

# North Yorkshire County Council

## Business and Environmental Services

### Executive Members

18 February 2022

#### Hambleton District Council – Consent to Amend Off-Street Parking Places Order

#### Report of the Assistant Director – Highways and Transportation

#### 1.0 Purpose of Report

- 1.1 To apprise the Corporate Director of Business and Environmental Services (BES) and BES Executive Members of the request from Hambleton District Council for consent to amend its off-street parking places order.
- 1.2 To recommend approval of the request for consent.

#### 2.0 Background

- 2.1 Hambleton District Council has powers under Sections 32, 33, 35 and 124 of the Road Traffic Regulation Act 1984 (as amended) to make changes to existing car parking conditions and restrictions by means of Traffic Regulation Orders, which are enforced under the Traffic Management Act 2004.
- 2.2 An Amendment Order is required to amend conditions relating to the use of a car park or parking place, which extend beyond varying existing charges. In exercising these powers district councils are required by Section 39(3) of the 1984 Act to obtain the consent of North Yorkshire County Council as traffic authority. The County Council has power to give or withhold consent to the making of the Order and may require such modifications of the terms of the proposed Order as they think appropriate.
- 2.3 In formulating a response the County Council must pay due regard to Section 16 of the Traffic Management Act 2004, which places a duty on every local traffic authority “to manage its road network to secure the expeditious movement of traffic on their road network”. Consideration therefore needs to be given to the transport policy implications of the proposed changes along with the road safety and traffic management impacts on the local highway network.
- 2.4 Where proposals are classed as Wide Area Impact TROs it necessary to consult with the relevant Area Constituency Committees. A wide area TRO is where proposals meet the following criteria:
  - The proposal affects more than one street or road and,
  - The proposal affects more than one community and,
  - The proposal is located within the ward of more than one County Councillor.
- 2.5 It is considered that, the proposals do not meet the above criteria and therefore there is not a requirement to consult with the relevant Area Constituency Committees.
- 2.6 Hambleton District Council has ensured the proposals have been the subject of consultation and public advertisement in accordance with the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996. HDC confirmed that no objections were received to the proposals.

### 3.0 Proposals

- 3.1 In summary Hambleton District Council (HDC) have requested consent for the following amendments;
- Introduce powers to manage parking and modify car park layout plans for legislative clarity to remove individual bays and replace with parking place described within a boundary demarcation within the Thirsk & Sowerby Leisure Centre car park.
  - Introduce Free payment prescribed hours of operation to which car park users must exhibit a valid ticket, permit, season ticket or current parking session via an electronic parking system within the Thirsk & Sowerby Leisure Centre car park between the hours of 07:00 - 23:00 hrs Monday to Friday and 08:00 – 14:00 hrs Saturday & Sunday.
  - Introduce a period of waiting limited to 3 hours and a period of no return of 2 hours with the Thirsk & Sowerby Leisure Centre car park.
  - Introduce coach parking into the Northallerton Applegarth Long Stay car park and the Stokesley Showfield car park.
  - To change the prescribed hours of operation in Electric Vehicle charging bays from 08:00 – 18:00hrs Monday to Saturday to all times within the Northallerton Applegarth Long and Short Stay car parks, Northallerton Hambleton Forum Long Stay car park, Thirsk Market Place, Thirsk Marage and Millgate car parks, Bedale Auction Mart and Bridge Street car parks and Stokesley Showground car park.

### 4.0 Consideration of the proposals

- 4.1 Proposed - Car Park Layout Thirsk & Sowerby Leisure Centre  
The purpose of this amendment is to remove the need for individual parking bay detail shown on the car park plan associated with the Order thus introducing it with a parking place described and shown by boundary. This simplifies the process for adjusting the layout of the parking place allows the council (HDC) to be more responsive in changes in legislation. The introduction of the boundary plans (removing the need for a detailed car park layout) removes the requirements for statutory process.
- 4.1.1 NYCC Officer Comment;  
The County Council has previously agreed to this amendment for other HDC car parks and the proposal is also considered to be acceptable in this case.
- 4.2 Proposed – Free Payment prescribed hours Thirsk & Sowerby Leisure Centre  
The purpose of this amendment is to allow users of the car park to evidence their use of the parking place during the hours of operation by exhibiting a valid ticket, permit, season ticket or have a current parking session by means of an electronic payment system.
- 4.2.1 NYCC Officer Comment;  
The proposal to introduce free payment during the prescribed hours of operation is supported, and provides parking control between the hours of 07:00 - 23:00 hrs Monday to Friday and 08:00 – 14:00 hrs Saturday & Sunday. It is indented that ticket machines are installed in the car park to issue parking tickets indicating the date and time by which a vehicle must leave. Valid permits, season tickets and an electronic payment parking session can also be used in connection with a free parking session. This proposal is considered acceptable.

