

North Yorkshire Council

Environment Executive Members

12 July 2024

Consideration of Objectives - North Yorkshire Council (Various roads, Borough of Harrogate) (Disabled Person's Parking bays) (No 12) Order 2024

Report of the Assistant Director, Highways & Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Corporate Director of Environment and the Executive Member for Highways and Transportation of the outcome of the public consultation and for a decision to be taken on whether the following proposals be introduced or set aside in light of the objections received to a number of traffic regulation order proposals advertised for public comment in November/ December 2023.

2.0 BACKGROUND

- 2.1 Resident's Disabled Parking Bays (RDPB's) can be introduced to provide on-street parking in residential areas for 'blue badge' holders. The Council's policy states that the provision of these bays should only be considered when an individual does not have access to off-street parking such as a driveway or garage. Where a RDPB is provided it is not for the exclusive use of one resident but is available for use by any 'blue badge' holder.
- 2.2 RDPB's require a Traffic Regulation Order (TRO) to be introduced in order to be enforceable. Historically, some advisory and therefore unenforceable RDPB's were introduced without a TRO. The Traffic Signs Regulations and General Directions 2016 (as amended) do not permit the use of disabled parking bay road markings without a TRO and consequently enforcement action cannot be taken against those that misuse the advisory bays.
- 2.3 Under Sections 32 and 35 of the Road Traffic Regulation Act 1984, a local authority may by order authorise the use as a parking place of any part of a road within their area for the purpose of relieving or preventing congestion of traffic and make provision as to the use of the parking place, and in particular the vehicles or class of vehicles which may be entitled to use it and the conditions on which it may be used.
- 2.4 The RDPB Policy was approved in August 2011 which determined that only enforceable bays would be provided. In line with this decision, a two-stage assessment process was introduced against which applications are assessed. The assessment criteria for both stages are outlined in Appendix A.

3.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

- 3.1 The first stage of the assessment is undertaken by officers in the Councils Service Delivery Team and assesses whether applicants meet the Stage 1 criteria. RDPB's proposed at Avenue Grove, and Dene Park, Harrogate met the criteria and were forwarded to the Area 6 Highways team for consideration under Stage 2 of the process.
- 3.2 Stage 2 of the process requires that the Local Area Highways Office assesses the application against the relevant highway and site assessment criteria and where those criteria are achieved, taken forward for consultation and advertising under the statutory TRO process.

- 3.3 Officers at the Local Area Highways Office were made aware of a representation by Councillor Monika Slater dated 06 March 2023, initially addressed to the Corporate Director for Health and Adult services and subsequently forwarded to the Assistant Director, Highways & Transportation, Parking Services, Street Scene, Parks and Grounds relating to an application for a RDPB at Electric Avenue, Harrogate. As the applicant had not passed the Stage 1 criteria, details of the application had not been supplied to the Local Area Highways Office (Area 6) by the Service Delivery Team.
- 3.4 Enquiries identified that an application for a RDPB was made in September 2022 which had been rejected by colleagues in the Service Delivery team as the application did not meet the Stage 1 criteria. An appeal by the applicant and Councillor Monika Slater had been further rejected on the 13 March 2023.
- 3.5 The Local Area Highways Office were instructed to proceed with the Electric Avenue application by the Assistant Director, Highways & Transportation, Parking Services, Street Scene, Parks and Grounds as an 'exception' on the 22 March 2023.
- 3.6 Two of the RDPB's were minor adjustments to the position of existing bays following representations from the applicant's following implementation of recent TRO proposals.
- 3.7 One RDPB application for Electric Avenue did not pass the Stage 1 assessment criteria having been considered by officers in the Service Delivery Team in late 2022/ early 2023. Councillor Monika Slater and the applicant submitted an appeal on that decision on the 23 January 2023. That appeal was rejected by the Operational Team Leader on the 13 March 2023. As it had not passed the Stage 1 assessment, the application had not been forwarded to the Area 6 Highways team for the Stage 2 assessment.
- 3.8 Councillor Monika Slater submitted an additional representation to the Corporate Director, Health and Adult Services on the 06 March 2023, which was forwarded to the Assistant Director, Highways & Transportation, Parking Services, Street Scene, Parks and Grounds. Area 6 officers were instructed to proceed with the application by the Assistant Director on the 22 March 2023 as an exception following further assessment of the request.
- 3.9 It is therefore considered that Stage 01 and 02 of North Yorkshire Council RDPB Policy has been met. North Yorkshire Council is complying with its duty under Section 122 of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so 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 by introducing the proposed Traffic Regulation Order.

