

# North Yorkshire County Council

## Executive

26 January 2021

### Northallerton High Street Parking Performance Monitoring & Petition Review

#### Report of the Corporate Director – Business and Environmental Services

#### **1.0 Purpose of Report**

- 1.1 To report on the consultation exercise completing the Right to Challenge Parking Policies Petition Scheme.
- 1.2 To respond to questions raised by Northallerton Bid Ltd in response to the decision taken on 28 July 2020 not to extend the free parking allowance to two hours.
- 1.3 To apprise The Executive of the performance of the temporary one hour free parking concession introduced in September 2020 to allow a further decision to be taken on whether to continue with the allowance or otherwise.

#### **2.0 Background**

- 2.1 In February 2020, Northallerton BID Company Ltd submitted a petition requesting the County Council reviews its existing on-street parking operation on High Street, Northallerton and extends the free parking allowance from its current duration of 30 minutes to two hours with immediate effect.
- 2.2 The petition was reviewed by way of the County Council's Right to Challenge Parking Policy Petition Scheme with the findings and recommendations presented to the Executive on 28 July 2020. The report concluded that the existing Pay and Display (P&D) system on High Street remained an appropriately applied parking management operation in accordance with the strategic approach and policy objectives, but agreed to investigate the potential for increasing the free parking time allowance on that part of High Street north of Friarage Street.
- 2.3 Notwithstanding the above, The Executive tabled and approved a separate proposal to extend the 30 minutes free parking allowance on High Street, Northallerton to one hour for the remainder of the year to support local businesses and shoppers in result of the ongoing Covid-19 situation and social distancing measures.
- 2.4 This extension became operational in early September 2020 applicable to all P&D parking spaces on High Street and was to remain until 31 December 2020. It was requested by The Executive that performance is monitored to allow a further decision to be taken on whether to continue with the allowance or otherwise. In December 2020 the Corporate Director of Business and Environmental Services (BES) in consultation with BES Executive Members approved the extension of the 1 hour free parking allowance to apply until 31 January 2021 in order to fulfil the performance review and governance process.
- 2.5 Northallerton BID Company Ltd submitted a request for a review of the decision of the Executive on the grounds that the County Council had failed to properly consult in accordance with its own procedure and took into account irrelevant matters and failed to consider relevant matters in reaching its decision on the petition.

- 2.6 The Right to Challenge Parking Policy Petition Scheme requires consultation with the respective District Council, Town Council, Federation of Small Business and Elected Members. Whilst all of the named consultees were engaged in the matter that part of the process was not fully satisfied with only the Elected Members being formally consulted.
- 2.7 In response to the request for a review of the decision it was accepted that consultation in accordance with the procedure had not been carried and Northallerton BID were advised that further consultation would be conducted and the matter would be referred back to Executive for consideration.
- 2.8 The parking petition was reviewed and the detail of that review is set out in the 28 July 2020 report to The Executive at Appendix A. In addition to this report the further consultations carried out with Hambleton District Council, Northallerton Town Council and The Federation of Small Businesses are set out in section 4 of this report.
- 3.0 Right to Challenge Parking Policy Petition Scheme - Report to Executive July 2020**
- 3.1 The petition was reviewed by way of the county council's Right to Challenge Parking Policy Petition Scheme with the findings and recommendations presented to The Executive on 28<sup>th</sup> July 2020.
- 3.2 Following the Executive meeting on 28 July 2020, Northallerton BID Ltd submitted a request for a review of the decision of the Executive on the grounds that the County Council had failed to properly consult in accordance with its own procedure and took into account irrelevant matters and failed to consider relevant matters in reaching its decision on the petition. The request also contained a number of questions and challenges concerning the use and interpretation of some of the data used to evidence the conclusions. See Appendix B.
- 3.3 To address these questions and comments in a concise and logical manner, the table setting out the points raised by Northallerton BID (Appendix B) has been extended to include a further column which includes officer comments.
- 3.4 Northallerton BID in their correspondence also made a number of comments relating to the debate that took place during the Executive meeting on 28 July 2020 and these are also contained in Appendix B.
- 4.0 Right to Challenge Parking Policy Petition Scheme - Process**
- 4.1 Northallerton BID sought a review of the decision on the grounds that there had been failure to properly consult in accordance with the scheme. The Right to Challenge Parking Policy Petition Scheme requires consultation with the respective District Council, Town Council, Federation of Small Business and Elected Members.
- 4.2 Although all of the named consultees were engaged in the matter, it is accepted that part of the process was not fully satisfied in terms formal consultation. Therefore, to complete the process, a copy of the approved 28 July 2020 report was forwarded to the district and town councils and the Federation of Small Businesses for their consideration and comment. The Elected Members had already been formally consulted as part of the initial process.
- 4.3 Responses were received from all consultees, these were;
- 4.4 Hambleton District Council  
*Appreciate that there was a change to the parking regime with the introduction of the free one hour parking on the High Street up until the end of December, the effects of that will be useful to understand.*

*High Streets across Britain are being challenged in an unprecedented manner at the moment and not least Northallerton. It is in both authorities' interests to support all the communities across Hambleton from this Council's perspective, whilst you have a wider remit. I think we should within the scope of our respective remits continue to seek to work together.*

*The changes we are planning for our car parks will allow increased flexibility in usage of our car parks with the aim to provide the opportunity for visitors to dwell a while if they choose by extending their stay.*

#### 4.5 The Federation of Small Businesses

*We are fully supportive of the petition by the BID as we believe it accurately reflects the wishes of businesses in Northallerton.*

*In light of the ongoing Covid situation, and increased queueing times due to reduced capacity in businesses for both customers entering the premises and often reduced staff numbers as well, I suggest that the extension to the end of the year is further extended until March 2021 at least, in order to support businesses in what is the most difficult trading period ever known according to our quarterly business confidence survey.*

*Long term, FSB advocate for a mix of paid and unpaid parking, and a number of options for visitors to our town centres, and would be interested to co-operate further in your consultation, based on the evidence emerging. However, at this time, I think the best thing to do is to leave the extension in place, until we emerge from the pandemic, and start recovery.*

#### 4.6 Northallerton Town Council

*The Town Council resolved to support the BID in this petition at their meeting in December 2020.*

4.7 Northallerton BID made representation that the consultation has not been carried out correctly and set out its reasoning (see detailed grounds for review due to procedural unfairness, in Appendix B). It is accepted that consultation in accordance with the scheme had not been fully carried out and that the matter should go back to the Executive to reconsider with the benefit of the full consultation responses.

4.8 Further representations were made by Northallerton BID that the further consultation period of 7 days was inadequate and too short. It is the case that both Hambleton District Council and The Federation of Small Businesses were able to respond within this timescale and Northallerton Town Council advised it required additional time to consider the matter which was allowed and a response was subsequently received therefore given the limited parties being consulted and that responses were received from all parties it is not considered that the time was inadequate in this case.

4.9 The information provided in that consultation exercise i.e. the 28 July 2020 Report to the Executive, was the same document used for consultative purposes with the Elected Members. All of the consultees were aware of the petition, with the Federation of Small Businesses and Northallerton Town Council having previously declared their support for it.

4.10 The responses from Hambleton DC and The Federation of Small Businesses both acknowledge the temporary increased free parking allowance as being a positive to support local communities and business at this challenging time. This temporary arrangement forms part of a range of various measures that have been introduced in Northallerton and throughout the county to support businesses and communities during the current COVID-19 situation. Northallerton Town Council's support of the Northallerton BID's petition is noted, as is that of the Federation of Small Businesses.

