

North Yorkshire County Council
Business and Environmental Services

Executive Members

21 February 2020

Craven District Council Off-Street Parking Places Amendment Orders

Report of the Assistant Director – Highways and Transportation

1.0 Purpose of report

- 1.1 To apprise the Corporate Director, Business and Environmental Services (BES) and the BES Executive Members of the proposed amendment to Craven District Council's Off-Street Parking Places Order to:
- i. Provide two motorhome parking bays at the community centre car park, Ingleton.
 - ii. Provide two electric vehicle charging points and two disabled bays at High Street car park, Skipton.
 - iii. Provide additional clarity to the order regarding the removal of abandoned vehicles

2.0 Background

- 2.1 Craven District Council has powers under Sections 32, 33, 35 and 124 of the Road Traffic Regulation Act 1984 (as amended) to make changes to existing car parking conditions and restrictions by means of Traffic Regulation Orders, which are enforced under the Traffic Management Act 2004.
- 2.2 An Amendment Order is required to amend conditions relating to the use of a car park or parking place which extend beyond varying existing charges. In exercising these powers district councils are required by Section 39(3) of the 1984 Act to obtain the consent of North Yorkshire County Council as traffic authority. The County Council has power to give or withhold consent to the making of the Order and may require such modifications of the terms of the proposed Order as they think appropriate.
- 2.3 The decision whether to provide consent for the proposals will then be taken by the Corporate Director Business and Environmental Services in consultation with the Executive Members for Business and Environmental Services, in accordance with the County Council's Constitution.
- 2.4 In formulating a response the County Council must pay due regard to Section 16 of the Traffic Management Act 2004, which places a duty on every local traffic authority "to manage its road network to secure the expeditious movement of traffic on their road network". Consideration therefore needs to be given to the transport policy implications of the proposed changes along with the road safety and traffic management impacts on the local highway network.

3.0 Craven District Council Proposals

3.1 Craven District Council is proposing the following changes to its Off-Street Parking Places Order, (also see **Appendix A** Statement of Reasons);

3.2 Motorhome Parking Bays

The purpose of this amendment is to introduce two motorhome parking bays at the community centre car park, Ingleton. The hours of operation of the bays is between 9am and 6pm and 6pm and 9am with a maximum stay of nine hours applicable on all days of the week, with a maximum stay of seven consecutive nights at a charge of £5.00 for a full 9-hour period.

3.3 Electric Vehicle Parking Points

The purpose of this amendment is to introduce two electric parking points in High Street car park, Skipton as a pilot scheme for further installations throughout the district.

3.3.1 The bays can be used only by vehicles which are wholly or partially propelled by electricity and is capable of being charged from an external power source by way of connecting leads and solely for the purposes of charging.

3.3.2 A vehicle can only be left in the bay for the period it requires to charge and for a maximum of 1 hour.

3.3.3 A further amendment included in this proposal is to re-designate two existing parking bays in High Street car park, Skipton to disabled bays.

3.4 Abandoned Vehicles

The purpose of this amendment is to provide additional clarity of the order to improve the management of the District Council car parks and ensure that (apparent) abandoned vehicles can be removed efficiently.

4.0 Assessment of Proposals

4.1 In principle, all of the above proposals are not deemed to have any particular detrimental impact on the County Council network as Local Highway Authority.

4.2 The provision of motorhome parking in the community centre car park could be seen as a benefit to the local road network by providing designated parking at a relatively low cost, which may encourage off-street parking.

4.3 The provision of these bays is not to the detriment of other general parking within the car parks with only four spaces of approximately 250 general parking spaces being re-designated in the High Street car park Skipton (2 x disabled bays and 2 x electric vehicle charging bays) and the addition of two bays within the Community Centre car park, Ingleton. Any resulting displacement would be minimal.

4.4 The provision of electric vehicle (EV) charging bays is in line with the county councils strategy of encouraging EV use and the development of the wider infrastructure to support that transition. Past discussions with district councils and other off-street parking providers/stakeholders have focused on developing a formalised network of charge points for on and off-street to offer a consistent service for users throughout the county. It is however accepted that the county council is not yet in a position to provide on-street facilities and realises that district councils wish to progress the delivery of their objectives.

- 4.5 The provision of these bays is not considered to have any or minimal impact to the local highway network.
- 4.6 The proposal to clarify that part of the current off-street parking order regarding the removal of abandoned vehicles is relatively inconsequential to the county council and it is considered will have no impact on the highway network.

5.0 Consultation

5.1 Craven District Council has ensured 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.

5.2 No objection(s) were received to the proposals.

This 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. Or where, the proposal is classed as a wide area impact TRO by satisfying all of the 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.