4.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 4.1 Local Members' comments were sought initially on the proposed measures in November 2023 prior to the advertising the TRO.
- 4.2 The enabling TRO was advertised for public comment on Thursday 30 November 2023 as the North Yorkshire County Council (Various Roads, Borough of Harrogate) (Disabled Persons' Parking Bays) (No.12) Order 2024 in both the local press and by means of a notice erected on street. The TRO process allows 21 days for formal objections to the proposed restrictions to be lodged with the local Highways office following public advertisement in the local press, as prescribed by the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 4.3 The statement of reasons and schedules for the enabling TRO are detailed in Appendix B.
- 4.4 The last date for receipt of objections was Monday 18 December 2023.

- 4.5 In total three (3) new RDPB's were advertised within the TRO which also sought to slightly relocate two existing RDPB's and revoke seven (7) RDPB's which had been introduced in previous TRO's and which were no longer required as the former applicants had moved property or were deceased.
- 4.6 Two of the proposed new RDPB's and the two realigned RDPB's received no objections and therefore will be implemented under the powers delegated to the Corporate Director for Environment under the Council's Constitution. These sites are detailed below:
- Avenue Grove, Harrogate
 - Dene Park, Harrogate
 - Dene Park, Harrogate
 - Dene Park, Harrogate

In addition, no objections were received to the proposal to revoke seven RDPB's at various locations in Harrogate.

- 4.7 Appendix C lists the objections/representations that have been received to the remaining RDPB at Electric Avenue, Harrogate and includes a detailed report in respect of each objection together with officer's comments and recommendations.
- 4.8 Any comments received from the relevant Local Members are included in the appropriate detailed report.

5.0 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 There are no known practical alternatives that would meet the requirements of the applicant.

6.0 FINANCIAL IMPLICATIONS

- 6.1 Funding is available from the existing Highways Area 6 'Signs, Lines and TRO' budget to support the installation of all of measures detailed in this report which are estimated to be in the region of £1,500.

7.0 LEGAL IMPLICATIONS

- 7.1 Under the Council's constitution, the consideration of objections to TROs is a matter for the Executive and the role of the Area Constituency Committee is a consultative role on wide area impact TROs.
- 7.2 The consideration of objections has been delegated by the Executive to the Corporate Director of Environment in consultation with the Executive Member for Highways and Transportation. The decision-making process relates to the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute. A wide area impact TRO is classed as a proposal satisfying all of the three criteria set out below:
- The proposal affects more than one street or road and;
 - The proposal affects more than one community and;
 - The proposal is located within the ward of more than one County Councillor.
- 7.3 Since the objections received only relate to one of the proposed RDPB's this is not considered to qualify as a wide area impact TRO and hence the Area Constituency Committee's views have not been sought.