- 4.3 Proposed – Parking Period of waiting Thirsk & Sowerby Leisure Centre  
The purpose of this amendment is to introduce a maximum parking period of 3 hours with a no return period of 2 hours.
- 4.3.1 NYCC Officer Comment;  
The proposal to restrict parking to a maximum stay of 3 hours with a no return period of 2 hours should ensure a better turnover of parking spaces and prevent all day parking in line with the strategic approach for short stay parking.  
This is not seen to be of any particular detriment to on-street parking, though it may encourage some drivers requiring additional time to seek parking elsewhere, potentially on-street, though the nearest street is subject to day time parking restrictions which should negate any impact This proposal is considered to be acceptable.
- 4.4 Proposed - Coach Parking  
The purpose of this amendment is to make provision for coach parking at Northallerton Applegarth Long Stay car park and Stokesley Showfield car park.
- 4.4.1 NYCC Officer Comment;  
The provision of coach parking in the Northallerton Applegarth Long Stay and Stokesley Showfield car parks could be seen as a benefit to the local road network by providing a designated parking area, which should encourage off-street parking. The capacity and usage of both car parks have been examined by HDC and it was resolved that there is sufficient capacity. Therefore, this proposal is considered to be acceptable.
- 4.5 Proposed - Electric Vehicle Parking Bays  
It is proposed to change the prescribed hours for charging fees in the Electric Vehicle charging bays from 08:00hrs to 18:00 Monday to Saturday to All hours. This will apply to the Northallerton Applegarth Long Stay Car Park, Northallerton Applegarth Short Stay Car Park, Hambleton Forum Long Stay Car Park, Thirsk Market Place Car Park, Thirsk Marage Car Park, Thirsk Millgate Car Park, Bedale Bridge Street Car Park, Bedale Auction Mart Car Park and Stokesley Showfield Car Park.
- 4.5.1 NYCC Officer Comment;  
The provision of electric vehicle (EV) charging bays is in line with the county councils emerging strategy of encouraging EV use and the development of the wider infrastructure to support that transition. The proposals to increase the fee charge period from 08:00hrs to 18:00hrs Monday to Saturday to at all times will allow HDC to recover costs associated with the implementation of their charging network to reinvest into the service. This proposal is considered to be acceptable.
- 5.0 Conclusion**
- 5.1 In consideration of the above, it is the opinion of Officers that the proposals are reasonable in their intended effect and operation and should have minimal impact on the surrounding highway network.
- 5.2 As a standard measure to safeguard against any unforeseen future impact to the highway network from operational changes it is suggested that NYCC places a condition on its consent to ensure the district council funds any required remedial works required as a consequence of the changes or amends its operations to relieve the network of the problem(s).

## **6.0 Equalities Implications**

6.1 Consideration has been given to the potential for any equality impacts arising from the proposal. It is the view of officers that the recommendation does not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010 and a copy of the Equality Impact Assessment screening form is attached as Appendix A.

## **7.0 Financial Implications**

7.1 There are no financial implications arising directly from this proposal.

## **8.0 Legal Implications**

8.1 The main legal aspects are covered in the section 2.0 Background of this report. Beyond that, it is the view of officers that the proposals do not have any legal implications for the County Council.

## **9.0 Climate Change Impact Assessment**

9.1 It is considered the proposed amendments will not have any climate change impact. The assessment is included as Appendix B to this report.

## **10.0 Recommendations**

- 10.1 It is recommended that: -
- i. The Corporate Director BES in consultation with the BES Executive Member for Access provides consent to Hambleton District Council to amend its parking places order as per the proposals detailed in this report.

BARRIE MASON  
Assistant Director Highways and Transportation

Author or report: Andrew Clare

Background documents: None

<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>	Hambleton District Council – Off Street Parking Places Amendment Order		
<b>Officer(s) carrying out screening</b>	Andrew Clare		
<b>What are you proposing to do?</b>	Provide consent to Hambleton District Council to amend its off-street parking places order.		
<b>Why are you proposing this? What are the desired outcomes?</b>	In accordance with the procedure for district councils to seek the consent of the county council as local highway authority on any operational amendment to its off-street parking order, which extends beyond the changing of tariffs.		
<b>Does the proposal involve a significant commitment or removal of resources? Please give details.</b>	No		
<b>Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics?</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		✓	
Disability		✓	
Sex (Gender)		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
<b>NYCC additional characteristic</b>			
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	

<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:	✓	Continue to full EIA:	
<b>Reason for decision</b>	NYCC as highway and road traffic authority is required to provide consent to District Councils when making operational changes to off street parking facilities by means of a Traffic Regulation Order. This is to ensure the proposed changes are reasonable, will not adversely impact the highway network and are in accordance with the county parking strategy.			
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason			
<b>Date</b>	07/02/22			



## 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>NYCC Consent to Hambleton District Council to amend its off street parking order</b>
<b>Brief description of proposal</b>	<b>Amend (in part) the operation of HDC off-street car parks</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>14/1/22</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**

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**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.

**None**

<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><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></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><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>
<p>Minimise <b>greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	<p>Emissions from travel</p>	X				
	<p>Emissions from construction</p>	X				



<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><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>	
	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>Minimise <b>pollution</b> (including air, land, water, light and noise)</p>			X				

<p>How will this proposal impact on the environment?</p> <p><b>N.B.</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>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 proposal is to consider only the proposed amendments to the management of the respective car parks, which are considered to be acceptable in terms of scale and potential impact to the highway network.

**Sign off section**

This climate change impact assessment was completed by:

<b>Name</b>	<b>Andrew Clare</b>
<b>Job title</b>	<b>Senior Engineer Traffic Management &amp; Parking</b>
<b>Service area</b>	<b>Traffic Engineering</b>
<b>Directorate</b>	<b>BES</b>
<b>Signature</b>	
<b>Completion date</b>	<b>14/1/22</b>

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

**Date:** 07/02/22