5.3 The consideration of objections to Traffic Regulation Orders (TRO's) and the provision of consent is a matter for the Corporate Director of Business and Environmental Services (BES) in consultation with BES Executive Members. The Role of Area Constituency Committee is now consultative only on wide area impact TRO's.

5.4 Under the County Council's Constitution, the Corporate Director – Business and Environmental Services in consultation with the relevant Executive Member(s) is required to consult the Area Constituency Committee upon the proposed Order where it is considered that a proposed Traffic Regulation Order meets the criteria for having a wide area impact and this includes the power to exercise the Council's powers to consent to, refuse consent to, or require modifications to District/Borough Councils' proposals re off-street parking Orders.

5.5 Although the overall request for consent concerns three locations throughout the Craven district, they are in effect separate localised decisions on different matters. Taken in this context the proposed Amendment Order does not constitute a Wide Area Impact TRO.

6.0 Officer Comment

6.1 In consideration of the above, it is the opinion of Officers that the proposals are reasonable in their intended effect and operation and should have minimal impact on the surrounding highway network respectively.

6.2 As a standard measure to safeguard against any unforeseen future impact to the highway network from operational changes it is suggested that NYCC places a condition on its consent to ensure the district council funds any required remedial works required as a consequence of the changes or amends its operations to relieve the network of the problem(s).

7.0 Equalities Implications

- 7.1 Consideration has been given to the potential for any equality impacts arising from the proposal. 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 Equality Impact Assessment screening form is attached as Appendix B.

8.0 Financial Implications

- 8.1 It is the view of officers that the proposals do not have any financial implications for the County Council.

9.0 Legal Implications

- 9.1 All the main legal aspects are covered in section 5. to this report. Beyond that, it is the view of officers that the proposals do not have any legal implications for the County Council.

10.0 Recommendations

- 10.1 It is recommended that the Corporate Director of Business and Environmental Services provides consent to Craven District Council to make the proposed Amendments to its Off-street parking order to the effect of;
- i. Providing two motorhome bays at the Community Centre car park, Ingleton.
 - ii. Providing two electric vehicle charging bays at High Street car park, Skipton.
 - iii. Re-designating two existing parking bays at High Street car park, Skipton to disabled parking bays.
 - iv. To clarify that part of its order regarding the removal of abandoned vehicles.

BARRIE MASON
Assistant Director – Highways and Transportation

Author of Report: David Kirkpatrick

Background documents: None

STATEMENT OF REASONS

Craven District Council (Off-Street Parking Places) and Consolidation (Amendment) (Motorhome Parking Bays, Community Centre Ingleton Car Park) Order 2019.

The effect of the Order shall be to provide two motorhome parking bays at the Community Centre car park at Ingleton, in order to cater for demand for such spaces within the locality.

STATEMENT OF REASONS

Craven District Council (Off-Street Parking Places) and Consolidation (Amendment) (Electric Vehicle Charging Points) Order 2019.

The effect of the Order shall be to introduce two electric vehicle charging points and designate two further bays as Disabled Parking Bays at the High Street Skipton Car Park. The Council has promoted the order in as part of a pilot scheme to introduce electric vehicle charging points throughout the district.

STATEMENT OF REASONS

Craven District Council (Off-Street Parking Places) and Consolidation (Amendment) (Abandoned Vehicles) Order 2019.

The effect of the Order shall be to provide additional clarity within the current parking places order to ensure that abandoned vehicles can be removed efficiently from council car parks to improve car parking management.

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 and Transportation		
Proposal being screened	Craven District Council – Off Street Parking Places Amendment Order		
Officer(s) carrying out screening	David Kirkpatrick		
What are you proposing to do?	Provide consent to Craven District Council to amend its off-street parking places order for the provision of; motorhome bays, electric vehicle charging bays, disabled parking bays and allowing clarification on that part of the order referring to the removal of abandoned vehicles.		
Why are you proposing this? What are the desired outcomes?	In accordance with the procedure for district councils to seek the consent of the county council as local highway authority on any operational amendment to its off-street parking order which extends beyond the changing of tariffs.		
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		✓	

Appendix B

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)		✓	
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:	✓	Continue to full EIA:
Reason for decision	NYCC as highway and road traffic authority is required to provide consent to District Councils when making operational changes to off street parking facilities by means of a Traffic Regulation Order. This is to ensure the proposed changes are reasonable, will not adversely impact the highway network and are in accordance with the county parking strategy.		
Signed (Assistant Director or equivalent)	<i>Barrie Mason</i>		
Date	<i>11 February 2020</i>		