- 7.4 In the event that the Executive Member and Corporate Director of Environment resolve to follow the recommendations contained in this report, then in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the Council will be required to make a Traffic Regulation Order (with or without modifications) and publish a notice of making the Order in the local press. The Council will also be required to notify the objectors of its decision and the reasons for making that decision within 14 days of the Order being made.
- 7.5 Where an Order has been made (i.e. 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.
- 7.6 In recommending the implementation of the proposed TRO as advertised for the reasons set out in this Report, Officers consider that the Council is complying with its duty under Section 122 of the Road Traffic Regulation Act 1984 and has carried out the required balancing exercise in coming to that decision.
- 7.7 All other main legal aspects are covered in Section 3 to this report. Beyond that, it is the view of officers that the proposals do not have any legal implications for the Council.
- 7.8 In accordance with the protocol for Executive Member reports, the Local Elected Member will be provided with a copy of this report and be invited to the meeting on the 12 July 2024.
- 7.9 Regulation 9 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 outlines the circumstances in which the Council would be required to hold a Public Inquiry. The Council has satisfied its duty and determined that the proposals do not include any restrictions on loading and unloading, therefore paragraph 3 of Regulation 9 does not apply in this regard. There were also relatively few objections received, therefore the Council considers that the holding of a public inquiry would not be proportionate in terms of timescale, officer time and the costs to public resources in this case.

8.0 EQUALITIES IMPLICATIONS

- 8.1 Consideration has been given to the potential for any equality impacts arising from the recommendation. 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.
- 8.2 A screening form has been included in Appendix D.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 Consideration has been given to the potential for any adverse Climate Change impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on Climate Change. A copy of the Initial Climate Change Impact Assessment decision form is attached as Appendix E

10.0 REASONS FOR RECOMMENDATIONS

- 10.1 The objections received centre mainly around the eligibility of the applicant and their parking opportunities and impact on parking for all local residents.

- 10.2 Impact on parking; Electric Avenue and other residential streets in the locality experience high demand for parking because of the high density of terraced and semi-detached housing with limited off-street parking opportunity. The applicant advised that parking is difficult due to some people parking on the street to visit the adjacent Oak Beck retail park, particular on weekends as the retail car park is often at capacity. The applicant further advises that motorists often park outside their property to visit the convenience store at the junction of Skipton Road.
- 10.3 A Tesco store has recently gained planning approval for a new superstore to the rear of the applicant's property which may intensify local parking demand during construction and upon completion and officers therefore have sympathy with the concerns of residents.
- 10.4 RDPB's are 6.6 metres in length which is longer than a typical family motor vehicle and therefore the introduction of a RDPB will result in the loss of one on-street parking space, most notably extending into the neighbouring property frontage. Presently three private cars can park fronting properties 11-15 Electric Avenue and the introduction of a RDPB fronting Nos. 11-13 will reduce that capacity to two vehicles due to the presence of vehicular accesses either side of the three properties.
- 10.5 Eligibility of the applicant; The applicant is a Blue Badge holder and whilst the applicant has not met the Stage 1 criteria initially, the applicant advised that whilst there is a garage to the rear of the property (a block of six communal garages), it has never been used to park a vehicle as the garage is not of a sufficient size to be able to park and enable access and egress for the disabled badge holder. The applicant further advised that due to the condition and needs of the applicant/ blue badge holder, there is a need to park at the front of the property. Officers therefore consider that whilst a garage is available, it does not serve the needs of the applicant to be used as a garage for daily use/ parking and hence the exception that is referenced in section 3.8 above.
- 10.6 As the application meets all the Stage 1 and Stage 2 assessment criteria for the introduction of a RDPB officers consider that there is no valid reason why the bay should not be provided at this time.
- 10.7 Officers recommend the implementation of the proposed TRO as advertised for the reasons set out in this Report. Officers consider that the Council is complying with its duty under Section 122 of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so 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, as set out in the Statement of Reasons and has carried out the required balancing exercise in coming to that decision.

11.0 RECOMMENDATIONS

- 11.1 It is recommended that (having taken into account all of the duly made representations and objections) that;
- i. The results of the consultation are noted;
 - ii. The Corporate Director of Environment in consultation with the Executive Member for Highways and Transportation, approves the introduction of the Residential Disabled Parking Bays as advertised;
 - iii. The Assistant Chief Executive (Legal and Democratic Services) be authorised to seal the relevant Traffic Regulation Order in light of the objections received and that the objectors are notified within 14 days of the Order being sealed.

