

North Yorkshire County Council**Yorkshire Coast and Moors Area Committee****5 July 2017****Whitby Controlled Parking Zone - consideration of seasonal operation****Report of the Corporate Director – Business and Environmental Services****1.0 Purpose Of Report**

- 1.1 To invite the Area Committee to offer its opinion on whether to reduce the operation of the Whitby Controlled Parking Zone to 1 March – 31 October.

2.0 Background Information

- 2.1 In April 2014 the Controlled Parking Zone (CPZ) commenced operation, covering the most heavily congested areas of on street parking in Whitby, to support the operation of the Whitby Park and Ride scheme.
- 2.2 The scheme introduced all-year-round measures which included 1 hour disc parking (closest to shops at locations where previously there had been 40 minute limited waiting) and 2 hours elsewhere in the zone where previously there had been no restrictions. On Khyber Pass, permit holder only bays were introduced, and in back streets, too narrow for bays to be marked, permit holder only areas were introduced. Permit holders were exempt from the 2 hour disc zone restrictions. Seasonal on-street pay and display parking (operational 9:00am to 7:00pm, all days between 1 March to 31 October) was introduced at West Cliff, Whitby and Sandsend, with these bays being free of time restrictions or the need to pay in the winter. The decision was taken not to charge for on-street pay and display parking in the winter as the Park and Ride service is not an available alternative in the winter.
- 2.3 Within the first year of the introduction of the scheme, a group of traders made representation to the County Council that the scheme was affecting footfall to their businesses in the Skinner Street area of Whitby. A petition was forwarded to the County Council.
- 2.4 It was recommended, and agreed at the Area Committee meeting on 23 July 2015, that Officers undertake a further public consultation with businesses and residents within the Controlled Parking Zone, to gauge public support for potentially making the 2 hour disc zone limit 3 hours, and making the year-round restrictions seasonal, to operate between 1 March and 31 October.
- 2.5 A public consultation, including legal advertisement and statutory consultation, took place in October/November 2015 to establish public opinion on these potential changes. The details of the consultation and the results were presented to this Area Committee on 13 January 2016.
- 2.6 Following consideration of the outcome of the consultation, on 13 January 2016, this Area Committee recommended to the Corporate Director, Business and Environmental Services and the Business and Environmental Services Executive Members that both changes should be implemented.

- 2.7 Mr Tim Collier, who forwarded the petition, made a number of comments summarising traders' opinions. He said that traditionally locals would avoid the crowds and shop elsewhere during the busy tourist season but would come back in the quieter months, but the parking restrictions in the winter were off putting, and that winter footfall was being directly affected by the parking measures.
- 2.8 On 4th February 2016, Corporate Director, Business and Environmental Services and the Business and Environmental Services Executive Members considered the matters and approved making the 2 hour disc zone limit 3 hours. A decision on making the year-round restrictions seasonal, to operate between 1 March and 31 October, was deferred until the intentions of Scarborough Borough Council, with regard to off-street winter charging in some of its off-street car parks, including the West Cliff car park, are known.
- 2.9 Following completion of the Statutory advertising procedure, the length of stay in the 2 hour bays was increased to 3 hours from Spring 2016.
- 3.0 Consideration of removing the restrictions during the winter months.**
- 3.1 Scarborough Borough Council operate ten off street car parks in Whitby. The six most centrally located already charge for parking all year round. They are St Hilda's Terrace, Cliff Street, Church Street, Endeavour Wharf, Marina Front and Marina Back.
- 3.2 During their annual review of car parking charges, culminating in a decision by Cabinet in January 2017, the Borough Council decided not to introduce winter charges for the four Whitby car parks where charges do not currently apply. These are Pavilion Top, Pavilion Drive, West Cliff and Abbey Headland. Their decision will continue to be reviewed every financial year. It is therefore possible that winter charging could be brought in at a future date.
- 3.3 Having received their decision allows further consideration of the Whitby Parking Scheme and the issue of whether it should become a seasonal scheme.
- 3.4 An extract from the council's Parking Policy (October 2011) is shown below.

7.0 KEY PRINCIPLES

Relationship between on and off street parking

- 7.1 **As previously stated the County Council has no direct control over the provision of off-street parking. Nevertheless there is a commitment to joint working with district councils and other partners to ensure that on and off street parking provision complement each other.**
- 7.2 **Effective on-street parking management measures help to balance on and off street parking supply and demand. The inter-relationship should encourage drivers to park in designated on-street spaces for short visits and deter those wanting to park on-street for longer periods. This creates more available designated on-street spaces and helps to ensure that the provision is used by the intended categories of user namely short stay visitors, shoppers and disabled drivers.**
- 3.5 Paragraph 7.2 sets out that managing the permitted length of stay in on street spaces is key to safeguarding access, by deterring long stays, which are better provided for within car parks.

3.6 The majority of those responding to the consultation in October/November 2015 (267 responses out of 325) indicated they would be in favour of making the restrictions seasonal. The return rate for those located within the zone, identifying themselves as a resident, business or both, was 9% (187 responses out of 2,000 delivered).

