

North Yorkshire County Council

Business and Environmental Services

Executive Members

23 October 2020

Proposed Parking Restriction, Plantation Hill, Scarborough,

Report of the Assistant Director – Highways and Transportation

1.0 Purpose of Report

- 1.1 To enable the Corporate Director of Business and Environmental Services (BES) and BES Executive Members to consider objections and comments received for a proposed parking restrictions on Plantation Hill, Scarborough.

2.0 Background

- 2.1 Plantation Hill is a private road located within Scarborough town centre. There are already no waiting at any time restrictions halfway down the road along some of its length on both sides (Appendix A).
- 2.2 Plantation Hill is approximately 225 metres long joining Somerset Terrace to the north and Valley Road to the south. The road is owned and maintained by Scarborough Borough Council and not part of the highway network. The road varies between 3 and 4 metres wide with no footway either side. Vehicle access is only available from Valley Road to the south of the road.
- 2.3 The majority of traffic entering and leaving the road is for access to the few residential properties at the north end of the road many of which have their own driveways. Other vehicles tend to be drivers wishing to avoid the pay and display parking at the south end of the road on Valley Road.
- 2.4 Whilst investigating proposed highway improvements officers were made aware of difficulties experienced by residents of Plantation Hill who struggle to pass vehicles parked alone on the non-restricted part of the road. Scarborough Borough Council has informed us they receive regular complaints about the limited access caused by the parking. Scarborough Borough Council asked the local highway authority to advertise more extensive parking restrictions.

3.0 Proposal

- 3.1 The proposed changes are to amend the current parking restrictions to include the whole road from Somerset Terrace to Valley Road, there are no marked parking bays to remove, however, vehicles have been witnessed parking along the unrestricted area of the road, blocking footways and a rear entrance Woodend Art Gallery.
- 3.2 In order to protect vehicular access for residents of Plantation Hill, we propose that the parking restriction is amended to cover the entire road and lining be placed to enforce the order. We propose no other changes to the rest of the street and its current parking restrictions.

4.0 Consultation

- 4.1 A draft letter and plan were sent to the local county councillor Janet Jefferson on 21 August 2020, NYCC legal team also sent a copy of the proposed amendment to the waiting restriction on 24 August 2020.

5.0 Legal Consultation

- 5.1 In accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the consultation and legal advertising took place at the same time.
- 5.2 A copy of the consultation letter and plan is shown in Appendix A, approximately 50 letters were hand-delivered to residents and businesses, notices were placed on-site from Friday 28 August 2020. Legal advertising was carried out in the local newspaper and a copy of all relevant documents was available in Scarborough library from Thursday 3 September 2020. The closing date for the receipt of objections was the Monday 28 September 2020.
- 5.3 Comments were received between Thursday 3 September 2020 and Monday 28 September 2020 in response to the consultation.

6.0 The Consultation Responses

- 6.1 A total of 6 responses were received to both consultation and legal advertising, this represents a 12% return rate.
- 6.2 The breakdown of those responding is shown below:

One expressed their objection to the proposal, five indicated their support
Five provided additional comments, of these comments:

- Two supporters commented they have had trouble accessing the road due to cars blocking the road
- One commented they worry about access for emergency services
- One objector commented they didn't want to lose spaces for parking.

- 6.3 Responses from Statutory Consultees are as follows:
- The local County Councillor Janet Jefferson commented "I write in support of the Notice" and "I have been working with residents of Plantation Hill together with NYCC Highways and the Estates Department of SBC to bring about such a 'Restriction' for a number of years"
- 6.4 Appendix B shows the comments received, with officer comment provided for each.
- 6.5 Copies of all the responses will be available to view at the meeting.

7.0 Officer Comments

- 7.1 The proposal is to amend the existing Traffic Regulation Order waiting restriction to encompass the entire road and prevent vehicles from blocking the only entrance and exit to the road and residence properties.

7.2 The majority of the responses received were positive, some of those who commented mentioned they had also experienced difficulties in accessing the road due to parked vehicles. No objections were received from statutory consultees were in full support of this proposal.

7.3 Objections to the restrictions mentioned

7.4 That when they had a car they had not been able to park due to the lack of parking spaces and would end up parking a distance from their home and move the car when spaces appeared and strongly feel that more rather than less parking is needed.

