

**PROPOSED INTRODUCTION OF WAITING RESTRICTIONS ON PIER ROAD AND KHYBER PASS,
WHITBY.**

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), (c) and (e) 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

Proposed Order

Street Name	Side	From	To	Restriction	Zone
Khyber Pass	South	A point 5.5 metres west of its junction with Pier Road	A point 22 metres west of its junction with Pier Road	Buses only	
Khyber Pass	South	A point 22 metres west of its junction with Pier Road	A point 46 metres northwest of its junction with Pier Road	Disabled badge holders only 3 hour limit	Disc zone W
Khyber Pass	South	A point 46 metres northwest of its junction with Pier Road	Its junction with the car park opposite the steps leading up to the Captain Cook Statue	Permit Holders Only Parking 9am to 7pm	Disc Zone W

Pier Road	west	Its junction with Khyber Pass	A point 143 metres south of its junction with Khyber Pass	No waiting at any time	
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The lines in existing order(s) affected by the proposals

**North Yorkshire County Council (Prohibition of Waiting and Loading and Provision of Parking)
(Various Roads in the district of Scarborough) Order 2007 and the Amendment no 43 Order 2014**

Street Name	Side	From	To	Restriction	Hours	Zone
Khyber Pass, Whitby	south	A point 5.5 metres west of its junction with Pier Road	A point 38 metres northwest of its junction with Pier Road	Disabled badge holders only 3 hour limit		
Khyber Pass, Whitby	south	A point 38 metres northwest of its junction with Pier Road	Its junction with the car park opposite the steps leading up to the Captain Cook Statue	Permit Holders Only Parking	9am to 7pm	Disc Zone W
Pier Road	west	Its junction with Khyber Pass	A point 18 metres south of its junction with Khyber Pass	No waiting	At any time	
Pier Road	west	A point 18 metres south of its junction with Khyber Pass	A point 42 metres south of its junction with Khyber Pass	Loading Only	8am to 7pm	Disc Zone W
Pier Road	west	A point 42 metres south of its junction with Khyber Pass	A point 66 metres south of its junction with Khyber Pass	No waiting	At any time	
Pier Road	west	A point 66 metres south of its junction with Khyber Pass	A point 74 metres south of its junction with Khyber Pass	Loading Only	8am to 7pm	Disc Zone W
Pier Road	west	A point 74 metres south of its junction with Khyber Pass	A point 93 metres south of its junction with Khyber Pass	Disabled badge holders only 3 hours no return within 1 hour	At any time	
Pier Road	west	A point 93 metres south of its junction with Khyber Pass	A point 111 metres south of its junction with Khyber Pass	Loading Only	8am to 7pm	Disc Zone W
Pier Road	west	A point 111 metres south of its junction with Khyber Pass	A point 143 metres south of its junction with Khyber Pass	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.