3.7 **Response to Question 4, “Would you be in favour of a seasonal alteration to the Controlled Parking Zone so that parking bays would only operate between the 1st March and 31st October?”**







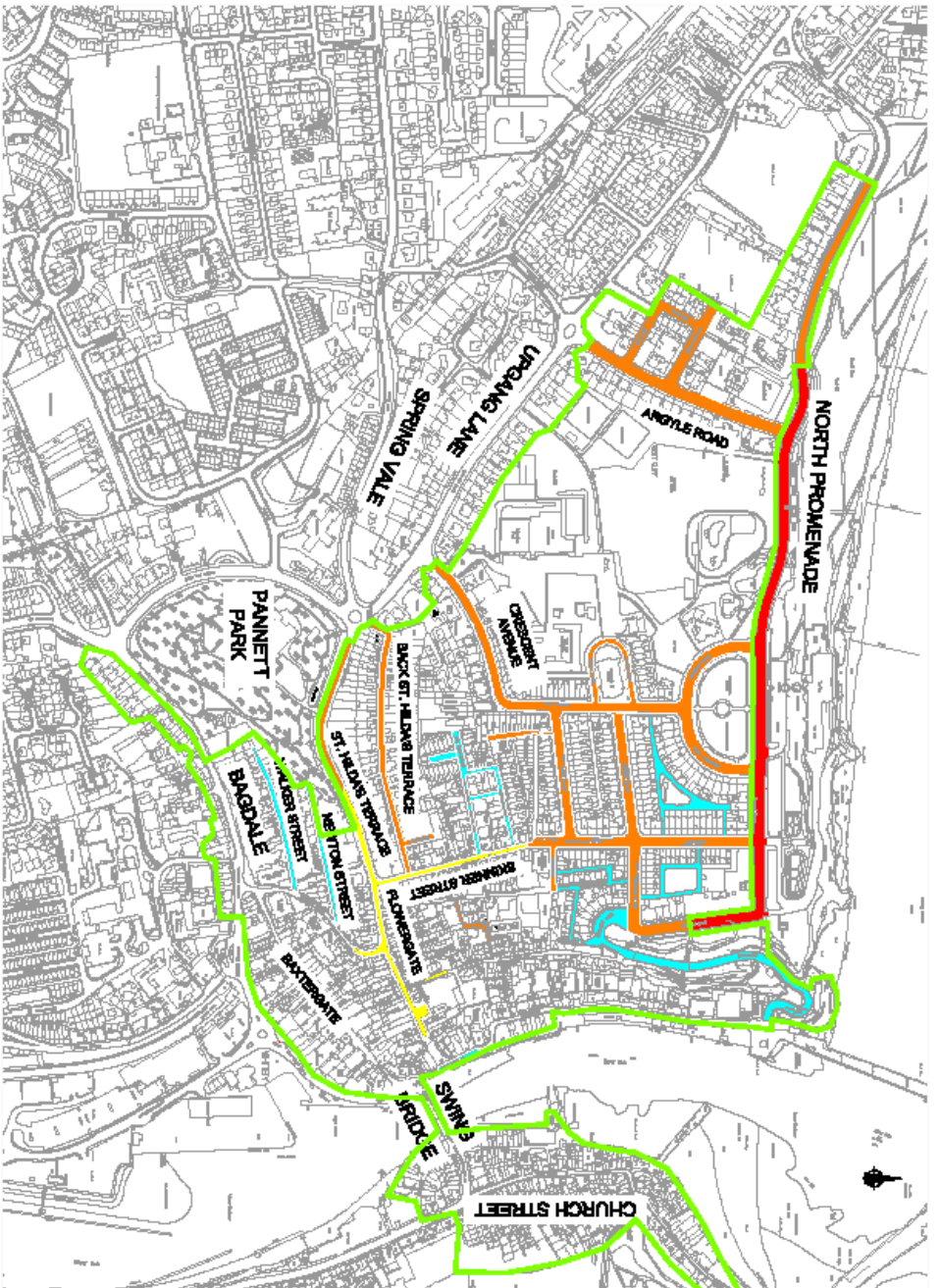
3.8 Removing the restrictions in the winter would mean the length of time a driver could park in the on street bays would be unlimited, and all drivers could park in the bays, whether currently entitled to permits or not. At the moment drivers wishing to stay longer than 3 hours and commuters are unable to use the 3 hour bays and the permit holder only areas, year-round. If the restrictions were lifted for the winter months (November to February inclusive), then all drivers would have equal entitlement to park in the winter months.

3.9 Whilst this report addresses requests to remove the winter restrictions, there have been comments received by officers and the local Member highlighting satisfaction with the scheme's introduction. There have been clusters of requests in two areas to extend the scheme. Residents of Upgang Lane submitted a petition requesting that the zone be extended to include their properties. Several residents of The Ropery have also requested that the scheme restrictions be extended to cover their area. These requests have each been considered and it was decided in each case not to extend the scheme.

3.10 The effects of making the scheme seasonal are considered in more detail in Appendix A. The following plan indicates the types of parking that are the subject of consideration for seasonal operation.