## **5.0 Consideration of Petition**

- 5.1 Save for the procedural oversight, the petition for 2 hours free parking on High Street, Northallerton was considered in detail, as presented in the report to The Executive in July 2020, Appendix A.
- 5.2 That review, at section 3, took into account how the request for 2 hours free parking aligned with the parking strategy and integration to local objectives and circumstances. In addition to this, a range of data sets were analysed to understand the performance of the existing pay and display operation to identify the statistical basis for any increase in the free period or not. Furthermore, consideration was given to the broader influences effecting the economic performance of high streets nationally.
- 5.3 Given the relatively short period of time that has elapsed since that review, there has been no change to the strategic approach to parking management, the long-term performance of the existing pay and display operation or wider influences to high street performance. It is however acknowledged that in the short term the Covid-19 situation has changed some of the influences on high street performance and these temporary considerations are discussed elsewhere in this report.
- 5.4 All the information used to inform the review and from which conclusions were drawn remains relevant in this latest review, which now includes consultation responses from those named within the Right to Challenge Parking Policy Petition Scheme.
- 5.5 The conclusion to that report was that the current arrangement is appropriate and fit for purpose. To introduce 2 hours free parking on the whole of the High Street would be contrary to the strategic objectives and would likely be detrimental to the traffic management benefits currently achieved under the existing permanent arrangement. Members will also note that they had previously agreed to investigate the potential for increasing the free parking time allowance on that part of High Street north of Friarage Street. There is no basis to change this position on this latest review and a consideration of the performance of the current temporary 1 hour free parking concession is set out in section 6 below.

## **6.0 One Hour Free Parking Performance Monitoring**

- 6.1 Given the short time the temporary one hour free parking allowance has been in operation, only a limited amount of data is available to identify any change or trend and confines the ability to draw definite conclusions. In addition to this, the ongoing COVID-19 restrictions and the November/early December and current national lockdown periods means the unique circumstances during which the increased free period has applied makes it challenging to be able to draw any direct comparisons in performance against previous years or in year.
- 6.2 The main performance indicator that is available is the parking transaction data. However, to try to develop a more comprehensive representation, the following data sets have been used in the analysis;
- P&D Ticket Machine Transaction Data
  - Enforcement Data - Penalty Charge Notices (PCNs) issued
  - Traffic flows
- 6.3 P&D Machine Transaction Data  
Comparing the September – December 2020 transaction figures for the same period in 2019 shows that the overall number of transaction has reduced by just over 33,000 from 161,656 to 128,153. However, this data is significantly influenced by the factors set out in paragraph 6.1.

- 6.4 The 161,656 transactions in 2019 were split between the different tariffs as follows; 30 minute tariff free 113,188 (70%), one hour paid 22,376 (14%) and two hours paid 26,092 (16%).
- 6.5 Comparatively, for this period in 2020 the 128,153 transactions were split between the different tariffs as follows; one hour free 117,394 (92%) and two hour paid 10,759 (8%)
- 6.6 Enforcement Data - Penalty Charge Notices  
Since the introduction of the free one hour parking concession a total of 285 penalty charge notices have been issued for parking contraventions. Of those notices 142 were for not displaying a valid ticket and 143 were for parking after the expiry of a paid for ticket (the data does not provide information to what tariff band the expired ticket related). These are the expected contraventions typical of P&D operation. The issue of these PCNs were distributed relatively evenly during this period and comparative to the same period in 2019 in which 283 PCNs were issued.
- 6.7 Traffic Flows  
Although traffic volume data is not a direct information source for parking, it can assist in correlating other data sets. As identified in the July 2020 report traffic flows have remained relatively static since P&D was introduced at an average of around 13,500 vehicles per day traveling on High Street. Flow data for 2020 shows an expected reduction at 10,370 vehicles (latest figures which is consistent with reduced flows across the county). This indicates that the reduction of transactions is linked with fewer vehicles travelling to Northallerton that can be attributed to the effects of the COVID-19 restrictions and not because of parking charges during this time period.

## 7.0 Conclusions

- 7.1 Full consultation has now been carried out in accordance with the Scheme and the matter is being brought back to the Executive to reconsider with the benefit of those consultation responses. The further points raised by Northallerton Bid Company Ltd in response to the 28 July 2020 report have also been considered in full as set out in this report and in Appendix B and above. Officers consider they do not draw out any alternative conclusion, nor is any additional information available which provides a clear basis to extend on a permanent basis the 30 minute free allowance to two hours.
- 7.2 It remains the case that Northallerton BID's request for 2 hours free parking is not considered appropriate on the basis that to do so would compromise the strategic approach to parking management as a measure to reduce congestion, delay and improve the general highway environment. It would also be contrary to the wider policy transport objective of encouraging a degree of modal shift to more sustainable modes.
- 7.3 Other than a 20 minute free period in Market Place, Knaresborough, Northallerton High Street is the only location which allows a free on-street parking period within a P&D Zone and as a consequence the Market Place free period was also temporarily extended to one hour in Knaresborough.
- 7.4 At the time of writing the only available data relating to the temporary free parking extension relates to the High Street, Northallerton and this shows that, in comparison to the same period in 2019, demand for the one hour free parking is 92% of all transactions, an increase of 8% and the two hour demand is 8%, a reduction of 8%. Although the current circumstances are not reflective of typical conditions and caution must be applied in the interpretation of this data, it nevertheless provides a fair indication that time requirements for the vast majority of shoppers/visitors is under one hour in the current covid-19 situation.
- 7.5 In summary, the existing permanent P&D arrangements are considered appropriate and fit for purpose for High Street and the strategic approach to parking management in

Northallerton and are in accordance with the strategic approach and policy objectives. However, it is also considered appropriate to review the arrangements on part of the High Street as set out in sections 7.6 and 7.7 below. The performance monitoring for the temporary free parking extension suggests that it is performing a useful function in the current Covid-19 situation and it is recommended that Members consider an extension until the end of March 2021 which would also apply to Market Place, Knaresborough. If approved, it is also recommended that any further considerations of the temporary free parking extension be delegated to the Corporate Director, Business and Environmental Services in consultation with the BES Executive Members.

7.6 At the 28 July 2020 meeting the Executive previously supported a review of parking on that part of High Street to the north of Friarage Street to consider increasing the free parking time allowance.

7.7 That commitment remains and outline work on that has commenced to determine the scope and context of that review and will be linked with the lifting of the temporary arrangement and carried out in conjunction with stakeholders such as the Northallerton BID. However, until the use of the highway returns to near 'normal' circumstances, this work cannot be meaningfully progressed to a conclusion.

## **8.0 Equalities Implications**

8.1 There are no equality implications arising from the existing parking structure remaining in its present format and operation. However, any amendment to the section of High Street north of Friarage Street would be subject to an Equalities Impact Assessment as and when proposals are developed. Appendix C.

## **9.0 Financial Implications**

9.1 The current suspension of charge for one hour parking on High Street, Northallerton and Market Place, Knaresborough does result in reduced income although the lockdowns and tiered restrictions that have been in place this year mean that it is not possible to accurately estimate the impact on parking income at this stage.

9.2 The permitted uses for any surplus arising from CPE are set out in Section 55 (as amended) of the Road Traffic Regulation Act 1984. The Act limits how local authorities can spend any surplus income in respect of parking places, once expenditure and the costs of the enforcement operation have been met. The surplus can be used for parking, or alternatively where parking is unnecessary or undesirable, the surplus can be used for public transport, highways or environmental improvements. The surplus can be spent anywhere in North Yorkshire as the whole county is a designated Civil Enforcement Area.

## **10.0 Legal Implications**

10.1 There are currently no implications on the existing Traffic Regulation Order providing for charges in the Pay and Display zone(s) ("the TRO"). Any further considerations in respect of the free time period would require consideration if permanent proposals were looked at in more detail.

## **11.0 Climate Change Impact Assessment**

11.1 The proposed recommendations will not have any climate change impact. The assessment is included as Appendix D to this report.