APPENDICES:

Appendix A – Assessment/Eligibility Criteria

Appendix B – Statement of reasons, location and details of proposals

Appendix C – Consultation responses

Appendix D – Initial equality impact assessment screening form

Appendix E – Initial Climate Change Impact Assessment

BACKGROUND DOCUMENTS: Letters/ Emails of objection received are held in the scheme file held by the Boroughbridge Area 6 Highways Office & Report to Executive Members, Residential Disabled Parking Bays Policy, dated 18 August 2011

Barrie Mason

Assistant Director – Highways & Transportation, Parking Services, Street Scene, Parks & Grounds

County Hall

Northallerton

26 June 2024

Report Author – Paul Ryan, Project Engineer, Area 6 Highways

Presenter of Report – Melisa Burnham, Area Manager, Area 6 Highways

Assessment/ Eligibility Criteria

Stage one - applicant conditions

The applicant must be:

- The blue badge holder
- The driver of the vehicle (evidence of driver's licence and vehicle ownership will be required).
- Requesting a disabled parking bay for the same address as their blue badge has been issued.
- Unable or virtually unable to walk or propel a wheelchair for a comfortable distance outside the home - estimation of comfortable walking distance required.
- Unable to access suitable off-street parking, for example a driveway, garage or parking place provided by a housing association or social landlord.
- Unable to regularly park their vehicle on the public highway within a comfortable distance of their household

If you do not meet all of these criteria, but feel that your case is exceptional, please contact us. We will be able to assess your eligibility and advise you on whether to proceed with an application.

Stage two – highways specific conditions

We will make our decision on the following highway specific conditions. The application may be denied if one or more of the following exist:

- (a) We believe that there is reasonable evidence to suggest that the driver can regularly park their vehicle within a comfortable distance of their household either off-street or on-street.
- (b) The request is for a highway that is not maintainable at public expense.
- (c) The driver has access to suitable off-street parking, for example a driveway or garage. The suitability of the off-street parking facility will be considered in line with government guidance, specifically:
 - whether it is located on firm and level ground
 - whether the gradient is reasonable
 - whether there is space to enable the disabled driver to get into the car easily and safely
- (d) Waiting restrictions (for example double/single yellow lines, clearways / bus stop clearways and school keep clear road markings) are already in place or have been proposed in the requested location.
- (e) The request is within a Controlled Parking Zone.
- (f) Access or visibility would be impaired by the parking bay.
- (g) The road is not wide enough to allow the free flow of traffic when a vehicle is parked in the bay.
- (h) The location is listed in the Highway Code as a place where vehicles should not be parked.
- (i) The road has a speed limit over 30mph.
- (j) The current number of disabled parking bays installed is higher than 10% of the total number of residential properties or 10% of the number of parking spaces in the street, whichever is higher i.e., 40 houses = maximum number of 4 Disabled Bays in that street.

If either the stage one or stage two criteria are not satisfied, then the request will be declined. The process includes the assessments above, and the preparation of a traffic regulation order.

Statement of reasons, location and details of proposals

North Yorkshire Council (Various Roads, Borough of Harrogate) (Disabled Person's Parking Bays) (No.12) Order 2023

STATEMENT OF THE COUNCILS REASONS FOR PROPOSING TO MAKE THE ORDER

Under Section 1(1) of the Road Traffic Regulation Act 1984 the Council, as traffic authority for North Yorkshire, has powers to make a Traffic Regulation Order (TRO) where it appears expedient to make it on one or more of the following grounds:-

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- (b) for preventing damage to the road or to any building on or near the road, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
- (f) for preserving or improving the amenities of the area through which the road runs; or
- (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of Section 87 of the Environment Act 1995 (air quality).