8.0 Conclusion

8.1 In conclusion, the restriction, if approved, should provide a safer, more appropriate access road for residents and vulnerable pedestrians who daily struggle with the issues caused by inappropriate parking. No other changes will be made. We anticipate the loss of two parking spaces on Plantation Hill at the rear of Woodend Art Gallery and should not to have a significant impact upon the majority of the residents.

9.0 Equalities Implications

9.1 Consideration has been given to the potential for any adverse equality impacts on people with Protected Characteristics, arising from the recommendation. The results of the impact assessment have been set out in a completed 'decision not to undertake an Equalities Impact Assessment' form. This is attached at Appendix C and it shows that there are no negative impacts on any of the groups with protected characteristics.

9.2 The local Disabled Action Group was consulted on these proposals and a response was not received.

10.0 Financial Implications

10.1 The cost of introducing the restriction and laying new lining will be funded by Scarborough Borough Council.

10.2 Enforcement cost for the parking restrictions would be unaltered due to the road belonging to Scarborough Borough Council, and there would be no loss in parking revenue as the road has no pay and display restrictions.

10.3 The cost for this project will be recharged to Scarborough Borough Council.

11.0 Legal Implications

11.1 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.

- 11.2 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 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.
- 11.3 This TRO is not classed as having a wide area impact, and therefore the Area Committee's views have not been sought.
- 11.4 Officers consider that the proposal will enable the County Council to carry out their duty under Section 122(1) of the Road Traffic Regulation Act 1984, which 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 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. The proposal will also enable the County Council to carry out their 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 then more efficient use and the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network.
- 11.5 In the event that the BES Executive Members resolve to approve the recommendations contained in this report, then to accord with the relevant statutory regulations, the County Council will be required to make and advertise the traffic regulation order concerned before it comes into operation. The County Council will also be required to notify the objectors of its decision within 14 days of the Order being made.
- 11.6 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 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.

12.0 Climate Change

- 12.1 A climate change impact assessment was undertaken to assess the likely impacts of the scheme on the environment with the intention to mitigate negative effects and identify negative or positive effects, this can be seen in Appendix D.

13.0 Recommendations

- 13.1 On the basis of the consultation responses, it is recommended that the Corporate Director, BES, in consultation with the BES Executive Members, over-rule the objections to the proposed blue badge parking bay and approve the changes and
- 13.2 That the Assistant Chief Executive (Legal and Democratic Services) be authorised to make and seal the relevant Traffic Regulation Orders.
- 13.3 That the respondents are notified of the decision within 14 days of the Order being made.

BARRIE MASON

Assistant Director – Business and Environmental Services

Author of Report: Lindsey Walters

Background Documents: None



Your ref: Plantation Hill TRO

Our ref: Plantation Hill TRO

Contact: Lindsey Walters

Richard Marr CEng., MICE.
 Highways and Transportation
 Area 3 – Whitby Office
 Discovery Way
 Whitby
 YO22 4PZ
 Tel: 01609 780780
 Email: area3.whitby@northyorks.gov.uk
www.northyorks.gov.uk

Thursday 3rd September 2020

Dear Sir/Madam

CONSULTATION RE: Proposed changes to introduce parking restrictions to Plantation Hill, Scarborough.

The County Council, as Highway Authority for the area in collaboration with Scarborough Borough Council, are proposing to extend the no waiting parking restrictions to Valley Road and accesses to Woodend and under Valley Bridge to help provide access to residents and improve safety to pedestrians.

The no waiting restriction, marked by double yellow lines currently spans from the junction with Somerset Terrace for 169 metres south towards Valley Road, we are proposing to amend the current Traffic Regulation Orders (TRO) to include the currently unrestricted road to its junction with Valley Road. Please see the attached plan that shows the proposed amendments to parking restrictions.

The County Council is required to consult those either directly affected by this proposal or who may have an interest, the purpose of this letter is to provide you with details of the proposal. We have attached a simple questionnaire for you to indicate your views regarding the proposal. **Please return questionnaires by Monday 28th September 2020.** You can also email your comments to area3.whitby@northyorks.gov.uk.