## **12.0 Recommendations**

12.1 It is recommended that:

- i. The existing Pay and Display arrangement and tariffs remain unchanged be approved;
- ii. A review is carried out to consider increasing the free time allowance to that part of High Street to the north of Friarage Street.
- iii.. That the temporary free parking extension for High Street, Northallerton and Market Place, Knaresborough continue until the end of March 2021 and that any further consideration beyond that date is delegated to the Corporate Director, BES and the BES Executive Members.

KARL BATTERSBY  
Corporate Director -Business and Environmental Services

Author of report: David Kirkpatrick

Background documents: None

### Appendices:

- Appendix A – Right to Challenge Parking Policy Petition Scheme - Report to Executive July 2020
- Appendix B – Northallerton BID Representation
- Appendix C – Equality Impact Assessment
- Appendix D – Climate Chang Impact Assessment

## North Yorkshire County Council

### Executive

28 July 2020

### Northallerton High Street Parking

#### Report of the Corporate Director – Business and Environmental Services

#### 2.0 Purpose of Report

- 1.1 Apprise The Executive of the findings of a review in response to a petition received from Northallerton BID Company Ltd requesting the extension of the current 30 minutes free parking on Northallerton High Street to 2 hours free parking; and
- 1.4 To seek approval for the further review of extending the free time period with in the Pay and Display Zone from 30 minutes to one hour on that part of High Street to the north of Friarage Street.

#### 2.0 Background

- 2.1 In February 2020 a petition was received from Northallerton BID Company Limited requesting the County Council reviews its existing on-street parking policies and extends the free parking allowance on High Street, Northallerton from its current duration of 30 minutes to a duration of 2 hours with immediate effect.
- 2.2 The petition was raised on the basis Northallerton BID believe the charging regime has failed to enable or encourage more people to park, has not improved traffic flows or been beneficial to the local economy as intended.
- 2.3 This petition follows the submission of a report on parking produced and submitted by Northallerton Bid Ltd in 2018, which sought the views of local retailers/business on parking and made some broad comparisons with other towns and cities in the country.
- 2.4 The specific section of High Street, Northallerton the petition concerns is that part between its roundabout junction with Thirsk Road / A167 at South Parade to the mini roundabout with Quaker Lane.
- 2.5 The petition submitted is in accordance with North Yorkshire County Council's 'Right to challenge parking policies – petition scheme'. The purpose of the petition scheme is to make it easy for local residents, businesses and other groups within the community to engage with local government and raise issues, confident that their voice will be heard.
- 2.6 The petition scheme was developed in accordance with the Department for Communities and Local Government Right to challenge parking policies, Traffic Management Act 2004: Network Management Duty Guidance (March 2015).
- 2.7 Minimum requirements for a valid petition:
- Where the issue relates to a single street or multiple streets then at least 20% of registered addresses within the affected area need to sign the petition.
  - Where the issue relates to a whole village, town or district then at least 3% of the total population needs to sign the petition.
  - All signatories, whether they are individuals, businesses or groups will be given equal weighting.
- 2.8 There are 203 registered businesses within the area the petition concerns (although 22 are vacant premises) of which the petition was signed by 114 of the businesses, representing



over 56% of the total businesses, making it a valid petition to be considered through the due process.

### 3.0 The Petition

3.1 The primary focus of the petition concerns the extension of the current 30 minutes free parking to 2 hours to be commensurate with the parking offer in other nearby towns. To support this request, the petition challenges the effectiveness of the Pay and Display (P&D) operation since its introduction and raises a number of points about county council and national policy and legislative perspectives:

- Duty to secure expeditious movement of traffic.
- Obligation to link parking strategies to local objectives which meet the best interests of road users, communities and businesses.
- Obligation to ensure local businesses have a recognised voice in the Council's exercise of its network management duty in relation to parking.
- Obligation to regularly review appropriateness of traffic orders.

3.2 The petition also draws its own conclusions to the challenges it presents to the current arrangement:

- The parking regime has failed to achieve its stated purpose of demand management to improve traffic flows to enable more people to park.
- The parking regime has failed to achieve its stated purpose of leading to the benefit of the local economy.
- The needs of the shops and businesses have not been adequately reflected in the parking strategy, and the council has not fulfilled this obligation.
- The strategy on Northallerton High Street is not consistent with orders along other high street in local towns.
- The council has a duty to keep its parking strategy under review and a review is urgently required as the council has failed in its own stated objective.
- The parking strategy needs to be urgently reviewed with the implementation of 2 hours free parking to be implemented immediately

### 4.0 Parking Strategy

4.1 The county Council as Local Highway Authority is responsible for on-street parking only, with districts and the National Parks Authority being responsible for most off-street parking facilities. The County Council as LHA and Local Traffic Authority (LTA) has a number of statutory duties placed on it to manage its network.

4.2 Section 16 of the Traffic Management Act 2004 places a statutory duty on the County Council as Local Traffic Authority;

“It is the duty of a local traffic authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:

- (a) securing the expeditious movement of traffic on the authority's road network; and,
- (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.”

4.3 A major part of discharging that duty is having an effective and efficient on-street parking management strategy. The strategic approach to parking management is set out in the County Council's Parking Strategy approved in 2011.

4.4 The main principle being drivers should be encouraged to firstly seek off street parking. This is done by making on-street parking more expensive and/or time limited, which is

consistent with national best practice. Therefore, it must be developed in co-ordination with district councils off street parking provision. Any significant amendment to on-street parking must take in to consideration the impact it may have on off-street parking and how it may compromise that strategic approach.

## 5.0 Review

5.1 As set out above, the petition focuses chiefly on the performance of the P&D zone and the county council's approach to parking policy. To provide a complete answer, the review has focused on performance data, strategy and policy with conclusions drawn based on the combined findings.

### 5.2 Performance Data

5.3 Pay and display (P&D) parking was introduced to High Street Northallerton in 2014 in response to traffic management and parking concerns raised by businesses and visitors. Prior to P&D a disc parking scheme operated allowing 2 hours with no return within 1 hour.

5.4 With limited parking enforcement, long term parking by business staff and others occurred on a regular basis resulting in reducing the turnover of spaces and drivers circulating the network as they looked for on-street parking opportunities adding to the traffic flow and congestion.

5.5 To resolve this, it was considered appropriate to introduce P&D to discourage long term use and better regulate parking combined with Civil Parking Enforcement (CPE) operations.

5.6 To determine the performance of the P&D operation it is necessary to look at the statistical information available i.e.

- Transaction Data
- Enforcement Data - Penalty Charge Notices (PCNs) issued
- Parking surveys
- Traffic flows

### 5.7 P&D Machine Transaction Data

5.8 Understanding transaction data allows the county council to determine the performance of the P&D operation and which of the tariff bands is most utilised and if patronage has increased or decreased. Since the introduction of parking charges (at the time of writing this report) a total of 2,884,891 P&D transactions have been carried, as shown in Table 1 below.