KEY TO PARKING TYPES

-  Properties eligible for parking permits.
-  Disc parking with 3 hour limit, 9am – 7pm, all year round. Consideration is being given to changing the restrictions to 1 March – 31 October only.
-  Permit holders only parking, 9am – 7pm, all year round. Consideration is being given to changing the restrictions to 1 March – 31 October only.
-  Disc parking with 1 hour limit, no permit allowed, 9am to 7pm, all year round. Consideration is being given to changing the restrictions to 1 March – 31 October only.
-  Pay and Display Parking, restrictions apply 1 March – 31 October only. No changes proposed.



Whitby Parking Scheme Consideration of seasonal operation

- 3.11 The scheme consists of 1 hour disc parking (coloured yellow on the plan), 3 hour disc parking (coloured orange on the plan) and bays/areas where only permit holders may park (coloured blue). The on street pay and display parking on West Cliff (coloured red on the plan) is unaffected by these proposals as it already operates seasonally.
- 3.12 Although the traders group made no distinction between the 1 hour bays, 3 hour bays and permit holders only areas in their representations for the winter restrictions to be lifted, in order to consider the effect of making the scheme seasonal it is necessary to consider each type of parking separately.

4.0 Officer Comments

- 4.1 The time limit on the 2 hour bays was increased to 3 hours in Spring 2016. This provides an increased stay time for all drivers, all year round. This change will have gone some way towards achieving the aims sought by the traders group, to improve footfall to their businesses in the winter months.
- 4.2 Whilst introducing seasonal restrictions to the 3 hour bays and permit holder only bays and areas is viable, it is considered that there is already sufficient free, time unlimited parking available in Whitby in the winter which is better suited to longer stays of 3 hours and upwards than the on street bays.
- 4.3 The number of existing off-street car park spaces free in the winter, located within reasonable walking distance, is 604, with an additional 415 spaces a steep walk away. The number of current 3 hour and permit holder only on-street spaces for that are currently controlled by the Whitby Parking Scheme, which consideration for seasonal operation is being given, is 621.
- 4.4 The on street bays are more conveniently located than the car park spaces, and this added convenience is what the traders' group says is valued by themselves and their customers. Officers fully appreciate this. The on-street parking comes under less pressure in the winter months, however there are events within the winter months which continue to create demand for structured parking, such as Goth weekend, Christmas and spring half term.
- 4.5 It is probable that knowledge of the extent and location of free winter parking is not as well known by all locals and visitors as it could be. Scarborough Borough Council's Parking Services have offered to reissue their Whitby Parking Leaflet, including information on the West Cliff pay and display bays which are free in the winter, which could be distributed by shops and holiday accommodation providers to their customers, highlighting where to find free, time unlimited parking in Whitby.
- 4.6 After careful consideration of all the above, on balance, officers recommend that the scheme should remain a year-round scheme.
- 4.7 The local Member has indicated that he supports the views of the majority of respondents to the October/November 2015 consultation, and respects the unanimous views expressed by the Area Committee on 13th January 2016 for the seasonal relaxation of the Whitby parking scheme. However, the local Member acknowledges that a similar provision given by 1 hour bays have been in existence for many decades, as 40 minute bays, and so supports keeping the 1 hour bays restricted year-round.

5.0 Conclusion

- 5.1 Having considered the recent change to the scheme to allow 3 hours parking rather than 2 in the disc bays, and factors such as the large number of free, time unlimited winter spaces available in Whitby, the year-round popularity of Whitby as a tourist destination and the county council's Parking Policy, officers recommend that the scheme should remain a year-round scheme.

6.0 Equalities Implications

- 6.1 Consideration has been given to the potential for any adverse equalities impacts arising from the proposal to make the Whitby Parking Scheme restrictions seasonal. The proposals do have a mix of adverse and positive impacts on various protected characteristics identified in the Equalities Act 2010. A copy of the EIA is appended to this report at Appendix B. After consideration of the effects, particularly on the elderly and those with disabilities (including disabled blue badge holders), it is considered that these protected groups would be better served if the current year-round restrictions were to remain. This is because the protected groups and those that care for them would be less likely to find a space close to their residences (and close to amenities they wish to visit) in the winter if the restrictions were made seasonal.

7.0 Financial Implications

- 7.1 There are no significant financial implications associated with the recommendations included in this report. There would be no reduction in the county council's enforcement costs if the scheme, or parts of the scheme, were seasonal. There would be some reduction in the number of penalty charge notices (PCNs) issued, and some reduction in the number of scratchcards sold. The county's costs are made up of enforcement staff costs and the costs of administering the permits scheme.
- 7.2 The changes in income and expenditure if the scheme were to be seasonal would not be significant enough to affect the operation of the scheme. Members will be aware that the first call on any surplus from the scheme is to help fund the operation of the Whitby Park and Ride service. It is not expected that the changes to the parking scheme surplus will have a significant impact on the financial viability of the Park and Ride service. Considering the operating costs and income from both the parking scheme and the Park and Ride service, overall the schemes effectively broke even during 2014, with a small surplus of approximately £15,000 in 2015. Final figures for 2016 are not yet available, but are expected to show the service again breaking even or achieving a small surplus.
- 7.3 The 3 year discount for the first residential permit and for holiday accommodation scratchcards came to an end in Spring 2017, as was approved when the scheme was introduced. The income generated by the discounted types of permit reverting to their full price from Spring 2017 is not significant enough to have an effect on the overall running of the scheme, as makes up a very small proportion of the income.
- 7.4 There are currently five year-round enforcement staff, operating on a shift rota basis. A sixth member of staff is employed on a seasonal basis for the summer months. The staff have a responsibility to enforce the year-round yellow line restrictions within the Whitby scheme, in other parts of Whitby outside the CPZ and in the surrounding villages. There are already more requests for enforcement than the current team are able to deal with, and requests are prioritised. If there was no requirement to enforce the Whitby 3 hour and permit holder only bays in winter, the team would be able to attend to enforcement in other parts of Whitby (1 hour bays, yellow lines) and