It is also the duty of the County Council to legally advertise this proposal which will be done in parallel with the consultation exercise. The legal process includes site notices and adverts in the local press detailing the specifics of the Traffic Regulation Order amendment. If there are no objections to the proposals, it is anticipated that the scheme would be implemented within six months from the end of the consultation period. However, if objections are raised which are not resolved or withdrawn, it will be necessary to report them to a meeting of the County Council's Business and Environmental Services (BES) Executive Members overseeing the responsibilities of Corporate Director, BES, David Bowe, to decide whether the objections should be upheld or overruled.

The date and venue of any meeting together with conditions regarding public access will be advised, if applicable. I trust this is satisfactory and look forward to receiving your comments.


Yours faithfully

Helen Watson

Helen Watson
 Improvement Manager

Business and Environmental Services ■



 <p>North Yorkshire County Council Area 3 Discovery Way Whitby North Yorkshire YO22 4PZ</p>	Project:	Plantation Hill TRO		<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. North Yorkshire County Council. 100017946</p>	
	Drawing Title:	Proposed changes to waiting restriction			
	Drawn by:	LW	Revision:		002
	Checked by:	*	Date:		January 2020
	Drawing Number:	DWG001	Scale:		NOT TO SCALE



PLANTATION HILL, SCARBOROUGH

PROPOSED CHANGES TO INTRODUCE PARKING RESTRICTIONS, PLANTATION HILL

Property Type (please tick appropriate box)	Business	Resident	None (Non-resident <u>consultee</u>)
Contact Name			
Contact Address			
Contact telephone/fax/email			

Do you support the changes to the parking restrictions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Comments/Reasons for objection (if applicable):

Please return to: North Yorkshire County Council,
Area 3 - Whitby Office,
Discovery Way,
Whitby YO22 4PZ

You can also email your comments to: area3.whitby@northyorks.gov.uk

PLEASE RETURN QUESTIONNAIRES BY MONDAY 28 SEPTEMBER 2020

FOI Statement

Your views are important and you are urged to complete the questionnaire without delay. Your name and address is required for the analysis of the survey. Forms that are returned incomplete cannot be included. You should also be aware that this is a public consultation and that once submitted, your comments may be held on a public file and may be made available for others to read under the Freedom of Information Act 2000.

Plantation Hill, Scarborough

Objection/Comment		Officer Comment
1.	<i>Support the changes to the parking restrictions</i>	Comments in support noted
2.	<i>Support the changes to the parking restrictions</i>	Comments in support noted
3.	<i>Support the changes to the parking restrictions</i>	Comments in support noted
4.	<i>Support the changes to the parking restrictions</i> <i>I support this as we have to pay yearly to access Plantation Hill also on several occasions I have not been able to drive my car up the hill due to the cars blocking the road. I worry one day if the emergency services have to try and get up the hill they can't because of the cars parked down the hill.</i>	Comments in support noted
5.	<i>As a property owner of number six Plantation Hill. I confirm that I have no objections to the extension of the no waiting restriction as indicated on your plans. Indeed there have been occasions that vehicular access to our property has been made difficult by poor parking in the area concerned.</i>	Comments in support noted
6.	<i>No support for the changes to the parking restrictions.</i> <i>I've not had a car for several years because it got that I'd drive home from working night shifts and not be able to park anywhere near my home - often I'd have worked 11 hours overnight (or even longer if I did a double shift), have to drive home and then not be able to go to bed for maybe an hour or two before there'd be a space for my car. (I'd have to park in Tesco's car park and then when there were three spaces available near my home I could dash out to Tesco, get my car and hope that one of those 3 spaces was still available).</i> <i>NB unless there were three spaces I could almost guarantee that in the short time it took, in my exhausted state, to get my car and drive it around, the spaces would have been taken! Thus I'd be going back to work that evening with two hours less sleep than I'd needed. I worked night shifts for years and this has seriously impaired my health. Especially in summer, I'd even have to drive over onto South Cliff to find a space! Eventually, I gave up, and since then have used buses instead which meant that I was never able to do day shifts as there wasn't a bus that could get me to work early enough for a 6.45 am shift start, nor an evening shift as the last bus back did not allow for a 9 pm</i>	The majority responses from other residents support the extension of the restrictions. While this concern is acknowledged, limited parking has always been an issue within the town, many residents of the town encounter the same problems, however inconsiderate and dangerous parking should not be a solution for lack of parking. The Highway Authority's main responsibilities are to facilitate the safe passage of road users along and across the highway, this includes pedestrians. The proposal aims to improve access to resident's properties and safety of pedestrians as the road has no footways on either side. The street has no marked parking bays, the area at the bottom the road, joining with Valley Road, is not suitable for