Date	30 minutes free	1 hr – 80p	2 hrs - £1.60
2015 - 2016	401,685	87,077	88,351
2016 - 2017	412,012	85,167	88,317
2017 - 2018	434,144	86,128	92,206
2018 - 2019	397,370	78,664	89,003
2019 - 2020	384,978	74,347	85,442
<b>Total</b>	<b>2,030,189</b>	<b>411,383</b>	<b>443,319</b>
<b>Annual Average</b>	<b>406,037</b>	<b>82,276</b>	<b>88,663</b>

Date	30 minutes free	1 hr – 80p	2 hrs - £1.60
2015 - 2016	70%	15%	15%
2016 - 2017	70.4%	14.5%	15.1%
2017 - 2018	71%	14%	15%

2018 - 2019	70.33%	13.92%	15.75%
2019 - 2020	70.7%	13.6%	15.7%
<b>Annual Average</b>	<b>70.4%</b>	<b>14.2%</b>	<b>15.3%</b>

- 5.9 Analysis of the above figures shows that transaction numbers have remained relatively static over the period P&D has been operational, there has though been a slight reduction in the latest two years.
- 5.10 In total 2,030,189 free 30-minute period transactions have been made in the 5 complete years P&D has been in operation, giving an annual average of 406,037 transactions per year.
- 5.11 Transactions in latest two years, 2018/19 and 2019/20 are marginally under that long term average at 397,370 (-2%) and 384,978 (5%) respectively. It is however important to identify that prior to this recent reduction use of the 30-minute free period was increasing, suggesting a practical allowance. It is currently too soon though to say with certainty whether the observed reduction is the beginning of a trend or a short-term blip. The fact usage increased in the first 3 years suggests P&D is not a primary factor in any decline.
- 5.12 It is also important to understand that the intended purpose of the 30-minute free period is not to cater for 'shopping' but to provide a short term allowance for minor errands such as dropping off, collecting goods or making a minor purchase. The reason for its decline is unknown but it is not inconsistent with the reduction in paid transactions so it cannot be said it is because it is insufficient for its purpose.
- 5.13 In total 411,383 1hr transactions were made in the five-year period, giving an annual average of 82,276. As is the case with the free period, the figures for 2018/19 and 2019/20 are marginally below the long term average at 78,664 (-4%) and 74,347 (-10%)
- 5.14 In total 443,319 2 hour transactions were made in the five-year period giving an annual average of 88,663 transactions per year. Only in the latest year 2019/20 is the figure below the long term average at 85,442 transactions (-4%).
- 5.15 The decline in the number of free and paid transactions indicates there is not a specific issue with any particular tariff but representative of all use.
- 5.16 The percentage split between tariff band used, as shown in Table 2, has remained relatively static showing demand for the respective time allowances has not changed. Although the latest figures are showing reduced transactions, there will be a variety of explanations for this and the 30-minute free allowance is unlikely to be a causation, as P&D charges were introduced in 2014 during which time the figures generally increased or remained static, indicating turnover of spaces and parking opportunity improved.
- 5.17 Although transactions have decreased marginally in the most recent two years, the transaction data does indicate from the initial increase or static demand that the intended benefits of P&D i.e. turnover of spaces and parking opportunity has been realised and has not been of detriment to the location. Whilst this does not necessary equate to greater economic prosperity, it is very good evidence it did generate increased visitor numbers and foot fall to the High Street.
- 5.18 Enforcement Data - Penalty Charge Notices
- 5.19 Comparison of the number of Penalty Charge Notices (PCNs) issued with transaction data allows us to understand trends in levels of compliance over time.
- 5.20 Since the introduction of the parking charges a total of 5512 penalty charge notices have been issued for parking contraventions, as shown in Table 3. Of those notices 3822 were

for not displaying a valid ticket and the remaining 1690 were for parking after the expiry of a paid for ticket (the data does not provide information to what tariff band the expired ticket related). These are the expected contraventions typical of P&D operation.

Date	Contravention	Contravention	Total
	(Code 06) Parked without clearly displaying a valid pay and display ticket	(Code 05) Parked after the expiry of paid for time	
2015 - 2016	803	395	1198
2016 - 2017	1049	467	1516
2017 - 2018	764	360	1124
2018 - 2019	624	266	890
2019 - 2020	582	202	784
<b>Total</b>	<b>3822</b>	<b>1690</b>	<b>5512</b>
<b>Annual Average</b>	<b>764</b>	<b>338</b>	<b>1102</b>

5.21 As shown in table 3, the number of PCNs issued for non-display of a valid pay and display ticket and vehicles parked after the expiry of paid for time have both reduced over time to below the five-year average, indicating that compliance has improved as users become accustomed with the operation. This improvement can be attributed to P&D being an appropriate and accepted parking management tool for the High Street.

#### 5.22 Parking Surveys

5.23 Parking surveys were carried out pre and post the implementation of P&D to determine what impact P&D was having on parking turnover and level of use. Table 4 below presents the percentage of vehicles parked by duration interval during the surveys.

Date	Status	0 – 30 mins	30 – 60 mins	60 – 90 mins	90 – 120 mins
28/5/13	Pre CPE	49%	23%	12%	7%
29/5/13	Pre CPE Market Day	47%	19%	12%	8%
2/7/13	Post CPE	44%	28%	17%	7%
3/7/13	Post CPE Market Day	42%	24%	15%	12%
21/10/14	Post CPE	63%	21%	9%	5%
22/10/14	Post CPE Market Day	55%	22%	9%	8%
20/11/18	Post CPE	55%	25%	11%	5%
9/1/19	Post CPE Market Day	58%	17%	16%	1%

5.24 In both the pre and post surveys, the period of 0-30 minutes is the most common interval length, with a regular reduction in the number of vehicles as the time allowance increases. It can be noted from the percentages that the demand generally halves as the tariff band increases. (It should be noted that the totals do not directly equate to 100%, due to the format of the original surveys, i.e. the remaining percentages would be those vehicles staying over 120 minutes. This figure remains reasonably consistent at between 10% and 14% in most years). The increase in the 0-30 minute period can be correlated to improved turnover of spaces through the removal of long term parking which occurred prior to P&D.

- 5.25 Table 5 below shows that the average proportion of spaces occupied for the P&D Zone on the High Street decreased between the two survey periods from 68% in 2014 to 47% in 2018. Although 62% of bays were occupied during the latest surveys on the selected market day, a comparison with 2014 could not be made as no figure was recorded during the previous surveys for the reason set out in the table. Although the in the number of spaces occupied can be correlated to increased turnover of spaces through the removal of long term parking which occurred prior to P&D.

<b>Table 5: Average %age of parking spaces occupied at any one time</b>		
<b>Date</b>	<b>Status</b>	<b>% of spaces occupied</b>
28/5/13	Pre Pay & Display	85%
29/5/13	Pre Pay & Display Market Day	80%
2/7/13	Pre Pay & Display	80%
3/7/13	Pre Pay & Display Market Day	75%
21/10/14	Post Pay & Display	68%
22/10/14	Post Pay & Display Market Day	*Unable to obtain data due to farmers market
20/11/18	Post Pay & Display	47%
9/1/19	Post Pay & Display Market Day	62%

- 5.26 Table 6 below shows the number of vehicles parked in the P&D zone on High Street to the north of Friarage Street pre and post introduction. This indicates a decrease in the number of parked vehicles and that this area is less used, most likely due to it being located slightly away from the main retail area on High Street.

<b>Table 6: Vehicles in Pay &amp; Display area North of Friarage Street</b>		
<b>Date</b>	<b>Status</b>	<b>Number of Vehicles</b>
28/5/13	Pre Pay & Display	464
29/5/13	Pre Pay & Display Market Day	468
2/7/13	Pre Pay & Display	501
3/7/13	Pre Pay & Display Market Day	686
21/10/14	Post Pay & Display	354
22/10/14	Post Pay & Display Market Day	505*
20/11/18	Post Pay & Display	344
9/1/19	Post Pay & Display Market Day	283

(\*Figure may be artificially high as a number of bays on the section of the High Street south of Zetland Street not usually taken up by the normal market were taken up by the farmer's market.)

## 5.27 Traffic Flows

- 5.28 Table 7 below shows traffic volumes have remained relatively static on the High Street with the daily average in 2013 being 13,506 compared to 13,185 in 2019. By remaining static at the same time that parking generally increased in the first 3 years of P&D applying, this suggests fewer motorists are making multiple journeys along the High Street looking for a

parking space, which is because there is sufficient parking capacity as evidenced in Tables one and two above.