surrounding villages. There would therefore be no change to the costs of enforcement for the Whitby scheme.

- 7.5 There would be no change in the administrative costs for the permits. Whilst proportionally fewer scratchcards would be sold and used, the administration costs of issuing the permits and scratchcards would largely remain the same.
- 7.6 For these reasons, the county council would not be in a position to offer a reduction in the costs of the permits if the scheme or parts of the scheme was to operate seasonally.
- 7.7 There is a county-wide study ongoing to examine permit prices, with the future intention of bringing more consistency to prices county-wide.

8.0 Legal Implications

- 8.1 Partial implementation of the proposals took place in April 2016.
- 8.2 Members will recall that, of the package of TRO measures advertised in October 2015, only the change from 2 hours to 3 hours for the disc zone limit has been implemented.
- 8.3 Regulation 19 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 provides that where a proposed TRO has been advertised, the order making authority may make the Order in part by making an Order giving effect to some of the proposals to which the Order relates whilst deferring a decision on the remainder. Where an Order has been made in part, the authority may subsequently deal with the remaining proposals to which the Order relates in any, or any combination, of the following ways:-
- (a) abandon them;
 - (b) defer a decision on them;
 - (c) make an Order or Orders giving effect to them in whole or in part.
- 8.4 The Order giving effect to the amendment of the existing 2 hour timings on the roads within Disc Zone W to 3 hours was made in March 2016 and came into effect in April 2016.
- 8.5 Officers consider that, should it be resolved that some or all of the proposed amendments to the Whitby Parking Scheme are to be made, the changes will enable the County Council to comply with its 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 the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.
- 8.6 In the event that the BES Executive Members resolve to approve changes to the traffic regulation orders described 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.
- 8.7 Where an Order has been made (sealed), if any person wishes to question the validity of the Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the 1984 Act or of any instrument made under the 1984 Act has not been complied

with, they may apply to the High Court within six weeks from the date on which the Order is made.

9.0 Recommendations

9.1 It is recommended that:

- (i) the scheme remains a year-round scheme
- (ii) the offer from SBC Parking Services to reissue an updated Whitby Parking leaflet be taken up, with distribution of the leaflets made available to Whitby businesses
- (iii) the petitioners are notified of the decision.

DAVID BOWE

Corporate Director – Business and Environmental Services

Author of Report: Helen Watson

Background documents:

Report to Yorkshire Coast and Moors Area Committee 23rd July 2015

Report to Yorkshire Coast and Moors Area Committee 13 January 2016

Report to Corporate Director in consultation with Business and Environmental Services Executive Members 4th February 2016

Consideration of seasonal operation for Whitby Parking Scheme

Appendix A				
Suggestion	For	Against	Comments	Officer recommendation
<p>Make the 1 hour bays seasonal (48 approx spaces). These bays are coloured yellow on the plan. Subzone 'H'</p>	<p>Would allow all drivers to park for an unlimited time, in approximately 48 spaces which are the closest to shops and businesses.</p> <p>Drivers would not have to display a disc.</p> <p>The traders group says this would have a positive effect on their businesses.</p>	<p>Before the 2014 Whitby parking scheme was introduced, these bays were 40 minute limited waiting bays.</p> <p>The premise behind creating short stay bays at the very closest locations to the shops and businesses is so that those with a need for a short duration stay are able to find a space close to where they wish to visit. The short stay creates quick turnover of spaces, increasing the number of customers able to visit the most central areas.</p> <p>Turnover of vehicles allows blue badge holders and others with limited mobility more likelihood of finding a space.</p>	<p>The council's Parking Policy (2011) sets out that on street parking should be managed to protect access for short stay visitors, shoppers and the disabled.</p> <p>Records show that the 40 minute bays have been in place for decades, some proven to have been in place since at least 1966 (Skinner Street and Flowergate) with all the remaining 40 minute bays in place since at least 1991. These restrictions were year-round. Back St Hilda's Terrace restrictions were Monday to Saturday. When the Whitby scheme was introduced, the 40 minute bays were changed to 1 hour, with the restrictions having the same times of day and days of the week as</p>	<p>Proposal to make the 1 hour bays seasonal is not recommended.</p>