Section 122(1) of the Road Traffic Regulation Act 1984 also 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.

The Council considers that it is expedient to make this TRO on grounds (c) and (f) above, having taken into account its duty under Section 122(1) of the 1984 Act, for the following reasons:-

North Yorkshire Council introduced a new protocol for the introduction of designated disabled parking bays in residential areas in November 2011.

In certain circumstances, 'on-street' parking bays can be implemented in residential areas for the use of disabled people who are Blue Badge holders. These bays provide on street parking for Blue Badge holders who do not have access to off street parking facilities such as a drive or garage outside or near to their home.

Residential disabled parking bays:

- Are provided solely to address access issues
- Provide on-street parking for eligible disabled people near to their home subject to meeting specific highway conditions
- Are not person specific and may be used by any blue badge holder regardless of where they live.
- Require a Traffic Regulation Order to be created before they can be installed
- Are outlined on the road with white lines and a traffic sign

A number of applications have been received from residents across the Harrogate District at the following locations;

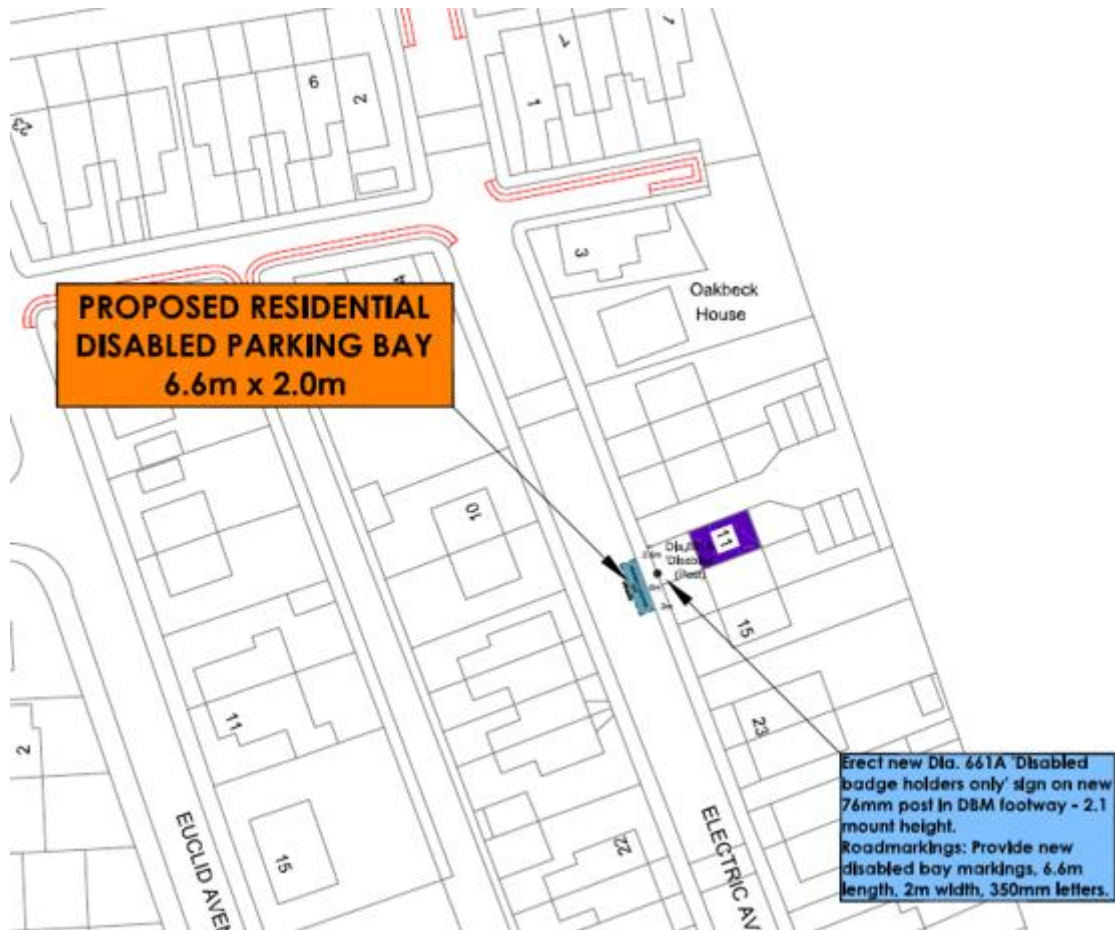
- (a) Avenue Grove, Harrogate
- (b) Dene Park, Harrogate (minor adjustment to existing RDPB)
- (c) Dene Park, Harrogate
- (d) Dene Park, Harrogate (minor adjustment to existing RDPB)
- (e) Electric Avenue, Harrogate

