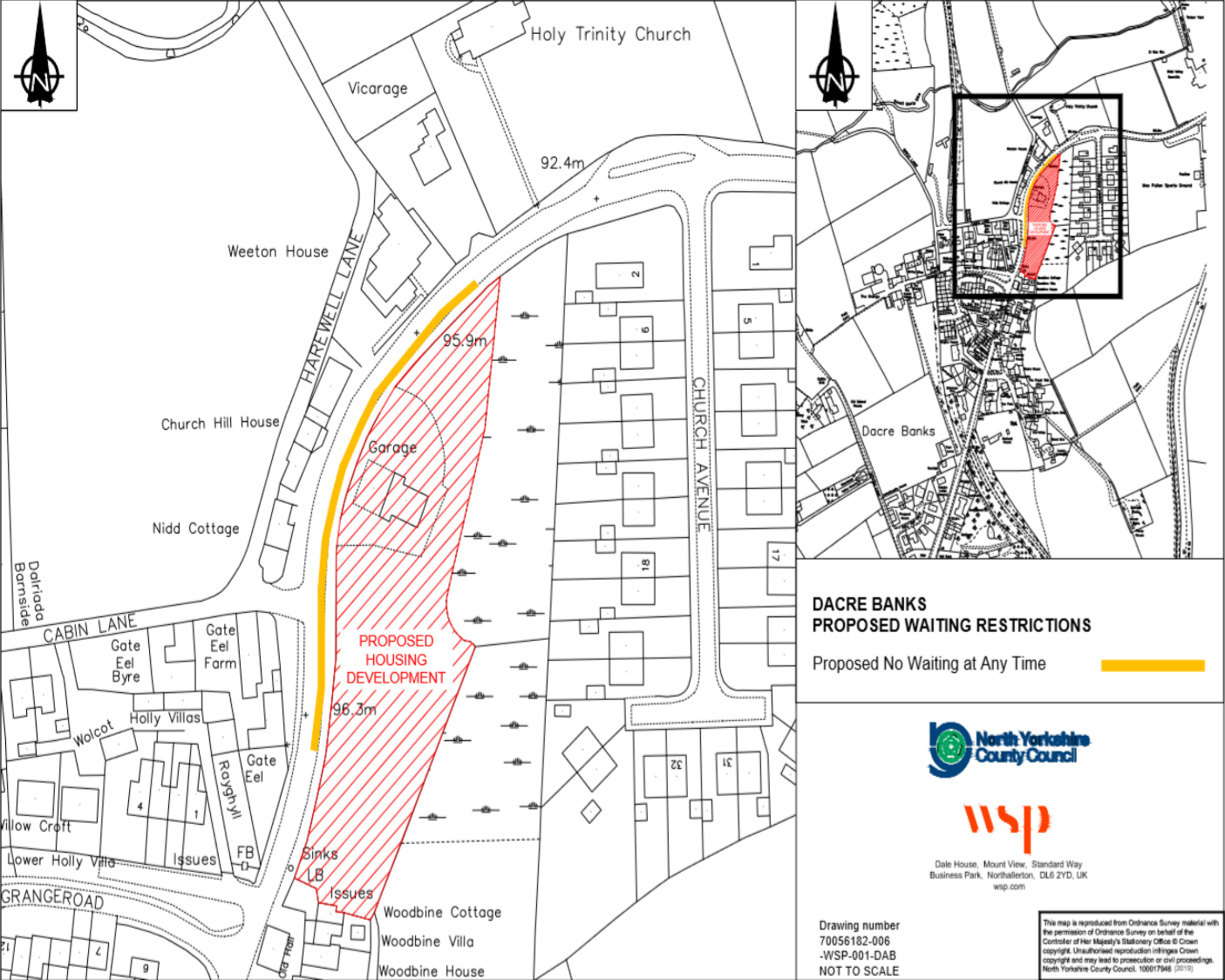
BARRIE MASON

Assistant Director – Highways & Transportation, Business and Environmental Services

Author of Report: Tim Simpson

Background Documents:

**Consultation Plan**



**Consultation Reply Summary**

Responder	Detail of Response	Officer Comment
Resident 1 - Church View.	<p>(Would cause difficulties) 'Removal lorries - a lot of the drives are on a slope; groceries are dropped off; taxi pick up and drop off; postal deliveries via van. To impose a no waiting at any time in your letter my concerns would be not suitable for heavy vehicles do drop off (on drives). Moving cars around on the driveway, as some driveways have tandem parking.</p> <p>All houses have 2 spaces that are either tandem or allocated behind the houses. I have no doubt that residents will and do use their driveway/designated parking rather than parking on the B6451, neither would they encourage visitors to park on the road. Please note this hasn't been an issue so far outside these houses.</p> <p>This restriction would make it impossible to receive deliveries and drop off the elderly. Unless I am mistaken about the rules of 'No Waiting at any time'. I can only see this to be inconvenient for immediate residents.'</p>	<p>The double yellow lines are to deter indiscriminate parking or bad parking habits that may develop in time. Deliveries, loading and unloading (including the picking up and setting down of passengers) would not be affected.</p> <p><b>RECOMMEND write to objector with this information, to note comments and implement restrictions as advertised.</b></p>
The Vicarage.	<p>'I would like to ask a question of clarification. Is it for one side of the road only as the diagram seems to suggest?</p> <p>If that is so, and the No Waiting is on the same side as the new housing development I would have no objection to this.</p> <p>If it is both sides of the road I would like to raise an objection as it would make holding services at the church — Holy Trinity, Dacre Banks — extremely problematic, as folk need somewhere to park. Generally they do not park on the same side as the housing development but opposite it, they do, and will need to, especially when we have large services like funerals or weddings.'</p>	<p>The proposals are only for the side of the new development.</p> <p><b>RECOMMEND write to objector with this information, to note comments and implement restrictions as advertised.</b></p>

