

**North Yorkshire County Council**  
**Business and Environmental Services**

**Executive Members**

**29 January 2021**

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

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

**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) (the 1984 Act) 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. In addition, the County Council in exercising its function in relation to Section 39(3) of the 1984 Act has a duty pursuant to Section 122 of the 1984 Act 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. There are certain factors that the County Council should have regard to, so far as practicable and these are :

- (a) the desirability of securing and maintaining reasonable access to premises;
- (b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

(bb)the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);

(c)the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and

(d)any other matters appearing to the strategic highways company or the local authority. to be relevant.

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 collectively, the proposals meet the above criteria.

2.6 The role of Area Constituency Committee is consultative only on wide area impact TROs. The Corporate Director - Business and Environmental Services (BES) will take the final decision on the proposals in consultation BES Executive Members.

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. 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;

- Modify car park layout plans for legislative clarity to remove individual bays and replace with parking place described within a boundary demarcation.
- Provide payment for parking by cash, debit and credit cards, smartphone or mobile device at ticket machine.
- Provide extension of parking period in Northallerton Applegarth short stay, Northallerton Forum short stay, Thirsk Market car park, Thirsk Millgate car park and Stokesley Showfield car park.
- Provide clarification to permit a vehicle to occupy more than one parking bay within a car park on payment of appropriate charge.
- Provide Blue Badge parking bays with a maximum parking period of three hours.
- Provide clarity to permit blue badge holders to park within a standard parking bay one hour after the expiry of the charging period.
- Provide coach parking at Bridge Street car park, Bedale.
- Provide electric vehicle charging point bays in Northallerton Applegarth long and short stay car parks, Northallerton Forum long and short stay car parks, Thirsk Market Place, Millgate and Nursery car parks, Bedale Auction Market and Bridge car parks. Stokesley Showfield car park
- Proposal to introduce a cashless payment system to all pay and display car parking in the Hambleton District.

## 4.0 Consideration of the proposals

### 4.1 Proposed - Car Park Layout

The purpose of this amendment is to remove individual parking bay detail shown on the car park plan associated with the Order and replacing 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 detailed car park layout) removes the requirements for statutory process.

#### 4.1.1 NYCC Officer Comment;

The proposal to specify car parking places by boundary only and removing the layout detail i.e. showing the actual spaces, removes the requirement for HDC to amend its off-street parking places order each time it amends the layout of a car park. Clarification was sought from HDC to understand if this course of action may negate the need to seek consent from NYCC in the future. It was confirmed by HDC that this course of action was being taken simply to save the amendment of the Parking places order and consent and all other statutory consultations would still be however, formal consent would still be required from North Yorkshire County Council. This proposal is considered to be acceptable.

### 4.2 Proposed - Payment for Parking by Cashless Parking System

The purpose of this amendment is to implement payment of a parking charge by means of a cashless payment system. A cashless payment System means a system using electronic payments, records and communication methods (for example, mobile phone, internet or application on an electronic device) to accept and record payment of parking charges. This will support the introduction of increased flexibility of payment methods available to car park users. Cash payments option will remain.

#### 4.2.1 NYCC Officer Comment;

The proposal to introduce a Cashless Payment System is in principle supported, and provides an additional and flexible payment option, which should encourage off-street parking which is in line with the strategic approach and the digital agenda. Should such a system(s) become commonplace throughout the county for both on and off-street parking then it would be desirable to have consistency in provider. However, it is accepted NYCC cannot instruct HDC to use a specific provider for that purpose. This proposal is considered acceptable but further engagement with HDC should be sought to try and forge a consistent application countywide.

### 4.3 Proposed - Payment for Parking by Cash, Debit & Credit Cards and Smartphone or Mobile Device

To allow payment of a parking charge by means of cash, debit and credit card and smartphone or mobile device at the ticket machines. This will support the introduction of increased flexibility of payment methods available to car park users.

#### 4.3.1 NYCC Officer Comment;

The proposal to extend payment options for parking charges to include Debit & Credit Cards and Smartphone or Mobile Device, is a welcome addition to the off-street carpark as it may encourage greater use, potentially removing some on-street parking in line with the strategic approach to parking management. This proposal is considered to be acceptable

### 4.4 Proposed - Extension in Parking Period

The purpose of this amendment is the extension of a parking period in the Northallerton Applegarth Short Stay car park, Northallerton Forum Short Stay car park, Thirsk Market car park, Thirsk Millgate car park and Stokesley Showfield car park. The maximum extension of a paid parking period will be until the end of the prescribed hours for charging. This change will enable car park users to park for longer than they anticipated

allowing them to complete their business whilst still complying with the parking order. In common with other town centre high street parking in the district Thirsk Market Place car park will retain its two-hour limit.