APPENDIX B

	<p><i>finish. Thus I could only work permanent night shifts (11 hours) or a 4-9 evening shift + a night shift totalling 17hours + an hour's bus journey each way - all because I didn't have chance to park near my home when I got back from work!</i></p> <p><i>Thus I strongly feel that there is MORE, not less need of spaces for residents to park.</i></p> <p><i>I worked firstly near Helmsley and then in Whitby - both over 20 miles from home and really a car was essential but for the above reason impracticable.</i></p>	<p>parking without blocking access to the road for residents and therefore no official parking bays will be lost.</p>
<p>Comment made my Statutory Consultees.</p>		
<p>7.</p>	<p><i>As County Councillor for Castle Division, I write in support of the Notice relating to the above Traffic Regulation Order, the effect of which will be to amend the Borough of Scarborough (Prohibition of Waiting and Loading Provision of Parking) by the introduction of the restrictions in the schedules listed - thereby Plantation Hill, including accesses to Woodend and under Valley Bridge, both sides from its junction with Somerset Terrace to its junction with Valley Road -Restriction: NO WAITING AT ANY TIME</i></p> <p><i>As County Councillor I have been working with residents of Plantation Hill together with NYCC Highways and the Estates Department of SBC to bring about such a 'Restriction' for a number of years and this new schedule should prevent the daily illegal parking within this area for which I have received numerous representations.</i></p>	<p>Comments in support noted</p>

Initial equality impact assessment screening form (As of October 2015 this form replaces 'Record of the 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	BES		
Service area	H & T		
Proposal being screened	Parking restrictions.		
Officer(s) carrying out screening	Lindsey Walters		
What are you proposing to do?	Amend current parking restrictions to include no waiting at any time to both sides of the whole road.		
Why are you proposing this? What are the desired outcomes?	To prevent vehicles from blocking access to the road to residents and other road users.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	All costs will be reimbursed by Scarborough Borough Council.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristic 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 <u>Equality rep</u> 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)		✓	

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:	<input checked="" type="checkbox"/>	Continue to full EIA:	<input type="checkbox"/>
Reason for decision	Not likely to be any adverse impact people with any of the protected characteristics.			
Signed (Assistant Director or equivalent):	Barrie Mason			
Date:	13/10/20			

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 the summary section of the form below.

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

Title of proposal	Amendment to Traffic Management Order, Plantation Hill
Brief description of the proposal	Amend current parking restrictions to include no waiting at any time to both sides of the whole road.
Directorate	BES
Service area	Highways & Transportation
Lead officer	Lindsey Walters
Names and roles of other people involved in carrying out the impact assessment	Lindsey Walters – Project Engineer
Date impact assessment started	01/10/2020

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.

Options are limited to achieve the parking restrictions required, the least evasive option was chosen.

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.

All costs will be covered by Scarborough Borough Council.

How will this proposal impact on the environment? 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.		Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of the effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel	X			Less traffic on the street, limiting it to just residential traffic.		
	Emissions from construction		X		Parking restrictions enforced with yellow lining instead of installing physical barriers		
	Emissions from running of buildings						
	Other						
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing the use of single-use plastic			X				
Reduce water consumption			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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (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"> • Changes over and above business as usual • Evidence or measurement of the 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 pollution (including air, land, water, light and noise)</p>	x			<p>Less traffic on the street, limiting it to just residential traffic.</p>		
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		x				
<p>Enhance conservation and wildlife</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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (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"> • Changes over and above business as usual • Evidence or measurement of the 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>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>			<p>Positive impact for the residents and pedestrians of the street, less emissions and easing access to properties.</p>		

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

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 restriction has a small positive impact on reducing emissions in the area as well as access to properties and safe passage to pedestrians. All costs to be reimbursed by Scarborough Council, therefore no financial cost to NYCC.

Sign off section

This climate change impact assessment was completed by:

Name	Lindsey Walters
Job title	Project Engineer
Service area	BES
Directorate	Highways & Transportation
Signature	
Completion date	01/10/2020

Authorised by relevant Assistant Director (signature):Barrie Mason

Date: 13/10/20