<b>Year</b>	<b>Daily Average (Vehicles)</b>
2013	13,506
2014	13,547
2015	13,616
2016	13,795
2017	13,524
2018	13,378
2019	13,185
<b>Annual Average</b>	<b>13,507</b>

- 5.29 For comparative purposes, figures for Hambleton District Council's Applegarth short stay car park have been obtained to determine if on-street parking demand has declined only. Table 8 sets out the figures below.

<b>Date</b>	<b>1 Hour Free</b>	<b>2 hr Paid</b>	<b>Total</b>
2015 - 2016	142,751	101,754	244,505
2016 - 2017	139,461	100,382	239,843
2017 - 2018	147,512	100,570	248,082
2018 - 2019	146,064	99,620	245,684
2019 - 2020	145,712	99,964	245,676
<b>Total</b>	<b>721,500</b>	<b>502,290</b>	<b>1,223,790</b>
<b>Annual Average</b>	<b>144,300</b>	<b>100,458</b>	<b>244,758</b>

- 5.30 It can be seen that demand for the off-street parking has remained broadly static but the use of the 1-hour free parking allowance has increased above the five-year average in each of the latest three years. This indicates that the strategic approach of encouraging motorists to find off-street parking is working and so the lower use of on-street parking is simply a displacement to the off-street car park, which is wholly in keeping and consistent with and the intension of the NYCC parking strategy objectives.

## **6.0 Integration of Parking Strategies to Local Objectives and Circumstances.**

- 6.1 The County Council's Parking Strategy 2011 sets out its approach to parking management and how contributes towards achieving Local Transport plan (LTP) and national policy objectives. The Strategy also links to other policy areas such as disabled parking and development management.
- 6.2 The Strategy is clear that parking management measures should reflect local needs and the need for continual monitoring. The strategic approach to on and off-street parking recognises there is no one size fits all arrangement. Local shops and services differ from area to area, so what may be appropriate and sustainable at one location does not make it so for another.
- 6.3 The petition states that the existing parking structure on Northallerton High Street differs from other high street locations across the county (Thirsk, Stokesley, Bedale and Richmond) on the basis they have longer free parking periods available. Whilst correct, the differing local conditions in the business/retail offer and the physical highway layout and use determine the parking management structure. Where free on-street parking exists it is similarly restricted in time to 1 or 2 hours and typically managed via a disc parking arrangement. In locations where on-street parking charges apply, any free parking allowance relates to off-street parking. It is important to note that Northallerton High Street

is the only location in the county where on-street parking charges apply that also provides a free parking allowance.

- 6.4 The on-street P&D operation in Northallerton is entirely consistent with NYCCs strategic approach as set out in its Strategy document. It contributes towards meeting a range of policy objectives, for example changing the parking management arrangements in Northallerton from disc parking to P&D in order to better manage demand and use has made it easier for visitors and shoppers alike to find parking and improve traffic management in the Town.
- 6.5 More widely, NYCC is acutely aware of its role in helping to contribute towards the health of the local economy and is committed to supporting local businesses through the Council's Plan for Economic Growth which includes the commitment to, 'Create the right conditions for business growth and investment by promoting the County as a vibrant high value location with distinctive places and an excellent quality of life offer.'
- 6.6 NYCC has supported Northallerton by helping to deliver Tour de Yorkshire Cycle events, supporting the development of the new Treadmills Centre on the old prison site and helping to reconfigure the Town's pedestrian area and roads to enable shops to re-open during the current coronavirus crisis.
- 6.7 The petition makes reference to the Future High Streets Fund bid opportunity. The bid is being led by Hambleton District Council with notable input from NYCC from a highways perspective, though this is not the main focus of the bid criteria. This bid is due to be submitted in the very near future.

## 7.0 Other Influences

- 7.1 There are multiple external influences affecting the economic performance of the 'High Street' not just the parking management operation. Structural changes in the retail sector for example have been brought about by the growth of internet shopping. The majority of growth in retail floor space over the last decade has been in out of town centre locations that have drawn trade away from town centres. Consequently, town centres have found themselves having to compete more intensely with other town centres over remaining retail expenditure.
- 7.3 The issues that impact on the health of a town centre can vary. The size of the centre, the public transport alternatives, consumer demographics, the composition and quality of the retail and leisure offer, the proximity of competing destinations and many more issues all influence consumer decision making.
- 7.5 The National Travel Survey is a household survey of personal travel by residents of England travelling within Great Britain, from data collected via interviews and a seven-day travel diary. The NTS is part of a continuous survey that began in 1988, following ad-hoc surveys from the 1960s, which enables analysis of patterns and trends. Some key uses of the data include describing patterns, for example how different groups of people travel, monitoring trends in travel, including sustainable modes, assessing the potential equality impacts of transport policies on different groups and contributing to evaluation of the impact of policies. Data provided within the National Travel Survey last carried out in 2018 states that 64% of shopping trips are by car with the average shopping trip lasting 17 minutes.
- 7.6 Overall National survey data from 2014 -2018 shows that travel trips, distance and time has gradually decreased over the four-year period. Trips by car for retail have increased very marginally overall however time and distance travelled by car for retail purposes has remained constant.
- 7.7 From a national perspective there is limited information carried out by The British Parking Association, which last produced a report in 2013 'Rethink Parking on the High Street'. In

the 2013 report the BPA detailed that footfall and parking charges are at best only weakly related and that a number of other factors may be more important to the high street.

## 8.0 Conclusions

- 8.1 The statistical data shows that when P&D was introduced the number of transactions generally increased in the first three years but in the latest two-year period decreased below the five-year average. The number of PCNs issued has also reduced which could be correlated with the reduced transactions but also linked to improved compliance, which in turn can be attributed to P&D being the appropriate parking management mechanism with correctly applied times and tariffs.
- 8.2 Traffic flows have remained generally static throughout which could indicate that drivers are able to find parking much easier without the need to make several trips along High Street to find a parking space and thereby reducing potential congestion.
- 8.3 It was however clear that the observed number of vehicles parked has reduced post implementation. Nevertheless, this does not directly correlate to fewer visitors or users, but that turnover of spaces is improved with long term parking removed. The most popular transaction being the 30 minutes free parking indicates that most drivers are staying short term, therefore freeing up spaces quicker.
- 8.3 On that basis there is no clear or direct statistical evidence to suggest that the existing charging structure in Northallerton has been detrimental to either the available on street parking resource or the economic vitality of local shops and services. Indeed, taken collectively, this information indicates that the P&D operation on the High Street is in fact working as intended in terms of generating turnover of spaces and parking opportunity allowing motorists to locate a parking space without needing to make multiple trips along High Street. This demonstrates the Council is meeting its parking strategy objectives.
- 8.6 In regard to the concerns raised that the 30 minutes free does not provide enough time for customer's needs, this free period is designed to cater for short stay demand such as dropping off or collecting goods or making a minor purchase. The transaction data analysis demonstrates that this tariff band is used by 70% of users therefore indicating the majority of visitors intend only to do so for a short time. Those visitors wanting to stay longer than 30 minutes are able to do so up to 2 hours on-street and there is a range of alternative long term off-street parking facilities available in the town. Increasing the on street free period to 2 hours would likely reduce the number of people able to park on the High Street and would also take away the incentive to park off street and the traffic management benefits P&D brings.
- 8.7 Figures for HDC's short stay Applegarth car park which offers 1 hours free parking and close to the retail and business on High Street is also showing relatively static demand with a slight increase in the use of the 1-hour free period. Therefore, it cannot be proved that increasing the free period would be of any notable benefit and would only serve to have a detrimental impact on parking opportunity, congestion and the strategic approach to parking. On the basis Hambleton District Council offers one-hour free parking in its Applegarth Car Park, to remain consistent with off-street parking policy, this would need to be extended also.
- 8.8 In summary, the existing P&D arrangements are considered appropriate and fit for purpose for the High Street and are in accordance with the strategic approach and policy objectives, therefore no changes to the current arrangement are proposed at this time. Nevertheless, the situation will continue to be monitored as part of the ongoing management of on street parking throughout the county.
- 8.9 The section of High Street to the north of Friarage Street though could be considered for an extension of the free time period as it is generally less used and not in the immediate



vicinity of the main retail area where there is the greatest demand for on-street parking. It is proposed to consider this option in more detail.