4.4.1 NYCC Officer Comment;

The proposal to provide an extension to the parking period allows a driver to extend their parking period beyond the current maximum time limit in the short stay car parks, however drivers will be paying a higher rate than the equivalent time had they parked in the long stay car park. 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. Performance of this amendment will require monitoring, but at this stage it is considered acceptable.

4.5 Proposed - Parking Bays

The purpose of this amendment is to allow a vehicle to occupy more than one parking bay on payment of the appropriate charge due for each parking bay occupied.

4.5.1 NYCC Officer Comment:

This proposal is primarily focused on larger vehicles which ordinarily could not be accommodated in a standard bay but such parking can be supported within the car park. The numbers of vehicles accessing this allowance is considered to be low and would not have an impact to on-street parking and therefore considered to be acceptable.

4.6 Proposed - Disabled Parking Bays

The purpose of this amendment is apply a maximum parking period of three hours to disabled parking bays in short stay car parks. This will ensure that they are not occupied by a single user for the whole prescribed charging period thereby allowing other disabled car park users to occupy the parking bay during the same prescribed charging period.

4.6.1 It is intended that a disabled badge holder parked in a standard parking bay in a short stay car park whose parking period expires before the end of the charging period, can continue to occupy the parking bay for a period of up to one hour after the expiry time shown on their ticket. A valid disabled badge must be displayed in the motor vehicle alongside the ticket. This confirms an existing arrangement allowing disabled badge holders extra time to complete their business. An extra hour of parking time will be included in a parking session obtained by means of a cashless payment system. A valid disabled badge must be displayed in the motor vehicle.

4.6.2 NYCC Officer Comment;

The intention of this proposal is to clarify that part of the current off-street parking order in respect of disabled parking bays and the introduction of a maximum time limit of three hours along with the clarification to allow disabled badge to park up to one hour after the time of the limit expires. Blue badge parking on-street is free and time unrestricted, so this may encourage drivers to seek on-street parking ahead of off-street. However, given the number of bays this is to apply is not considered to have any or minimal impact to the local highway network. Nevertheless, performance monitoring should be applied.

4.7 Proposed - Coach Parking

The purpose of this amendment is to make provision for coach parking at Bridge Street car park, Bedale within a designated area and limited to four hours between the hours of 7am and 11pm on all days and unlimited at other times.

4.7.1 NYCC Officer Comment;

The provision of coach parking in the Bridge Street car park, Bedale could be seen as a benefit to the local road network by providing a designated parking area which should

encourage off-street parking. The Bridge Street car park has 67 general parking bays which would be reduced by 17 spaces to 50 spaces to accommodate coach parking. The capacity and usage of both Bridge Street and Auction Mart (located across the road) car parks have been examined by HDC and it was resolved that there is sufficient capacity to cater for the loss of bays in Bridge Street car park. Therefore this proposal is considered to be acceptable.

#### 4.8 Proposed - Electric Vehicle Parking Bays

It is intended to introduce electric vehicle charging point bays for electric vehicles to park and charge vehicle batteries. A phased strategy is to be carried out to which initial provision is for four EV bays in Applegarth Short Stay car park Northallerton and four bays in Millgate Thirsk, a scheme is also progressing to provide power supplies for Market Traders in Thirsk Market Palace, the six power supply bollards will have dual function of EV charging outside of market days. Further provision will be on a demand led basis.

##### 4.8.1 NYCC Officer Comment;

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

## 5.0 Area Constituency Committee Consultation

5.1 The proposals were presented to both the Richmond (Yorks) and the Thirsk & Malton Area Constituency Committees on the 8<sup>th</sup> January 2021 and 13<sup>th</sup> January 2021 respectively.

5.2 No objections or concerns were raised about the proposals by Elected Members of either committee.

## 5.0 Conclusion

5.1 In consideration of the above and the statutory duty placed on the County Council as set out in para 2.3, it is the opinion of Officers that the proposals are reasonable in their intended effect and operation and should have minimal impact on the surrounding highway network respectively.

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.

6.2 Hambleton District Council have confirmed that in the initial phase of implementation, the order will not apply to any disabled parking areas. Any change in this will be subject to an EIA written by HDC and a decision will be taken on whether or not the order should extend to such bays.

## **7.0 Financial Implications**

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

## **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 BES Executive Members provides consent to Hambleton District Council to amend its parking places order as per the proposals.

Author: David Kirkpatrick  
Traffic Engineering Team Leader  
Business and Environmental Services  
North Yorkshire County Council  
January 2021

<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>	David Kirkpatrick		
<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>	xx January 2021			





## 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>1301.21</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**

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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>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>Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		<p>X</p>				
<p>Enhance <b>conservation</b> and wildlife</p>		<p>X</p>				
<p>Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b></p>		<p>X</p>				
<p>Other (please state below)</p>		<p>X</p>				

**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>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>	
<b>Completion date</b>	<b>22.12.20</b>

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

**Date:** **--/01/21**