A number of residential disabled parking bays previously provided under the aforementioned protocol are no longer required and are therefore being revoked at the following locations;

- (a) Dene Park, Harrogate
- (b) Woodfield Drive, Harrogate
- (c) Roberts Crescent, Harrogate
- (d) Cawthorn Avenue, Harrogate
- (e) Dene Park, Harrogate
- (f) Avenue Road, Harrogate
- (g) West End Avenue, Harrogate

SCHEDULE OF REPRESENTATIONS OBJECTIONS RECEIVED AND SUBSEQUENT OFFICER COMMENT AND RECOMMENDATIONS

1 ELECTRIC AVENUE [BILTON GRANGE & NEW PARK DIVISION]



Objector 1: Resident of Electric Avenue, Harrogate

Suggests that the applicant has access to off-street parking including a garage situated next to the property and that this contradicts the North Yorkshire Council website which advises;

'In certain circumstances, disabled parking bays can be created on-street in residential areas for disabled drivers. The drivers must be blue badge holders and not have access to off street parking, such as a drive or garage. If you already have off-street parking, an application will only be approved in exceptional circumstances.

Does not believe there to be exceptional circumstances as the applicant at the residence has no mobility issues and has access to off-street parking including a garage.

Considers that providing a RDPB for the property is detrimental to the other residents of the street who do afford the luxury of having any parking option other than on-street. Suggests that most of the properties on Electric Avenue rely on on-street parking and that if approved, the applicant will in effect have three (3) allocated parking spaces.

Objector 2: Resident of Electric Avenue, Harrogate

Suggests that the property has sole use of a garage next to and adjoining their back garden and that there is also a driveway that the property use for parking outside their garage/ rear garden.

Further suggests that presently the applicant has no problem parking outside their property on the public highway.

Concerned that if approved, the RDPB would grant the property two to three parking spaces solely for the use of one vehicle.

Suggests that approval of the applicant contradicts the conditions on the North Yorkshire Council website.

Objector 3: Resident of Electric Avenue, Harrogate

Suggests that the property has sole use of a garage next to and adjoining their back garden and that there is also a driveway that the property use for parking outside their garage/ rear garden.

Further suggests that presently the applicant has no problem parking outside their property on the public highway.

Concerned that if approved, the RDPB would grant the property two to three parking spaces solely for the use of one vehicle.

Suggests that approval of the applicant contradicts the conditions on the North Yorkshire Council website.

Objector 4: Resident of Electric Avenue, Harrogate

Suggest that the applicant has separate parking facilities - namely a garage, is able to park regularly within a suitable distance from their property and that it is unreasonable to install a RDPB outside a property that already has access to off-street parking and that this goes against the conditions implied on the North Yorkshire Council website.

Officer comments and recommendations:

Officers are aware of the concerns and parking impact of the introduction of a 6.6m bay and prior to 2015, sought to reduce the length of the bays through special authorisations from the Department for Transport (DfT). The DfT will no longer issue special authorisations for reduced length disabled bays following advice sought from the disabled advisory team in the Department during the consultation over the revised Traffic Signs Regulations and General Directions.