## 9.0 Equalities Implications

9.1 There are not considered to be any equality implications arising from the existing parking structure remaining in its present format and operation. However, any amendment to the section of High Street north of Friarage Street would be subject to an Equalities Impact Assessment as and when proposals are drawn up.

## 10.0 Financial Implications

10.1 There are no financial implications should the existing parking tariff and structure remain. However, it should be noted that an increase of the free time allowance from 30 minutes to 1 hour, on that part of High Street to the north of Friarage Street would reduce income from parking charges and Civil Parking Enforcement (CPE) which would have some impact on the level of future investment.

10.2 The permitted uses for any surplus arising from CPE are set out in Section 55 (as amended) of the Road Traffic Regulation Act 1984. The Act limits how local authorities can spend any surplus income in respect of parking places, once expenditure and the costs of the enforcement operation have been met. The surplus can be used for parking, or alternatively where parking is unnecessary or undesirable, the surplus can be used for public transport, highways or environmental improvements. The surplus can be spent anywhere in North Yorkshire as the whole county is a designated Civil Enforcement Area.

## 11.0 Legal Implications

11.1 There are currently no implications on the existing Traffic Regulation Order providing for charges in the Pay and Display zone(s) ("the TRO"). Any further considerations in respect of the free time period would require consideration if proposals were looked at in more detail.

## 12.0 Recommendations

- 12.1 It is recommended that The Executive approves:
- i. The existing Pay and Display arrangement and tariffs remain unchanged.
  - ii. A review is carried out to consider increasing the free time allowance to that part of High Street to the north of Friarage Street.

DAVID BOWE  
Corporate Director



**From: Northallerton BID Company Limited**

**Request for a petition response review**

This letter is a formal request under North Yorkshire County Council (**NYCC**)'s Petition Scheme that the relevant county council overview and scrutiny committee review the steps the county council has taken in response to the parking petition submitted by Northallerton BID Company Limited.

**Basis for request – executive summary**

The basis for this request is that the petition organiser considers that NYCC has not dealt with the petition properly. Before making this request, the Northallerton BID Company Limited has carefully reviewed the information available to it about NYCC's decision-making process relating the petition.

The reasons why NYCC's response is not considered to be adequate are set out below. Those reasons are based on the established grounds for judicial review of a public body's decision and whether the public body has acted fairly.

***Reason 1: Irrationality and unreasonableness***

In reaching its decision, NYCC took into account irrelevant matters and failed to consider relevant matters. The details of this are set out in the tables below. This renders unreasonable the decision taken by NYCC on the petition.

***Reason 2: Procedural unfairness – lack of consultation***

In its own parking petition procedure, NYCC states that it will consult with the local County Councillor(s), district council, parish/town council, the Federation of Small Businesses and other representative trade/business organisations.

There is no mention of consultation in the report considered by the NYCC Executive (**Executive**). Cllrs. David Blades and Caroline Dickinson, both local County Councillors, attended the Executive meeting but there is no evidence to suggest that the other organisations mentioned above were consulted.

That failure to properly consult and take the consultation responses into account renders the decision unlawful.

The petition organiser requests that the review specifically addresses and responds to the above reasons in detail.

We look forward to hearing from you.

**Northallerton BID Company Limited 19 September 2020**

**Detailed grounds for review on the basis of irrationality and unreasonableness**

**1 Failure to address specific points raised in the petition**

Contention or request	Response	Northallerton BID Comment	NYCC Comment
<p>6a) Please confirm by what objective criteria traffic flow has improved</p>	<p>Traffic survey data contained in Table 7 of the report indicates that traffic flow is static.</p>	<p>It is self-evident from the report’s data that the traffic order has failed to achieve an improvement in the traffic flow.</p> <p>However, Table 7 does not state the dates and periods over which the surveys were taken (for example, whether they were over the same periods of the year), so it is not possible to draw statistical conclusions from this data.</p> <p><b>In relying on this flawed data, NYCC has not adequately considered the relevant matter of traffic flow.</b></p>	<p>The traffic flow data is taken from permanent counters on the network which records traffic flows on a daily basis and from which annual average daily traffic (AADT) figures can be obtained. AADT figures are an industry standard measure.</p> <p>The fact the data indicates that traffic volumes have remained static for the period since P&amp;D was introduced shows that its operation has not been of any detriment to network performance. It is accepted that this data set is limited in what it can inform us about the performance of the P&amp;D operation, but forms part of developing an overall picture of parking management in the town.</p>

<p>6a) Please confirm by what objective criteria the local economy has benefitted from the current parking charging regime.</p>	<p>In section 6.5 of the report NYCC claims that it is ‘acutely aware of its role in helping to contribute towards the health of the local economy and is committed to supporting local businesses through the Council’s Plan for Economic Growth...’. Section 6.6 of the report mentions support for Northallerton by helping to deliver the Tour de Yorkshire Cycle Race, and the Treadmills Centre development as well as the reconfiguration of the Town’s pedestrian area and roads. However, no evidence has been provided in the report or at the Executive meeting to demonstrate how the local economy has benefitted from the current parking regime. Neither has NYCC provided any criteria by which they would measure economic benefit.</p>	<p>The issue to be considered is whether the objective set out in the original parking management review of 29 October 2013 had resulted in a benefit to the local economy.</p> <p>NYCC has failed to provide any evidence to show that the traffic order has achieved the objective of providing benefit to the local economy.</p> <p>Instead, the report refers to unrelated business support initiatives.</p> <p>In so doing, <b>NYCC has taken into account matters which are irrelevant to the question of benefit to the local economy strictly from the parking management scheme.</b></p>	<p>The review made use of the available traffic and parking data sets to provide an indicator on performance and how that may translate to circumstances for businesses in Northallerton.</p> <p>There was a clear need to address the previous disc parking operation and the next logical step was to introduce parking charges. However, the P&amp;D operation also needed to be in accordance with the strategic approach to parking management where by drivers are firstly encouraged to park off-street with on-street parking being for short-term use. This is achieved by on-street parking being more expensive and/or time limited than off-street.</p> <p>To have maintained a free parking allowance of 2 hours would be contrary to that strategic approach and would not have encouraged the regular turnover of spaces required to serve demand and accessibility to the town.</p>
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<p>6b) Failure to achieve consistency - neighbouring towns</p>	<p>In section 6.3 the report addresses this point across Thirsk, Stokesley, Bedale and Richmond and states, 'Where free on-street parking exists it is similarly restricted in time to 1 or 2 hours...'</p>	<p>30 minutes is not similar to 1- or 2-hours free parking. <b>It is irrational to draw this conclusion.</b></p> <p>The report omits Easingwold, mentioned in the petition, and where unlimited parking is free. <b>By this omission, NYCC has failed to consider relevant matters.</b></p>	<p>As explained above, the strategic approach to parking management is for on-street parking to be more expensive and/or time limited than off-street facilities to encourage off-street parking for traffic management benefits.</p> <p>Market Place in Knaresborough is the only other location in the County where on-street parking charges apply and offers a free period (20 minutes). Elsewhere all time is charged for that strategic purpose.</p> <p>Much of the 1 or 2 hour tariff free parking in neighbouring towns is District or Town Council owned land and not the highway and therefore classed as off-street parking e.g. Easingwold and Thirsk Market Place's and College Square, High Street car parks in the centre of Stokesley.</p> <p>Where on-street free parking is available in towns, it is typically managed by way of a disc parking operation that is suitable to that location e.g. Bedale and Richmond.</p>
<p>6c) Linkage to local objectives and circumstances.</p>	<p>In section 6.4 of the report NYCC claims that the on-street P&amp;D operation in Northallerton is entirely consistent with its strategic approach set out in its Strategy document.</p>	<p>NYCC's Parking Strategy was produced in 2011 and as outlined in the petition, more recently the Government has formally placed support for High Streets and their businesses high on its agenda.</p> <p><b>By reverting to the 2011 strategy, NYCC is failing to</b></p>	<p>The County Council's parking strategy is consistent with established traffic management and parking policy guidance and the duties placed upon it as Local Traffic Authority and it is recognised that effective traffic management can aid the local economy through effective parking controls such as those in place on High Street, Northallerton.</p>