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			<p>the rest of the scheme, for consistency.</p> <p>The one hour bays have the subzone identifier 'H'. To retain the purpose of the 1 hour bays for short duration stays, currently permits and scratchcards may not be used in subzone 'H'. (They may be used in subzone 'W', which includes the 3 hour bays and permit holder only areas.)</p>	
<p>Make the 3 hour bays seasonal but retain the permit holder only areas as year-round. These bays are coloured orange (566 spaces approx) and blue (55 spaces approx) respectively on the plan. Subzone 'W'</p>	<p>Would allow all drivers to park for an unlimited time, in approximately 566 disc spaces which are the close to shops and businesses.</p> <p>Permit holder only bays would continue to be restricted.</p> <p>Drivers would not have to display a disc.</p>	<p>The council's Parking Policy (2011) sets out that on street parking should be managed to protect access for short stay visitors, shoppers and the disabled. The premise behind creating bays with a maximum stay time at locations close to the shops and businesses is so that those with a need for a short/medium</p>	<p>Note: The 3 hour bays and permit holder only areas are both part of subzone W. If seasonal restrictions were to be applied to one type of parking and not the other, this is possible, providing each type of parking is assigned it's own new subzone identifier. This would be needed to clarify where and when there is a</p>	<p>Proposal to make the 3 hour bays seasonal but retain the permit holder only areas as year-round is not recommended.</p>

Consideration of seasonal operation for Whitby Parking Scheme

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	The traders group says this would have a positive effect on their businesses.	duration stay are able to find a space close to where they wish to visit. The short/medium stay creates quick turnover of spaces, increasing the number of customers able to visit the most central areas. Turnover of parked vehicles allows blue badge holders and others with limited mobility more likelihood of finding a space.	requirement to display a permit. This course of action is not recommended as it would be confusing and would limit permit holders to certain streets, whereas at the moment they are able to use their permits throughout the 3 hour and permit holder only areas.	
Make the permit holder only areas seasonal but retain the 3 hour bays as year-round. These bays are coloured blue (55 spaces approx) and orange (566 spaces approx) respectively on the plan. Subzone 'W'	Would allow all drivers to park for an unlimited time, in approximately 55 spaces which are currently permit holder only spaces, mainly in the Khyber Pass area, close to shops and businesses, plus in further spaces in narrow, mainly residential back streets where the roads are not wide enough to mark out parking bays.	Allowing non permit holders access to park in the narrow back streets may cause difficulties for those who live and work in those streets, as the visiting drivers may not appreciate they need to park with increased courtesy due to narrowness of streets and the access needs of others to adjoining properties. There are no marked bays to assist	Note : The 3 hour bays and permit holder only areas are both part of subzone W. If seasonal restrictions were to be applied to one type of parking and not the other, this is possible, providing each type of parking is assigned it's own new subzone identifier. This would be needed to clarify where and when there is a requirement to display a	Proposal to make the permit holder only areas seasonal but retain the 3 hour bays as year-round is not recommended.

Consideration of seasonal operation for Whitby Parking Scheme

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	<p>Drivers would not have to display a permit.</p> <p>The traders group says this would have a positive effect on their businesses.</p>	<p>drivers because the roads are too narrow for these to be marked out. Rather than prevent parking in these areas, the back streets are currently designated permit holder only to deter the casual driver parking with a disc. This would be lost in the winter if the restrictions were made seasonal.</p> <p>Permit holders who currently hold a permit for all round use would not be able to benefit from using it in the winter months. Permit holders would be likely to find it more difficult to find a space as there would be less turnover of parked vehicles if there were no winter restrictions.</p>	<p>permit. This course of action is not recommended as it would be confusing and would limit permit holders to certain streets, whereas at the moment they are able to use their permits throughout the 3 hour and permit holder only areas.</p>	
<p>Make the 3 hour bays <u>and</u> permit holder only areas seasonal.</p>	<p>Would allow all drivers to park for an unlimited time, in 621 spaces (566 + 55) which are close to</p>	<p>There are currently 704 free winter parking spaces with no limit on the length of stay in</p>	<p>The council's Parking Policy (2011) sets out that on street parking should be managed to</p>	<p>A proposal to make the 3 hour bays <u>and</u> permit holder only areas</p>

Consideration of seasonal operation for Whitby Parking Scheme

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<p>These bays are coloured orange (566 spaces approx) and blue (55 spaces approx) respectively on the plan. Subzone 'W'.</p>	<p>shops and businesses. The spaces are often closer than the free off street car park spaces. The traders' group prompting the consultation say this would have a positive effect on their businesses.</p> <p>Day tripper visitors and commuters residing from outside the zone would be able to park for free with no time limit on the streets nearer to their destination subject to spaces being available.</p> <p>Drivers would not need to buy a scratchcard from their accommodation provider, or display it. Residents would not need to buy a scratchcard to give to their visitors to display. This would represent a</p>	<p>Whitby within reasonable walking distance of shops and businesses plus an additional 415 free time-unlimited spaces at Abbey Headland, a steep walk away, providing a total of 1119 free winter spaces.</p> <p>The 704 spaces breakdown as follows; 149 are on street at West Cliff (as the pay and display does not operate in the winter). 63 at Pavilion 68 at Pavilion Drive 424 at West Cliff.</p> <p>Allowing unlimited stays in the 3 hour on street bays could attract long stays, reducing parking turnover closest to shops and services. Reducing turnover could make it more difficult to find a space,</p>	<p>protect access for short stay visitors, shoppers and the disabled.</p> <p>If at a future date SBC decide to bring in winter charges at their four car parks which currently offer free winter parking, retaining the year-round restrictions (or reinstating them if they had been removed) may become more necessary, as drivers would be displaced from the car parks onto the street.</p> <p>Residents are currently entitled to 50 scratch cards per year for use in the 3 hour bays and permit holder only areas. If the scheme is to be made seasonal, then a proportional reduction in the number of scratchcards issued to residential addresses</p>	<p>seasonal is not recommended.</p> <p>It is considered that the 3 hour limit and permit holder only restrictions on the bays provides turnover and increases the availability of being able to find a space. It is considered this is necessary even in the winter months.</p> <p>The existing free, time unlimited parking is better suited to stays of 3 hours and longer. Better publicity of these spaces may help traders as well as drivers.</p>