The applicant meets all the stage 1 and stage 2 assessment criteria for the introduction of a residential disabled parking bay and officers therefore consider that there is no valid reason why a bay could not be provided at this time.

The applicant is a Blue Badge holder and whilst the applicant has not met the Stage 1 criteria initially, the applicant advised that whilst there is a garage to the rear of the property (a block of six communal garages), it has never been used to park a vehicle as the garage is not of a sufficient size to be able to park and enable access and egress for the disabled badge holder. The applicant further advised that due to the condition and needs of the applicant/ blue badge holder, there is a need to park at the front of the property. Officers therefore consider that whilst a garage is available, it does not serve the needs of the applicant to be used as a garage for daily use/ parking.



GOOGLE EARTH IMAGES OF 11 ELECTRIC AVENUE PROPERTY AND GARAGE LAYOUT



Photo showing garage layout to rear of 11 Electric Avenue

RECOMMENDATION: that the disabled parking bay at 11 Electric Avenue, Harrogate be introduced as proposed and that the Director and Members note that this may impact upon parking opportunity for neighbouring residents.

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Environment		
Service area	Highways & Transportation		
Proposal being screened	TRO – Proposed Residential Disabled Parking Bay, Electric Avenue, Harrogate		
Officer(s) carrying out screening	Paul Ryan		
What are you proposing to do?	Installation of Residential Disabled Parking Bay – Electric Avenue, Harrogate		
Why are you proposing this? What are the desired outcomes?	An eligible resident has applied for a RDPB outside or near their property going through the application process set out by NYC.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC’s additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an 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 directorate representative for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don’t know/No info available
	Yes	No	
Age		No	
Disability		No	
Sex		No	
Race		No	
Sexual orientation		No	
Gender reassignment		No	
Religion or belief		No	
Pregnancy or maternity		No	
Marriage or civil partnership		No	
People in rural areas		No	
People on a low income		No	
Carer (unpaid family or friend)		No	
Are from the Armed Forces Community		No	
Does the proposal relate to an area where there are known inequalities/probable impacts (for	Not known		

example, disabled people's access to public transport)? Please give details.				
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No			
Decision (Please tick one option)	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:	<input type="checkbox"/>
Reason for decision	<p>The implementation of the disabled parking bay will be a benefit to those with blue badges at the location. The loss of the space may have a negative impact on the nearby residents some of whom may have protected characteristic such as older people and families with young children.</p> <p>However the applicant has met all the criteria for a disabled bay. NYC have a specific duty to have due regard to the needs of disabled people and hence not implementing the bay would appear to go against this duty.</p> <p>Whilst it is recognised that drivers will generally prefer to park outside their own home, it is important to recognise that this is not an automatic 'right'. It is not always possible and, in addition to local residents, other road users also have the right to park on any section of unrestricted public highway, providing they are not contravening the Highway Code.</p> <p>On balance, the proposed RDPB will have no negative impact on people with protected characteristics (or NYCs additional characteristics) and will enable the Council to comply with its duties under Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004</p>			
Signed (Assistant Director or equivalent)	Barrie Mason			
Date	01/07/2024			

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	TRO – Proposed Residential Disabled Parking Bay, Electric Avenue, Harrogate
Brief description of proposal	To introduce a disabled bay at the above location which will involve road markings and associated signage
Directorate	Environment
Service area	Highways & Transportation
Lead officer	Paul Ryan
Names and roles of other people involved in carrying out the impact assessment	Paul Ryan, Project Engineer (Area 6 Boroughbridge Highways Office)

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	✓	Continue to full CCIA:	
Reason for decision	All the above factors are likely to have no impact from the installation of the residential disabled parking bay. There will be a positive impact for the applicant of the disabled bay and other blue badge holders who could use the bay.			
Signed (Assistant Director or equivalent)	Barrie Mason			
Date	01/07/2024			