Resident 2 - Church View.	‘The development has been completed for some time and there does not appear to be an issue. All residents use the designate off-street parking bays. There is no need for restrictions.’	<p>The proposed restrictions are proposed for the inside of a bend in the road alignment and were considered as a precautionary measure at the planning stage of the development. This is still relevant despite obstructive parking not being a particular feature at this time. The lines would be a road safety feature from this point in time and would be present to cover exceptional circumstances in the village.</p> <p><b>RECOMMEND write to objector with this information, to note comments and implement restrictions as advertised.</b></p>
Resident 3 - Church View.	<p>- ‘ There is no need to promote the use of the off-street spaces as they are already being used.</p> <p>- The only vehicles to stop are delivery vehicles.</p> <p>- The road is at its widest at this point so parking would not be an issue’ (the responder describes parking issues at other locations within the village).</p>	<p>As above.</p> <p>Parking issues elsewhere in the village are not the subject of this consultation however the information will be noted.</p> <p><b>RECOMMEND write to objector with this information, to note comments and implement restrictions as advertised.</b></p>

**Equalities Impact Assessment**

<b>Initial equality impact assessment screening form</b>			
<b>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.</b>			
<b>Directorate</b>	Business and Environmental Services		
<b>Service area</b>	Highways and Transportation		
<b>Proposal being screened</b>	the introduction of Road Traffic Regulation Order		
<b>Officer(s) carrying out screening</b>	Tim Simpson		
<b>What are you proposing to do?</b>	Introduce a length of No Waiting at Any Time restriction on the east / south east side of B6451 which is relatively co-incident with the extents of a new housing development.		
<b>Why are you proposing this? What are the desired outcomes?</b>	To better manage and control parking practices for road safety and the expeditious movement of traffic.		
<b>Does the proposal involve a significant commitment or removal of resources?</b> Please give details.	No		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics</b>			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul>			
<b>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 <a href="#">Equality rep</a> for advice if you are in any doubt.</b>			
<b>Protected characteristic</b>	<b>Potential for adverse impact</b>		<b>Don't know/No info available</b>
	<b>Yes</b>	<b>No</b>	
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	
<b>NYCC additional characteristics</b>			
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
<b>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.</b>	No		

<p><b>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.</b></p>	No			
<p><b>Decision (Please tick one option)</b></p>	<p><b>EIA not relevant or proportionate:</b></p>	Yes	<p><b>Continue to full EIA?;</b></p>	
<p><b>Reason for decision</b></p>	Minor impact that will not differentiate or discriminate.			
<p><b>Signed (Assistant Director or Equivalent)</b></p>	Barrie Mason			
<p><b>Date</b></p>	14 May 2021			



**PROPOSED NO WAITING AT ANY TIME ORDER B6451 DACRE BANKS**

**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).

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 ground (a), (b) and (f) above, having taken into account its duty under Section 122(1) of the 1984 Act , for the following reasons:-

Presently the current speed limit is 30 mph through the village. The previous use of the garage site had sufficient room for parking within the site. Now a housing development has been constructed on the site, this increases the trips, and places additional demands on parking. If parking was to occur on the inside of the bend, this would cause a highway safety concern, as over taking vehicles would meet on-coming vehicles negotiating the bend. This proposal will see the installation of waiting restrictions preventing vehicles parking on the inside of the bend, removing the Highway Safety concern.

**Location(s) of Proposed Order**

Road	Length
B6451, Dacre Banks	56 metres north from the centreline of its junction with Grange Road, for a distance of 135 metres

**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.



## 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](mailto: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](mailto:climatechange@northyorks.gov.uk) for advice.

<b>Title of proposal</b>	<b>Proposed Waiting Restrictions B6451 Dacre Banks</b>
<b>Brief description of proposal</b>	<b>Introduction of waiting restrictions on the inside of a bend on the B6451</b>
<b>Directorate</b>	<b>BES</b>
<b>Service area</b>	<b>Highways &amp; Transportation</b>
<b>Lead officer</b>	<b>Tim Simpson</b>
<b>Names and roles of other people involved in carrying out the impact assessment</b>	
<b>Date impact assessment started</b>	<b>13<sup>th</sup> May 2021</b>

**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.

**No**

**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.

Approximate cost of making the order, and installing the lining has been met by the developer as part of the Planning Conditions.

<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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</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"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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 <b>greenhouse gas emissions</b> 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 <b>waste</b>: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>			X				
<p>Reduce <b>water</b> consumption</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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</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"> <li>Changes over and above business as usual</li> <li>Evidence or measurement of effect</li> <li>Figures for CO<sub>2</sub>e</li> <li>Links to relevant documents</li> </ul>	<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>
Minimise <b>pollution</b> (including air, land, water, light and noise)		X				
Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers		X				
Enhance <b>conservation</b> and wildlife		X				
Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b>		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><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</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"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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>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.

No

**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 proposal is not considered to have an impact on climate change.

**Sign off section**

This climate change impact assessment was completed by:

<b>Name</b>	<b>Tim Simpson</b>
<b>Job title</b>	<b>Senior Project Engineer</b>
<b>Service area</b>	<b>Highways &amp; Transportation</b>
<b>Directorate</b>	<b>Business &amp; Environmental Services</b>
<b>Signature</b>	<b>Tim Simpson</b>
<b>Completion date</b>	<b>14<sup>th</sup> May 2021</b>

**Authorised by relevant Assistant Director (signature): Barrie Mason**

**Date: 14/05/2021**