Consideration of seasonal operation for Whitby Parking Scheme

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	saving to holiday accommodation guests of £1.60 for 4 days (or 80p for 2 days), and a saving for residents receiving visitors of 50p per day per visiting car.	<p>impacting particularly on those with mobility issues, and have a negative effect on businesses.</p> <p>Making parts of the scheme seasonal would add complexity. Each kerbside sign would need additional wording '1 Mar – 31 Oct'.</p>	should be considered, to avoid over subscription of bays during March to October.	
Retain the current operation of the scheme.	<p>There are currently 704 free winter parking spaces with no limit on the length of stay in Whitby within reasonable walking distance of shops and businesses plus an additional 415 free time-unlimited spaces at Abbey Headland, a steep walk away, providing a total of 1119 free winter spaces.</p> <p>The 704 spaces breakdown as follows;</p>	<p>The traders' group prompting the consultation would be disappointed with this suggestion, as they have expressed the current year-round restrictions are affecting footfall to their businesses in the winter.</p> <p>There would be no change to the winter restrictions currently placed on shoppers, day tripper visitors and commuters residing from</p>	<p>The council's Parking Policy (2011) sets out that on street parking should be managed to protect access for short stay visitors, shoppers and the disabled.</p> <p>Retaining the current year-round restriction maintains this.</p> <p>It is considered that the 1 hour limit for the bays closest to shops and businesses and the 3 hour limit and permit</p>	A proposal to leave the current restriction year-round restrictions is recommended.

Consideration of seasonal operation for Whitby Parking Scheme

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	<p>149 are on street at West Cliff (as the pay and display does not operate in the winter). 63 at Pavilion 68 at Pavilion Drive 424 at West Cliff.</p> <p>Allowing unlimited stays in the 3 hour on street bays could attract long stays, reducing parking turnover closest to shops and services. Reducing turnover could make it more difficult to find a space, and have a negative effect on businesses.</p> <p>Having a mixture of seasonal (3 hour a permit bays) and year round (the 1 hour bays) would add complexity. Seasonal restrictions would require new signs with additional wording '1 Mar – 31 Oct'.</p>	<p>outside the zone and wishing to stay more than 3 hours. They would not be able to use the disc or permit bays, but would either have to choose a free space at a location slightly further away, or pay and display in one of the more central car parks.</p> <p>Residents would need to continue to buy a scratchcard to give to their visitors to display (50p per day per vehicle). Holiday accommodation guests would need to continue paying for scratchcards costing £1.60 for 4 days (or 80p for 2 days).</p>	<p>holder only restrictions for the bays in the surrounding streets provides turnover and increases the availability of being able to find a space. It is considered this is necessary even in the winter months, particularly for those with mobility difficulties.</p> <p>The existing free, time unlimited parking is better suited to stays of 3 hours and longer. Better publicity of these spaces may help traders as well as drivers.</p>	



Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

Whitby Parking Scheme – consideration of seasonal operation

Consideration of seasonal operation for Whitby Parking Scheme

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Business and Environmental Services, Highway Operations
Lead Officer and contact details	Helen Watson, Improvement Manager, Whitby highways office, 01609 780780 area3.whitby@northyorks.gov.uk
Names and roles of other people involved in carrying out the EIA	Lead officer working jointly with NYCC's legal and equalities teams.
How will you pay due regard? e.g. working group, individual officer	Regard has been paid to the consultation comments received in 2010, 2013 and 2015. They have been considered by Officers initially and then considered by the Council's Yorkshire Coast and Moors Area Committee and the Council's Transport, Economy and Environment Overview and Scrutiny Committee. The results of the 2015 consultation will be considered by the Council's Yorkshire Coast and Moors Area Committee as a

Consideration of seasonal operation for Whitby Parking Scheme

	consultee, with the decision being taken by the BES Director in consultation with BES Executive members.
When did the due regard process start?	The process commenced with the preparations in 2009 and 2010 for the 2010 consultation. The process recommenced with news in 2012 that funding for Park & Ride had been awarded and remains ongoing.

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

The proposals are to make the current year-round on-street parking restrictions in Whitby seasonal. The scheme was introduced in Spring 2014.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?(e.g. to save money, meet increased demand, do things in a better way.)