		<p><b>consider relevant matters such as the Government's increased support for High Street businesses, of which parking is an integral part.</b></p>	
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## 2. Unreasonable or irrational conclusions drawn in Northallerton High Street Parking Report by David Bowe 28 July 2020

Item	Data/ assertion	Northallerton BID comment	
5.3 Performance data	P&D parking was introduced to High Street Northallerton in 2014 in response to traffic management concerns raised by businesses and visitors.	<p>At best, this statement is misleading. The regime was introduced as the first step of what was expected to be a strategic review of parking management across the Hambleton Area. Before enforcement of the disc parking scheme some vehicles were parked for long periods. However, data presented in the report indicates that only 10-14% of vehicles were parked for longer than 2 hours. Consultation at the time resulted in strong opposition to the introduction of P&amp;D.</p> <p><b>If this statement cannot be corroborated by clear evidence, it is irrelevant and should not be taken into account in the decision-making process.</b></p>	The reasons set out for the introduction of P&D in the July report are considered to be factual, but it is nevertheless accepted that the introduction of parking charges on High Street formed part of a district wide review, which firstly focused on Northallerton as the districts largest town by population.

<p>5.4</p>	<p>‘drivers circulating the network’</p>	<p>No data has been presented to back up this assertion, either to demonstrate a reality for this behaviour or to predict the influence of a changed parking regime.</p> <p><b>It is inappropriate to take this statement into account in NYCC’s decision as it is not evidence-based. Without evidence, it cannot be relied on as a relevant matter for NYCC to take into account in its decision and to take it into account would be unreasonable.</b></p>	<p>It is not unreasonable to suggest that a proportion of drivers travelling on High Street are speculating for on-street parking closer to their destination and therefore contributing to traffic volume and congestion. This is a known and proven behaviour in town and city centres. Admittedly, it is not possible from the data available to calculate the measure of such behaviour for High Street either prior to or post implementation of P&amp;D.</p> <p>Nevertheless, the provision of a parking regime that provides a regular turnover of on-street spaces that is in accordance with the strategic approach of encouraging drivers to firstly seek off-street parking will contribute toward reducing that prospecting behaviour and it is therefore reasonable and appropriate to identify P&amp;D parking as creating that benefit.</p>
<p>5.9 (Table 1)</p>	<p>‘...transaction numbers have remained relatively static...’, ‘there has though been a slight reduction in the last two years.</p>	<p>Total transactions over the last three years were 61,2478, 56,5037 and 54,4767.</p> <p>Therefore, the reduction in the last two years is approximately 50,000 or &gt;15%.</p> <p><b>This is not ‘slight’, and it is irrational to suggest that it is or that numbers have remained relatively static.</b></p>	<p>It is accepted that transactions have reduced in the latest 2 years, but the reference to figures remaining relatively static is in relation to the long term (5 year) annual average, rather than year on year comparison, with the upper and lower figures representing a variance of + or – 7%.</p>



<p>5.18 (Table 3)</p>	<p>Reduction in number of Penalty Charge Notices indicates that compliance has improved which can be attributed to P&amp;D being an appropriate and accepted parking management tool.</p>	<p><b>A link is asserted between the number of PCNs and acceptance of P&amp;D. This is unreasonable. Compliance does not equate to preference. It would be unreasonable to take this into account as a relevant matter.</b></p>	<p>The use of Penalty Charge Notice (PCN) data as an indicator of performance is used nationally to inform parking management strategy. The level of compliance such as a (comparatively) high number of PCNs issued could indicate the parking operation may not be fit for purpose and, where compliance is greater, the operation is appropriate. If it is an appropriate parking management scheme and generally well adhered to, then a conclusion can be drawn that it is acceptable to users. The PCN figures issued for High Street are low as a percentage of use at &lt;1%.</p>
<p>5.22 Parking surveys (Table 5)</p>		<p>The ‘snapshot’ data presented in this table do not allow statistical analysis. It is likely that motorists’ parking behaviour will be influenced by a number of factors e.g. weather and holiday periods.</p> <p>Consequently, a survey on a single day cannot be taken as representative of its period. It is disappointing that, in contrast to previous reports, NYCC officers do not acknowledge the shortcomings in these data.</p> <p><b>These data are unreliable, and it would be unreasonable to take</b></p>	<p>It is accepted that the parking beat surveys do not provide a long term analysis and do provide a ‘snapshot’ and they were carried out to replicate the original surveys done prior to and shortly after the introduction of P&amp;D. The limitations of that data is understood and acknowledged but does not render it unusable as an indicator to contribute to the wider conclusions made from the collective data sets.</p>

		<p><b>this into account as a relevant matter.</b></p>	
<p>5.27 Traffic flows (Table 7)</p>	<p>‘traffic volumes have remained relatively static’</p>	<p>At face value, this statement indicates that the traffic order has failed in one of its major objectives i.e. <i>increase</i> traffic flow.</p> <p>Traffic volume is a poor indicator of flow. Also, the report does not acknowledge that of the daily average of 13,507 vehicles passing through the High Street, only a fraction will be driven by motorists seeking a parking place.</p> <p>To suggest that the number of vehicles passing through the High Street is linked only to the</p>	<p>The use of traffic flow data to understand if there has been any change since the introduction of Pay and Display is reasonable and could indicate the volume of vehicles previously circulating the network for an on-street parking space.</p> <p>Department for Transport data shows that traffic flows in North Yorkshire have consistently increased year on year during the period P&amp;D has been operational at an average rate of 3%. This applies to all vehicle and road classifications, so it is reasonable to presume that such traffic growth would also apply to roads in Northallerton. This is reflective of the national situation which saw an overall increase of 2%. The fact the traffic flows have remained relatively static could indicate that P&amp;D has made a positive contribution to managing some of that additional traffic in the town centre.</p>

		<p>availability of parking places is unreasonable based solely on the data provided and <b>it would be unreasonable to take these data into account as a relevant matter on that basis.</b></p>	
<p>5.30 (Table 8)</p>	<p>‘the lower use of on-street parking is simply displacement to the off-street car park,’</p>	<p>This assertion is simply not supported by data presented in the report. The reduction in short term parking on the High Street vastly exceeds the increase in the Applegarth car park. This is presented in the report as evidence that the intention of the NYCC parking strategy objectives is working.</p> <p><b>No reasonable person would draw that conclusion from the specific data presented.</b></p>	<p>This judgement was made on the basis of the data available for both on and off-street parking. It is not unreasonable to determine that if longer term parking is restricted, but demand remains, those vehicles will relocate to the nearest available and suitable location. This may not be one, but a number of locations in and around the town, not limited to Applegarth car park.</p>