Within the first year of the introduction of the scheme, a group of traders made representation to the County Council that the scheme was affecting footfall to their businesses in the Skinner Street area of Whitby. A petition was forwarded to the County Council.

It was recommended, and agreed at the Area Committee meeting on 23 July 2015, that Officers undertake a further public consultation with businesses and residents within the Controlled Parking Zone, to gauge public support for potentially making the 2 hour disc zone limit 3 hours, and making the year-round restrictions seasonal, to operate between 1 March and 31 October.

Consideration of seasonal operation for Whitby Parking Scheme

The majority (267 out of 325) of the responses to the consultation were in favour of making the scheme seasonal.

Section 3. What will change? What will be different for customers and/or staff?

If the scheme became seasonal, all drivers, including commuters and day visitors to Whitby would be able to park without time limit on streets in the streets closest to Whitby shops and businesses in the winter months (November to February inclusive). This is contrary to the council's Parking Strategy which supports encouraging long stay parking in off-street car parks rather than on-street.

Residents/businesses (including holiday accommodation) who are entitled to buy permits that currently exempt them from the time restrictions all year round will only gain an advantage from having them between March and October.

Residents/businesses (including holiday accommodation) who are entitled to buy permits that currently exempt them from the time restrictions all year round would not need to buy them for the months of November to February. This represents a cost saving to these groups.

Those currently entitled to permits, and blue badge holders who are exempt from the restrictions, may find it more difficult to find a space in the winter months, due to drivers parking for longer, as there would be no time limit imposed on any driver.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Consideration of seasonal operation for Whitby Parking Scheme

A public consultation took place in October/November 2015 to establish public opinion on these potential changes. The details of the consultation and the results were presented to the Yorkshire Coast and Moors Area Committee on 13th January 2016.

Section 5. What impact will this proposal have on council resources (budgets)?

Will it be cost neutral, have increased cost or reduce costs?

Income from the sale of permits, pay & display fees and from penalty charge notices goes towards the operational costs of running the permit zones and the park & ride bus service. The park and ride service will not be financially viable without the income described, plus an annual subsidy provided by the county council, at least for the first few years of its operation.

There would be no reduction in the county council's enforcement costs if the scheme, or parts of the scheme, were seasonal. There would be some reduction in the number of penalty charge notices (PCNs) issued, and some reduction in the number of scratchcards sold. The county's costs are made up of enforcement staff costs and the costs of administering the permits scheme.

The changes in income and expenditure if the scheme were to be seasonal would not be significant enough to affect the operation of the scheme. Members will be aware that the first call on any surplus from the scheme is to help fund the operation of the Whitby Park and Ride service. It is not expected that the changes to the parking scheme surplus will have a significant impact on the financial viability of the Park and Ride service. Considering the operating costs and income from both the parking scheme and the Park and Ride service, overall the schemes effectively broke even during 2014, with a small surplus of approximately £15,000 in 2015. Final figures for 2016 are not yet available, but are expected to show the service again breaking even or achieving a small surplus.

Consideration of seasonal operation for Whitby Parking Scheme

There are currently five year-round enforcement staff, operating on a shift rota basis. A sixth member of staff is employed on a seasonal basis for the summer months. The staff have a responsibility to enforce the year-round yellow line restrictions within the Whitby scheme, in other parts of Whitby outside the CPZ and in the surrounding villages. There are already more requests for enforcement than the current team are able to deal with, and requests are prioritised. If there was no requirement to enforce the Whitby 3 hour and permit holder only bays in winter, the team would be able to attend to enforcement in other parts of Whitby (1 hour bays, yellow lines) and surrounding villages. There would therefore be no change to the costs of enforcement for the Whitby scheme.

There would be no change in the administrative costs for the permits. Whilst proportionally fewer scratchcards would be sold and used, the administration costs of issuing the permits and scratchcards would largely remain the same.

If the 3 hour bays and permit holder only bays within the scheme were to operate seasonally, all kerb sides signs would need to be changed to show the dates of operation, the cost of this would be in the region of £8,000.

If the scheme were to remain unchanged, it would be cost neutral.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age			Worse	

Consideration of seasonal operation for Whitby Parking Scheme

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
				<p>Medical staff, professional carers or family members providing substantial care are entitled to a free permit exempting them from the disc zone restrictions, allowing them to provide essential services to those elderly and other people who require it. If the restrictions are seasonal, the permits would not give this advantage in the winter months, and it may be more difficult to find a parking space, particularly at locations closest to shops and businesses.</p> <p>Currently older residents are able to obtain residents permits, with concessions for those on lower incomes. If the restrictions were seasonal, the permits would not give this advantage in the winter months, and it may be more difficult to find a parking space, particularly outside homes which are located closest to shops and businesses.</p>
		Better		Older residents would not need to buy 50p per day guest permits for their guests to use when visiting them and parking during the months of November to February.
		Better	Worse	For those seeking to park for longer than 3 hours, and wishing to be close to shops and businesses, the seasonal restrictions would be an overall improvement. However, the chances of finding a space in the winter would be less.