## 3 Statements by NYCC Councillors at NYCC Executive Meeting 28 July 2020

Councillor/officer	Statements	BID comment
Don Mackenzie	NYCC suspended P&D March-June	<b>This is an irrelevant matter and should not be taken into account in the decision before the Executive.</b>
	Street scene is improved by moving vehicles off the High Street	<b>This is an irrelevant matter and should not be taken into account in the decision before the Executive, which relates to the county council's network management duty.</b>
	Northallerton parking charges extremely low (1/3 - 1/2 of those in Harrogate).	<b>This is an irrelevant matter and should not be taken into account in the decision before the Executive.</b> The petition is about duration of free parking, not about the level of charges.
	2 hours is against the green policy of discouraging cars and encouraging sustainable transport.	It is misleading to suggest that 2 hours is against a "green policy". NYCC's Local Transport Plan 2016 – 2045 has five objectives, two of which are 'Economic Growth' and 'Access to Services'. "Environment and Climate Change" is a third.  We would invite the Executive to indicate exactly where within the "green policy" there is a statement that cars are discouraged and that parking durations of 2 hours are against the "green policy".  <b>If this evidence cannot be provided, then the policy assertion is incorrect and so irrelevant to the matter at issue in the petition so it should not be taken into account in the decision before the Executive.</b>
	Buses are not fully used. The transport team need to boost buses.	<b>This is an irrelevant matter and should not be taken into account in the decision before the Executive, which relates to the county council's network management duty.</b>

## Appendix B

<p>Barrie Mason</p>	<p>Research suggests that parking is not a major factor for shoppers.</p>	<p>This assertion is in marked contrast to reports seen by the BID, the BID survey and the increased provision of free parking recently introduced by authorities across the country.</p> <p><b>Unless the statement can be backed up by evidence, this statement cannot be relied on and so it is unreasonable to take it into account in the decision-making process.</b></p> <p>By contrast, the petition had presented evidence from High Street retailers as to how their customers had a “30-minute” anxiety as a result of the limited free parking.</p>
	<p>Recommended no change to the parking regime but the petition was presented before the pandemic. Recognises that the constrictions imposed by Covid-19 mean that 30 minutes is no longer adequate for short term errands and that the Executive might like to consider an extension of short term parking to 1 hour for a limited period - say until the end of December.</p>	<p>Whilst temporary Covid-related measures are welcomed, they do not directly address the subject of the petition.</p>
<p>Caroline Dickinson</p>		<p>Comments from Councillor Dickinson were general and did not address the questions raised in the petition. As such, they did not have specific relevance to the petition.</p>

## Appendix B

David Blades	Disappointed by the petition	<p>Any decision should be taken on objective grounds.</p> <p><b>Subjective comments such as this are not relevant and should not be taken into account in NYCC's decision.</b></p>
	Does not want to go back to 2 hours	Again, this is a subjective comment, and any decision should be based on objective criteria.
Gareth Dadd	Principles of traffic management must remain.	<p>The purpose of the petition review is to consider the current situation in the light of what the petition requests and any changed circumstances.</p> <p>NYCC has a duty to review the “appropriateness, adequacy and relevance” of traffic order (paragraph 124 of the wide Network Management Duty guidance).</p> <p>The duty is not to maintain the status quo, but to consider whether the status quo is still appropriate, adequate, and relevant.</p> <p>If this statement was intended to mean that the principles established in the 2011 strategy are to remain, irrespective of the circumstances, then NYCC is not in fact fulfilling its network management duty.</p>
	Climate change argues against car parking.	Please see comments above in relation to “green policy”.

### Detailed grounds for review on the basis of procedural unfairness

Under the *Department for Communities and Local Government Right to challenge parking policies, Traffic Management Act 2004: Network Management Duty Guidance (March 2015) (Guidance)*, the county council has an obligation to ensure that “local businesses, the residential community, and other road users, have a recognised voice in the exercise of the network management duty in relation to parking” (page 5 of the Guidance).

In reaching its decision, NYCC has apparently not taken any steps to ensure that the local businesses, the residential community, and other road users have been able to have this recognised voice by appropriate consultation.

Adequate and lawful consultation requires that the consultation:

- be undertaken at a time when proposals are at a formative stage.
- provides sufficient information to allow for a proper and informed response.
- allows adequate time for response.
- takes into account the consultation responses in a conscientious and open-minded way.

This consultation is an essential element of fair process. Given that NYCC has chosen to make consultation part of its own parking petition scheme procedure, that failure to properly consult and take the consultation responses into account renders the decision unlawful.

<b>Initial equality impact assessment screening form</b> (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
<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>	Northallerton BID petition to extend 30 minute free parking allowance to 2 hours		
<b>Officer(s) carrying out screening</b>	David Kirkpatrick		
<b>What are you proposing to do?</b>	Reject the Petition proposal and retain the existing parking management operation		
<b>Why are you proposing this? What are the desired outcomes?</b>	To extend the free parking allowance to 2 hours would not be in accordance with the strategic approach to parking and traffic management and would compromise the network benefits gained		
<b>Does the proposal involve a significant commitment or removal of resources? Please give details.</b>	No		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristic</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 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 <a href="#">Equality rep</a> for advice if you are in any doubt.</b>			
<b>Protected characteristic</b>	<b>Yes</b>	<b>No</b>	<b>Don't know/No info available</b>
Age		No	
Disability		No	
Sex (Gender)		No	
Race		No	
Sexual orientation		No	
Gender reassignment		No	
Religion or belief		No	
Pregnancy or maternity		No	
Marriage or civil partnership		No	
<b>NYCC additional characteristic</b>			
People in rural areas		No	
People on a low income		No	
Carer (unpaid family or friend)		No	



<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (e.g. disabled people's access to public transport)? Please give details.	No.			
<b>Will the proposal have a significant effect on how other organisations operate?</b> (e.g. partners, funding criteria, etc.). <b>Do any of these organisations support people with protected characteristics?</b> Please explain why you have reached this conclusion.	No			
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	X	Continue to full EIA:	
<b>Reason for decision</b>	The reason for the decision is to complete the petition review by way of the County Council's Right to Challenge Parking Policy Petition Scheme			
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason			
<b>Date</b>	19/01/21			



## 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>Northallerton High Street Parking – Petition Review &amp; Performance Monitoring</b>
<b>Brief description of proposal</b>	<b>Maintain existing Pay &amp; Display Parking on High Street, Northallerton</b>
<b>Directorate</b>	<b>BES</b>
<b>Service area</b>	<b>Traffic Engineering</b>
<b>Lead officer</b>	<b>David Kirkpatrick</b>
<b>Names and roles of other people involved in carrying out the impact assessment</b>	<b>Andrew Clare</b>
<b>Date impact assessment started</b>	<b>6.1.21</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.

**None**

**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.

**The proposal to maintain the existing Pay and Display Parking operation on High Street Northallerton will not have any income loss in relation to implementation. However, investigation into the extension of the free parking allowance on that part of High Street to the north of Friarage Street , if feasible, would reduce income from parking charges but by a modest amount that would not significantly detract from the overall income amount. The temporary extension of free parking on High Street, Northallerton and Market Place Knaresborough has an impact on parking income but it is not possible to quantify at this stage.**

<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</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (Place a X in the box below where</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><b>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.</b></p>	<p><b>Positive impact</b> (Place a X in the box below where</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (Place a X in the box below where</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>pollution</b> (including air, land, water, light and noise)</p>		X				
<p>Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		X				
<p>Enhance <b>conservation</b> and wildlife</p>		X				
<p>Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b></p>		X				
<p>Other (please state below)</p>		X				

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

**None**

**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.

**There are no impacts within the assessment, as the project is a review of the performance of the existing Pay and Display parking scheme. Any future decisions made to future permanent proposals will be subject to further assessment.**

#### Sign off section

This climate change impact assessment was completed by:

<b>Name</b>	<b>David Kirkpatrick</b>
<b>Job title</b>	<b>Traffic Engineering Team Leader</b>
<b>Service area</b>	<b>Traffic Engineering</b>
<b>Directorate</b>	<b>BES</b>
<b>Signature</b>	<i>David Kirkpatrick</i>
<b>Completion date</b>	<b>6.1.21</b>

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

**Date:** 12 January 2021