Consideration of seasonal operation for Whitby Parking Scheme

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Disability 1. Blue badge holders			Worse	All blue badge holders will be able to park without time limit and for free in all of the disc parking bays. Blue badge holders are exempt from the charge for a residents permit (this would allow them to park their vehicle even when it is being used without the blue badge holder). If the restrictions in the disc bays were to be seasonal, then disabled blue badge holders would likely have greater difficulty in finding a space in the winter, due to other drivers parking for longer.
Disability 2. Non blue badge holders			Worse	For those who, for example, may have difficulty walking but do not qualify for a blue badge, if they are currently parking for 3 hours or less within the Whitby 3 hour disc zone bays, then if the restrictions were made seasonal, they would be less likely to be able to find a parking space in the winter than at present.

Consideration of seasonal operation for Whitby Parking Scheme

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
		Better	Worse	For those seeking to park for longer than 3 hours, and wishing to be close to shops and businesses, the seasonal restrictions would be an overall improvement. However, the chances of finding a space in the winter would be less.
Sex (Gender)	No impact			
Race	No impact			
Gender reassignment	No impact			
Sexual orientation	No impact			
Religion or belief	No impact			
Pregnancy or maternity			Worse	For those currently parking for 3 hours or less within the Whitby 3 hour disc zone bays, if the restrictions were made seasonal, they would be less likely to be able to find a parking space than at present in the winter months.
		Better	Worse	For those seeking to park for longer than 3 hours, and wishing to be close to shops and businesses, the seasonal restrictions would be an overall improvement. However, the chances of finding a space would be less.

Consideration of seasonal operation for Whitby Parking Scheme

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Marriage or civil partnership	No impact			

Section 7. Would this proposal affect people for the following reasons?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service data or demographic information etc.
...live in a rural area? Those from rural areas are more likely to need to use their cars to access services and employment. Public transport is not always a viable option.		Better	Worse	For those seeking to park for longer than 3 hours, and wishing to be close to shops and businesses, the seasonal restrictions would be an overall improvement. However, the chances of finding a space would be less.
			Worse	For those seeking to park for 3 hours or less, the proposals would make things worse, as drivers may find it more difficult to find a space in the winter months than currently.
...have a low income?		Better		The proposals would save money for those entitled to buy visitor (50p per day) and holiday accommodation (80p for 2 days) scratchcards, as they would not need to buy them during the winter months.

Consideration of seasonal operation for Whitby Parking Scheme

		Better		Those on a low income who need to travel to Whitby or Sandsend by car for employment or to access services would be able to park in areas closer to shops and businesses. However, drivers may find it more difficult to find a space in the disc zone in the winter months than currently.
			Worse	

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

Those who need to access **Whitby** by car for employment or services and need to park for longer than 3 hours within the Whitby disc zone, who are on a low income coupled with living in a rural area will be affected to a greater degree than others. However in the winter they have the option of parking in one of Scarborough Borough Council's free car parks, or parking outside the zone as many streets remain unrestricted. Therefore, this is not considered to be an area of concern.

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	Tick
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	

Consideration of seasonal operation for Whitby Parking Scheme

<p>4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.</p>	
<p>Explanation of why option has been chosen. (Include any advice given by Legal Services.)</p> <p>Overall, the proposals to make the Whitby parking restrictions seasonal would have a detrimental effect particularly on blue badge holders and the elderly requiring care. It is considered that these protected groups would be better served if the current year-round restrictions were to remain. This is because the protected groups and those that care for them would be less likely to find a space close to their residences (and close to amenities they wish to visit) in the winter if the restrictions were made seasonal. They would be less likely to find a space because if there were no winter restrictions, there would be less turnover of vehicles using the parking spaces.</p>	

Section 10. If the proposal is implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

<p>Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.</p>				
Action	Lead	By when	Progress	Monitoring arrangements
<p>None. It is recommended that the proposals are not implemented, and the scheme remains in force year –round</p>	<p>Helen Watson</p>	<p>Ongoing</p>		<p>The local area highways office will continue to monitor incoming correspondence concerning the operation of the parking scheme.</p>

Consideration of seasonal operation for Whitby Parking Scheme

Section 12. Summary Summarise the findings of your EIA, including impacts, 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.

After consideration of the effects, particularly on the elderly and those with disabilities (including disabled blue badge holders), it is considered that the affected protected groups would be better served if the current year-round restrictions were to remain. The below extract from NYCC's Parking Policy (October 2011) supports this.

7.0 KEY PRINCIPLES

Relationship between on and off street parking

- 7.1 As previously stated the County Council has no direct control over the provision of off-street parking. Nevertheless there is a commitment to joint working with district councils and other partners to ensure that on and off street parking provision complement each other.
- 7.2 Effective on-street parking management measures help to balance on and off street parking supply and demand. The inter-relationship should encourage drivers to park in designated on-street spaces for short visits and deter those wanting to park on-street for longer periods. This creates more available designated on-street spaces and helps to ensure that the provision is used by the intended categories of user namely short stay visitors, shoppers and disabled drivers.

Consideration of seasonal operation for Whitby Parking Scheme

Section 13. Sign off section

This full EIA was completed by:

Name: Helen Watson

Job title: Improvement Manager

Directorate: Business & Environmental Services

Signature: *Helen Watson*

Completion date: 15th June 2017

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

Date: 23 June 2017